Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court

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HEARING DATE: AUGUST 14, 2024

STATE OF RHODE ISLAND PROVIDENCE, SC.

SUPERIOR COURT

NICOLE SOLAS,

Plaintiff,

v. C.A. No.: PC-2022-04727

SOUTH KINGSTOWN SCHOOL COMMITTEE

Defendant.

MEMORANDUM OF LAW IN SUPPORT OF

DEFENDANT, SOUTH KINGSTOWN SCHOOL COMMITTEE'S

OBJECTION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND

CROSS-MOTION FOR SUMMARY JUDGMENT

Now comes the South Kingstown School Committee (hereinafter the "School Committee"), Defendant in the above-captioned matter, and hereby objects to Plaintiff, Nicole Solas's (hereinafter "Solas") Motion for Summary Judgment and also respectfully moves this Honorable Court for an Order such that the School Committee is entitled to judgment as a matter of law for the reasons set forth herein.

I. <u>FACTS</u>

A. Background

At the beginning of the summer of 2020, as explained by School Committee member, Katherine Macinanti, (hereinafter "Macinanti") the School Committee endeavored to take proactive measures to ensure that the South Kingstown School District (hereinafter the "District") was "participating in equity" and focusing on discussions within the schools to ensure that the District was not operating "a racist school system." *See.* Macinanti Dep. 13:16-21, October 3, 2023 at "*Exhibit A.*" In furtherance of this effort, during a June 23, 2020 meeting of

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the School Committee, the Committee listened to a presentation by Robin Wildman, in which

she gave an overview of the mission of Nonviolent Schools RI (hereinafter "NSRI") and

suggested how NSRI could assist the School Committee in ensuring equity throughout the school

system. A copy of the June 23, 2020 meeting minutes is attached hereto as "Exhibit B."

B. Nonviolent Schools RI

By way of explanation, Wildman is the Executive Director of NSRI and also a former

teacher in the District who retired in 2019. See. Wildman Dep. 11:11-18; 14:15-24, September

29, 2023 at "Exhibit C." NSRI is a private, non-profit organization that is tax-exempt under

Section 501(c)(3) of the Internal Revenue Code, with a mission "to teach educators and

administrators in grades k through college age the philosophy and strategies of Dr. Martin Luther

King, Jr., so that [they] can improve the climate and culture of the school communities or help –

help improve it." See. Id., Wildman Dep. at 12:23-13:2.

C. "Creation" of the BIPOC Board

During the June 23, 2020 meeting, Wildman explained a "two-tiered approach for

change," with tier one being the creation of a task force made up of students and community

members who would be charged with "talk[ing] about experiences people of color experienced

in the school system in South Kingstown" and tier two being non-violence training/professional

development for community, staff and leadership. See. Id., Wildman Dep. at 17:12-19:2; See

also. Exhibit B. At the meeting, School Committee Chair, Stephanie Canter, suggested that the

"task force" be referred to as an "advisory board"; to the best of Wildman's recollection, Canter

just "liked the name better." See. Id., Wildman Dep. at 18:5-14; See also. Exhibit B. There were

no votes taken or decisions made with respect to this presentation at the June 23, 2020 meeting.

See. Exhibit B.

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At the July 22, 2020 School Committee meeting, the Committee voted "to create an equity and antiracist advisory board, crated [sic] and charged by Robin Wildman and Jonathan Lewis." A copy of the July 22, 2020 meeting minutes is attached hereto as "Exhibit D." Sarah Markey, the Vice Chair of the School Committee, explained that Wildman and Lewis would "set up the structure, member [sic] and process and then get compensated." See. Id. Wildman represented to the Committee that they would "center the advisory board around the experts and experiences of the BIPOC community."

D. Facilitation of the BIPOC Board

In keeping with the vote of the School Committee, Wildman, in her capacity as Executive Director of NSRI, facilitated the BIPOC Advisory Board (hereinafter the "BIPOC Board"), which included recruiting members, planning agendas, setting dates for meetings and securing meeting places (when the Board was not meeting virtually due to COVID-19 protocols) and ensuring "a safe place for people to be able to share their traumas and experiences." *See. Exhibit C*, Wildman Dep. at 31:12-33:18. The members of the School Committee had no role in selecting the members of the BIPOC Board, and at least one School Committee member, Emily Cummiskey, had no knowledge of the identities of the members of the BIPOC Board. *See. Exhibit A*, Macinanti Dep. at 62:22-24; *See. also.* Cummiskey Dep. 29:7-8, June 27, 2023 at "Exhibit E."

¹ This motion was listed under "item (I)," entitled "Discussion/Action: Creation of equity & antiracist advisory board, *created* and charged by Robin Wildman and Jonathan Lewis." (Emphasis added.)

² Lewis was a senior trainer and Director of Youth Training for NSRI. See. Exhibit C, Wildman Dep. at 86:23-87:5.

³ The acronym "BIPOC" stands for "Black, Indigenous, (and) People of Color."

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E. The "Purpose" of the Board

At its inception, the purpose of the BIPOC Board was for the members to discuss experiences that people of color have had in relation to the School District. *See. Exhibit C*, Wildman Dep. at 18:25-19:1. Members on the BIPOC Board who were parents described some experiences and the BIPOC Board processed those experiences and tried find a way to make suggestions of ways that the District could "improve things for all students, including the BIPOC students and parents and families. *See. Id.*, Wildman Dep. at 19:2-7. At the outset, it was not the intention of the BIPOC Board to provide suggestions regarding School Committee policies; however, as the members started listening to the feedback offered during their gatherings, they decided that they "wanted to understand how the current policies spoke to the issues that [they] were hearing," and therefore the BIPOC Board started reviewing policies they thought related to the experiences they had/were learning about in an attempt to "understand how they needed to be changed." Gitahi Dep. at 24:20-25:3, December 19, 2023 at "*Exhibit F*." It became an opportunity for the BIPOC community to offer their perspective with respect to how the School Committee's policies impacted them. *See. Exhibit A*, Macinanti Dep. at 13:3-9.

Per School Committee member Macinanti, the Committee invites members of its community to join various groups that it works with for work sessions to get their input because as elected officials, they like to get the perspective of their community members; the Committee likes "to hear from the public to make sure that [they're] representing them properly and adequately." *See. Id.*, Macinanti Dep. at 24:14-25. The feedback provided by the BIPOC Board was merely in the nature of suggestions, as opposed to any type of formal recommendation. *See. Exhibit C*, Wildman Dep. at 34:16-21.

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F. BIPOC Board Composition

The BIPOC Board was composed solely of volunteers from the community; none of the members received any type of compensation for their time and efforts. *See. Exhibit A*,

Macinanti Dep. at 14:8-9; *See also*. Affidavit and Response of Robin Wildman at "*Exhibit G*".⁴

The BIPOC Board did not have a set membership; sometimes a dozen people would show up to a meeting, other times two (2) dozen individuals would attend. *See. Exhibit F*, Gitahi Dep. at 15:2-20. The "core group" of attendees included five (5) or six (6) individuals. *See. Id.* There were no School Committee members or District Administrators on the BIPOC Board. *See.*Markey Dep. 58:11-13, August 18, 2023 at "*Exhibit H.*"; *See also. Exhibit A*, Macinanti Dep. at 22:16-17; *See also. Exhibit C*, Wildman Dep. at 40:7-41:4; *See also. Exhibit G*. Moreover, School Committee members did not attend BIPOC Board meetings, and the Superintendent of Schools, Linda Savastano, along with the Director of Curriculum, Ginamarie Masiello, only attended one BIPOC meeting after receiving an invitation from Wildman; however they did not participate in the meeting, but just observed and thanked the members for their efforts. *See. Id.*

G. The Structure of the BIPOC Board

The BIPOC Board was informal; as explained by member Gitahi:

I didn't hold an official position, and I didn't – we didn't interact in an official capacity. We didn't vote on anything. We didn't really – we didn't pass policy resolutions or anything like that. It was kind of informal – a chance to meet informally and to talk in a – to create like a safe environment, a safe space that was welcoming and then to talk about issues that people who identified as BIPOC were experiencing in the school district, both students and parents of students and other community members. So it was more of like just conversations each week. *See. Exhibit F*, Gitahi Dep. at 16:9-21.

The group would listen to the experiences of the members and then provide insight to the District with respect to any issues they identified, such as discrimination, harassment, hiring practices

⁴ Wildman's Affidavit was submitted in response to the Plaintiff's Open Meetings Act complaint that was filed with the Office of the Attorney General, which will be addressed *infra*.

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and representation, and the like. *See. Id.* at 20:17-21:14. The BIPOC Board did not have specific agendas for the meetings, but rather, they were open discussions. *See. Id.* at 21:15-18.

Additionally, when the BIPOC Board first started meeting in August of 2020, they had meetings on a weekly basis; however, at some point it decreased to every other week and as less and less people attended the meetings, they became more infrequent. *See. Exhibit C*, Wildman Dep. at 42:1-24.

H. Membership

Ultimately, Wildman had the authority to decide who would become a member of the BIPOC Board. *See. Exhibit C*, Wildman Dep. at 107:16-18. Wildman requested that non-BIPOC individuals interested in joining the BIPOC Board wait until they were able to gather the stories and experiences of the BIPOC members before they began attending meetings. *See. Exhibit C*, Wildman Dep. at 45:1-9. Wildman did not assess whether an individual was BIPOC, but rather, it was "for everybody to define themselves." *See. Id.* at 45:17-22. Wildman testified that with respect to the BIPOC Board meetings, they considered whoever showed up to the first meeting to be a member of the Board; she was not the determiner of whether someone identified as BIPOC, nor did she ever inquire as to how individual attendees identified themselves. *See. Id.* at 110:18-111:13. Wildman did open up the BIPOC Board to individuals who did not identify as BIPOC. *See. Id.* at 115:12-20. The School Committee was not involved in the decision by NSRI, through Wildman, to ask non-BIPOC individuals to "hold off" on attending BIPOC Board meetings while they discussed experiences. *See. Exhibit A*, Macinanti Dep. at 28:1-18.

Gitahi testified that it was his understanding that if someone who was not BIPOC wanted to attend a BIPOC Board meeting, they could do so. *See. Exhibit F*, Gitahi Dep. 30:8-20. He stated that while the conversations between members would not have been as open or

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comfortable, they did not intentionally exclude individuals because they did not identify as BIPOC. *See Id.* While it was not common, individuals who did not identify as BIPOC, such as parents of BIPOC students, did attend BIPOC Board meetings. *See Id.* at 32:1-11.

Wildman did not deny Solas's request to attend BIPOC Board meetings because Solas did not identify herself as BIPOC; but rather because Wildman felt duty-bound to protect NSRI and the BIPOC Board members from being harassed by Solas. *See. Exhibit C,* Wildman Dep. at 112:16-24; 116:9-22. Specifically, when asked the basis on which Wildman precluded Solas from attending meetings, Wildman stated "I was concerned about her tone and her harassment of me on social media. And quite frankly, I was a little bit alarmed by her aggressiveness and what she could do to me and possibly – I don't know what she would do if she came to a meeting or if she found out where I lived. So I was a little bit fearful." *See. Id.* at 112:19-24. Wildman also testified that she would not have permitted Solas to participate in BIPOC Board meetings if she did identify as BIPOC, explaining:

As I stated before, her harassment of me and unkind words that she used against people who were on the board made me afraid. And, in fact, when she started sending those emails and posting those things on social media, we lost quite a few members because they were afraid. *See Id.* at 116:9-22.

Wildman was not a member of the BIPOC Board, but rather, as mentioned above, was facilitating the meetings in her position as Executive Director of NSRI. *See. Exhibit G; See also. Exhibit F,* Gitahi Dep. at 80:15-17.

I. Compensation

NSRI submitted a proposal to the District to gather the members, create agendas, and facilitate and host BIPOC Board meetings. *See. Exhibit C*, Wildman Dep. at 81:6-24. NSRI received \$4,999.00 to facilitate these meeting and provide some conflict reconciliation training in the District. *See Id.* at 82:11-20. NSRI received no other compensation for its work. *See Id.* at

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82:23-83:2. NSRI began facilitating the BIPOC meetings in August of 2020, and continued to

do so until the payment started to approach the monetary limit on the Superintendent's

procurement authority, at which time, the District posted a Request for Proposals (hereinafter

"RFP"). See Id. at 81:6-24.

In addition to approaching the monetary limit on small purchases not requiring an RFP,

the School Committee decided that it wanted to expand the scope of services beyond facilitation

of the BIPOC Board meetings and conflict reconciliation training. See. Savastano Dep. 70:21-

76:16. October 30, 2023 at "Exhibit I." NSRI submitted a response to the RFP and was awarded

a contract for services to be provided for the period of February 15, 2021 through August 31,

2021. A copy of the Parties' Independent Contractor Agreement (the "Contract") is attached

hereto and incorporated herein as "Exhibit J."

Pursuant to the Contract, in addition to facilitating twenty-five (25) meetings between

February- August of 2021, NSRI was required to provide twenty (20) hours of Kingian

Nonviolence training to District employees; conduct three (3) Kingian Nonviolence workshops

for the Superintendent and the School Committee; provide Kingian Youth Leadership Training

for high school students; host an anti-racism book club for employees; and consult with

Savastano and Masiello on an ad hoc basis. See. Id.

Authority over the BIPOC Board J.

The School Committee did not regard the Advisory Board as an entity over which it had

control; therefore, it did not believe that it could dictate the membership of the BIPOC Board or

how NSRI facilitated the meetings. See. Exhibit A, Macinanti Dep. at 92:14-20; See also. See.

Exhibit I, Savastano Dep. at 33:14-20; See also. Exhibit H, Markey Dep. at 55:25-56:3. The

School Committee did not request that Wildman provide it with copies of the BIPOC Board's

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> meeting minutes, nor did they expect her to forward the copies to them. See. Exhibit I, Savastano Dep. at 26:22-27:3. Rather, Wildman forwarded the meeting minutes to the Superintendent and the School Committee because she thought it was a nice gesture and a way to let them know that the BIPOC Board had a meeting, and to "let them know that things were moving forward, that people had come, and [they] were starting to have some conversations." See. Exhibit C, Wildman Dep. at 38:2-18. Likewise, Wildman forwarded a copy of an Anti-Racism/Anti-Discrimination Policy draft that she purported was drafted by the Advisory Board to the School Committee "as a courtesy." See Id. at 68:12-69:6.

School Committee members did not involve themselves with the BIPOC Board and did not read the minutes that Wildman forwarded to them. See. Exhibit A, Macinanti Dep. at 20:9-18; See also. Exhibit H, Markey Dep. at 55:25-56:7.

The School Committee was interested in learning how its policies impacted BIPOC community members, so it added two (2) seats to the Policy Subcommittee and designated them for use by the BIPOC Board so that the BIPOC Board could provide its perspective as to the impact of School Committee Policies on individuals who identify as BIPOC. See. Exhibit A, Macinanti Dep. at 15:6-14; See also. Exhibit F, Gitahi Dep. at 37:19-39:14.5 Initially, Gitahi was the only individual from the BIPOC Board who was on the Policy Subcommittee because when the BIPOC Board discussed having a member participate on the Policy Subcommittee, Gitahi was the only individual who felt comfortable volunteering for the position. See. Exhibit F, Gitahi Dep. at 40:2-41:15.

⁵ The School Committee later voted to allow a third member of the BIPOC Board occupy a seat on the Policy Subcommittee, which, was not uncommon because the School Committee often votes to expand or add members its subcommittees depending on if someone departs; they do not necessarily specify an individual to occupy the seat. See. Exhibit A, Macinanti Dep. 55:15-19; 56:19-25.

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K. The Policy Subcommittee

The Policy Subcommittee is a subset of the School Committee that was established pursuant to the School Committee's Bylaws. A copy of the School Committee's Bylaws is attached hereto as "Exhibit K." While the BIPOC Board provided advice to the Policy Subcommittee through their personal perspectives, the Policy Subcommittee, in coordination with the District's legal counsel, reviews and drafts policies based on public policy and laws and regulations for consideration of the School Committee. See. Exhibit A, Macinanti Dep. at 35:5-36:8; 36:25-37:6. All subcommittees of the School Committee, including the Policy Subcommittee, have between one and three (3) Committee members who sit on them. See. Id. at 32:25-33:9. See also. Exhibit K; See also. Exhibit I, Savastano Dep. at 37:19-38:4. The Chair of the School Committee appoints the members of the Committee to each subcommittee, and "community members serving on sub-committees shall be appointed by the Committee on the recommendation of the Chair." See. Exhibit K. According to the Bylaws, subcommittees are required to post and conduct meetings in accordance with the Open Meetings Law, and while they are charged by the full Committee for a specific purpose such as fact-finding, studying issues, and/or making recommendations to the full School Committee, they do not make decisions for the District. See Id.; See also. Exhibit A, Macinanti Dep. at 32:24-33:9. The School Committee members who sit on a particular subcommittee are responsible for bringing the recommendations of that subcommittee to the full School Committee for consideration and decision. See Id. at 44:2-13. Moreover, as explained by Macinanti:

The policy subcommittee reviews [the School Committee's] district policies and/or they have – they can make a recommendation to create a new policy, and they work with [the School Committee's] legal team to put that together. And they make a recommendation to the full body, the full school committee body. And then the full committee body then does its own procedural [sic] and determines whether they will adopt it or not. See Id. at 35:25-36:8.

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Pursuant to the Bylaws, all policy development requires an analysis that includes, among other

things, "information and input from multiple sources within the school district and community-

at-large," and "public comment shall be invited on all new policy and policy amendments via

oral, written and electronic formats." See. Exhibit K. In order for a new policy or policy

amendment to be adopted, it must be considered at two (2) separate meetings before adoption;

official School Committee action may be taken at the second meeting. See Id.

The Policy Subcommittee meetings were always well attended and it "often had lively

discussion." See. Exhibit I, Savastano Dep. at 52:1-7. People would go to the Policy

Subcommittee meetings and the policies would "be torn up by the group sitting at the table,"

because that was the job of the members on the Policy Subcommittee. See Id. at 59:5-11. There

were three (3) members of the School Committee on the Policy Subcommittee. Savastano, who

was a member of the Policy Subcommittee testified:

We would have three members of the school committee on there and different policies would come forward and be discussed and then go forward to the school committee for discussion and then go back to the policy subcommittee for more discussion and then go

discussion and then go back to the policy subcommittee for more discussion and then go back to the school committee for more discussion and then back to the policy

subcommittee. See Id. at 52:17-23.

The Policy Subcommittee would present its findings by placing a policy on the School

Committee's meeting agenda, and while the discussion at the School Committee meeting would

ultimately be led by one of the members who was also on the Policy Subcommittee, other

individuals may also participate in the presentation, for example, a principal may participate in a

discussion regarding a graduation policy. See Id. at 53:12-54:4. All of the Policy Subcommittee

meetings are open to the public, livestreamed and recorded for later viewing. See Id. at 59:3-5.

Therefore, members of the public had the opportunity to provide their thoughts and input

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regarding any and all policies at both Policy Subcommittee meetings and full School Committee meetings. *See Id.* at 109:18-21.

Moreover, it is not uncommon for various stakeholders, including community groups, individuals, and businesses to reach out to the School Committee with their concerns, ideas and recommendations regarding School Committee policies. *See. Exhibit H*, Markey Dep. at 46:16-47:10; *See also. Exhibit A*, Macinanti Dep. at 50:6-16. The BIPOC Board provided research to the Policy Subcommittee in the form of gathering input from community members, which is a source of information and community perspective that neither the Policy Subcommittee nor the School Committee could get from any other source. *See. Exhibit F*, Gitahi Dep. at 43:13-17; 44:16-45:6.

L. The Anti-Racism, Anti-Discrimination and Anti-Harassment Policy

With respect to the Anti-Racism, Anti-Discrimination and Anti-Harassment Policy (hereinafter the "Anti-Racism Policy"), the extent to which the BIPOC Board "created" an Anti-Racist Policy for the Policy Subcommittee's review is in dispute. Wildman testified that the BIPOC Board drafted an Anti-Racism Policy for the District *See. Exhibit C*, Wildman Dep. at 57:3-5. Gitahi testified that the BIPOC Board did not create new policies; but rather, their goal was to "see how [they] could adjust existing policies." *See. Exhibit F*, Gitahi Dep. at 26:11-16. Gitahi stated:

We weren't writing the policy. We were – again, we were – we were coming up with suggestions for the current policy. And so I think when – I believe when [Wildman] says that we were writing the policy, we're not writing it from scratch. We were reviewing the policy and we were making suggestions. And I think that's just, like, a general way of saying that. But we weren't – we weren't creating — at this point, we weren't creating a – a brand new policy. *See Id.* at 51:5-14.

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Gitahi also testified as follows:

- Q. Was part of making those suggestions drafting portions or making revisions to the antiracism/anti-discrimination policies that already existed in the district?
- A. Yeah, revisions and suggestions, yes.
- Q. And did that include members of the BIPOC Advisory Board actually writing and drafting revisions to those policies?
- A. No. No. The writing was done in subcommittee. The BIPOC Advisory Board would offer suggestions and then and then the the representatives of the BIPOC Advisory Board to the subcommittee would then incorporate those suggestions into comments in the document itself and then that would go before the subcommittee for consideration. *See Id.* at 52:2-16.

Further, Gitahi explained that the Policy Subcommittee created a new "umbrella policy" which became the Anti-Racism Policy, and that there were not specific members of the Policy Subcommittee that drafted it; but rather, it was a group effort. *See Id.* at 26:16-28:14.

Regardless of the extent to which the BIPOC Board was involved in the "creation" of the Anti-Racism Policy, the draft Policy was revised by the Policy Subcommittee multiple times and the version that was presented to the School Committee for second reading and ultimately adopted by the full Committee omitted all references to any so-called official or advisory power of the BIPOC Board. *See. Exhibit A, Macinanti Dep. at* 75:20-76:12; 78:2-79:1. These references to the BIPOC Board were removed because it is the District's policy not to identify specific organizations in policies because organizations change over time. *See Id.*

Specifically, the Policy Subcommittee discussed a draft of the Anti-Racism Policy at its January 7, 2021 meeting, and the Subcommittee decided that more research and revisions were required. A copy of the January 7, 2021 Meeting Minutes is attached hereto as "*Exhibit L*." Subsequently, the draft Anti-Racism Policy was reviewed and tabled due to additional revisions being needed at Policy Subcommittee meetings occurring on the following dates: February 25,

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2021; March 4, 2021; and March 18, 2021. Copies of the respective minutes for these meetings are collectively attached hereto and incorporated herein as "*Exhibit M.*" It was not until the April 15, 2021 Policy Subcommittee meeting that the Subcommittee voted to send the Anti-Racism Policy to the full Committee for a first reading. A copy of the April 15, 2021 Meeting Minutes is attached hereto as "*Exhibit N.*"

The Anti-Racism Policy was read for the first time at the May 20, 2021 School

Committee meeting and was referred back to the Policy subcommittee. A copy of the May 20, 2021 Meeting Minutes is attached hereto as "Exhibit O." See also. Exhibit A, Macinanti Dep. at 77:21-78:18. Thereafter, the Policy Subcommittee further revised the draft Anti-Racism Policy and voted to send the Policy back to the full Committee for a second reading, which came before the School Committee at its November 23, 2021 meeting. A copy of the November 23, 2021 Meeting Minutes is attached hereto as "Exhibit P." The School Committee was not satisfied with the draft of the Anti-Racism Policy and sent it back to the Policy Subcommittee once again. See Id. The Policy Subcommittee made additional revisions to the Policy, including removing all references to the BIPOC Board set forth therein, and sent it back to the full Committee, which approved the Anti-Racism Policy at its December 14, 2021 meeting. Copies of the November 29, 2021 the December 14, 2021 Meeting Minutes of the Policy Subcommittee, along with the red-lined version of the Anti-Racism Policy as it was approved by the Committee are attached hereto as "Exhibit Q."

M. Curriculum

The BIPOC Board never recommended specific curricula to the District, nor did it write or rewrite curriculum for the District. *See. Exhibit C*, Wildman Dep. at 52:1-53:24; 118:25-119:3; *See also. Exhibit H*, Markey Dep. at 66:8-24; 111:24-112:12; *See also. Exhibit I*,

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Savastano Dep. at 18:23-19:20. Masiello was the District's Director of Curriculum, and while

she invited the public, <u>not</u> just the BIPOC Board to review curriculum materials, it was in her

purview to write curriculum. See. Exhibit C, Wildman Dep. at 52:1-9; 83:20-23. During a

Policy Subcommittee meeting, it was represented that the BIPOC Board suggested that the

District include curricula that "had more of a historical context" or that spoke more about the

history of specific to Indigenous people of South Kingstown and/or the State of Rhode Island.

See. Exhibit F, Gitahi Dep. at 35:7-36:19. As explained by Savastano:

If I can explain it this way, just that curriculum in Rhode Island is determined by the State. We have lists of curriculum materials that we must select from. So there is no one that is going to tell us in schools what we have to teach. We have to pick from a preapproved list.

A group can share how – what their feelings are about that curriculum – in this case the BIPOC group. But it doesn't mean that we would even have the ability to change the curriculum because the State determines the list of curriculum that we can use. *See. Exhibit I*, Savastano Dep. at 19:10-20.

When asked if it was her understanding that one of the functions of the BIPOC Board was to provide recommendations regarding curriculum to the School Committee, Savastano replied:

My – when I say that, it's in terms of how they feel about certain aspects of curriculum. But again, there's not much authority in Rhode Island around curriculum selection or recommendation. *See Id.* at 19:22-20:5.

Therefore, any member of the public or community group was invited to review curricula, and while they could offer their thoughts and feelings regarding curricula, the Director of Curriculum bore the responsibility of ensuring that the District offered curricula that was within the specific parameters set forth by the State.

N. The Suspension Policy

Providing recommendations to school officials was not one of the purposes of the BIPOC Board. *See. Exhibit C,* Wildman Dep. at 64:25-65:16. Rather, the Suspension Policy was being

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discussed at the Policy Subcommittee meeting, and after learning of this, the BIPOC Board

started to look at it to see if there were any suggestions that they could make. See. Exhibit F,

Gitahi Dep. at 25:5-15. Dr. Chip McGair, the High School Principal, presented a first draft of

the Suspension Policy at the October 8, 2020 Policy Subcommittee, at which time he stated that

he would take the feedback from the meeting back to the "Suspension Team" and also forward it

to legal counsel for review. A copy of the October 8, 2020 meeting minutes is attached hereto as

"Exhibit R." At the October 22, 2020 Policy Subcommittee, a revised draft Suspension Policy is

reviewed and the District's legal counsel makes several recommendations to the draft before

being sent back to the School Committee. A copy of the October 22, 2020 Meeting Minutes is

attached hereto as "Exhibit S."

The Suspension Policy went before the School Committee for a second reading at its

October 27, 2020 meeting and was approved. A copy of the October 27, 2020 meeting minutes

is attached hereto as *Exhibit T.*" At this meeting, it was represented to the School Committee

that the BIPOC Board wanted "requested involvement in further discussion" regarding the

Suspension Policy; however, School Committee members expressed a desire to pass the Policy

that night, which they did. See Id. The Suspension Policy has not been amended since the

October 27, 2020 meeting. See. Id.

O. The Hiring Policy

A first draft of the Appointments and Promotions Policy (the "Hiring Policy") was

presented to the Policy Subcommittee by the District's legal counsel at its February 4, 2021

meeting. A copy of the February 4, 2021 meeting minutes is attached hereto as "Exhibit U."

During the May 13, 2021 meeting of the Policy Subcommittee, members of the BIPOC Board

made suggestions to the Policy, such as adding a requirement that the Hiring Committee be

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composed of at least forty (40%) BIPOC individuals. A copy of the May 13, 2021 meeting minutes is attached hereto as "Exhibit V." A draft of the Hiring Policy was brought before the School Committee during its May 20, 2021 meeting, but was sent to legal counsel for further review. See Exhibit O. A copy of the draft Hiring Policy presented thereat are collectively attached hereto as "Exhibit W." The first reading of the Hiring Policy was approved at the June 14, 2022 School Committee Meeting and the Policy that is currently in effect was approved at the August 23, 2022 School Committee Meeting. Copies of the June 14, 2022 and August 23, 2022 Meeting Minutes, together with a copy of the current Hiring Policy are collectively attached hereto as "Exhibit X."; See also. Exhibit A, Macinanti Dep. at 87:19-90:2. The School Committee did not adopt the changes to the Hiring Policy that were recommended by the BIPOC Board. See. Exhibits W and X; See also. Exhibit C, Wildman Dep. at 104:9-105:2; See also. Exhibit A, Macinanti Dep. at 87:19-90:2.

P. Legal Counsel

With respect to policy-making, it is the responsibility of the District's legal counsel to coordinate with the Policy Subcommittee to ensure that the policies presented to the School Committee are in accordance with the applicable laws and regulations. *See. Exhibit A, Macinanti Dep. at 35:5-36:8; 36:25-37:6.* The District's legal counsel did not provide legal advice to the BIPOC Board, the BIPOC Board did not retain the District's legal counsel as their own, and the BIPOC Board did not seek legal advice from the District's legal counsel. *See Exhibit F, Gitahi Dep. at 83:11-13; 102:14-103:1.* There was no indication that legal counsel "might have been under the impression" that the BIPOC Board was seeking legal advice from her. *See Id.* at 103:24-104:2. The BIPOC Board acknowledged that the District Legal Counsel represented the

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District, not the BIPOC Board, and thus the responsibility of the District's legal counsel was to ensure that the District had "strong" policies. *See Id.* at 103:12-104:2.

Q. Dissolution of the BIPOC Board

NSRI stopped facilitating BIPOC Board meetings prior to September of 2021, and around that time, the composition of the BIPOC Board changed as did the name of the Board. *See. Exhibit C,* Wildman Dep. at 87:25-89:3.

R. Attorney General's Decision

On or about May 20, 2021, Solas filed a complaint with the Office of the Attorney General (the "Attorney General") alleging that the BIPOC Board was a public body pursuant to R.I. Gen. Laws § 42-46-2(5); however, after considering the arguments set forth by Solas and the School Committee, in a decision dated May 10, 2022, the Attorney General determined that the BIPOC Board was <u>not</u> a public body, and thus the School Committee did not violate R.I.G.L. § 42-46-1, *et seq.*, (the "Open Meetings Act"). Copies of the documents submitted to the Attorney General by the Parties, along with the May 10, 2022 decision are attached hereto and collectively incorporated herein as "*Exhibit Y.*"

II. LEGAL STANDARD

Pursuant to R.I. Super. R. Civ. P. 56, a hearing justice should grant a party's motion for summary judgment "if there exists no genuine issue of material fact and the moving party is entitled to judgment as a matter of law." *Lynch v. Spirit Rent-A-Car, Inc.*, 965 A.2d 417, 424 (R.I. 2009). "The judgment sought shall be rendered forthwith if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law." (Super. R. Civ. P. 56(c)). Further, "in opposing a motion for summary

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judgment, the nonmoving party carries the burden of proving by competent evidence the existence of a disputed issue of material fact and 'cannot rest on allegations or denials in the pleadings or on conclusions or legal opinions." *Classic Entertainment & Sports, Inc. v. Pemberton*, 988 A.2d 847, 849 (R.I. 2009) (quoting *Accent Store Design, Inc. v. Marathon House, Inc.*, 674 A.2d 1123, 1225 (R.I. 1996)).

Additionally, "the purpose of the summary-judgment procedure is to identify disputed issues of fact necessitating trial, not to resolve such issues." *Manning v. New England Power*, No. Civ. A. PC98-9051, 2004 WL 3190204, at *1 (R.I. Super. December 22, 2004)(citing *Rotelli v. Catanzaro*, 686 A.2d 91, 93 (R.I. 1996)).

However, when both of the adversary parties file for summary judgment, the court "shall treat the relevant allegations of both parties in the most favorable light insofar as they oppose the respective motions." *Manning*, 2004 WL 3190204 at *1, citing *RIH Medical Found., Inc. v.*Nolan, 723 A.2d 1123, 1125 (R.I. 1999). When both parties move for summary judgment and no genuine issue of material fact exists, the court must review the record to determine if either party is entitled to judgment as a matter of law. *Id.* citing *Dubis v. East Greenwich Fire District*, 754 A.2d 98, 100 (R.I. 2000).

III. LEGAL ARGUMENT

As stated by the Supreme Court in *Fischer v. Zoning Board of the Town of Charlestown*, in order for the Open Meetings Act to apply to an entity, a "public body" must convene and there must be a "quorum" of the members present. 723 A.2d 294, 295 (R.I. 1999). If neither of these prerequisites are present, the Open Meetings Act does not apply and the inquiry ends. If an entity is deemed to be a "public body" in accordance with the Open Meetings Act, then the Court must find that the public body had a quorum of its members at a meeting where they discussed

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> matters over which the public body has "supervision, control, jurisdiction, or advisory power." R.I.G.L. § 42-46-2(1). As demonstrated herein, in consideration of the most recent and controlling case precedent and the instructive decisions of the Attorney General, the BIPOC Board was not a public body within the meaning set forth in the Open Meetings Act.

A. The undisputed facts in the instant matter are analogous to those set forth in Pontarelli v. Rhode Island Board Council on Elementary and Secondary Education, and consistent with the Supreme Court's holding therein, the BIPOC Board is not a public body subject to the Open Meetings Act.

Pursuant to R.I.G.L. § 42-46-2(5), a public body is defined as "any department, agency, commission, committee, board, council, bureau, or authority, or any subdivision thereof, of state or municipal government," and also includes "the board of directors of any library that funded at least twenty-five percent (25%) of its operational budget in the prior budget year with public funds," and all authorities defined in R.I.G.L. § 42-35-1, the Administrative Procedures Act.

In *Pontarelli*, the most recent and controlling Supreme Court decision regarding the applicability of the Open Meetings Act's definition of "public body" to an entity or organization, the Court held that the Rhode Island Department of Education's ("RIDE") Compensation Review Committee ("CRC") was not a "public body" within the definition set forth in the Act. 151 A.3d at 301. Therein, the Board Council on Elementary and Secondary Education (the "Council"), created the CRC to convene and review requested and proposed salary adjustments for RIDE employees. Id. at 302-303. The CRC was composed of six (6) RIDE employees: three (3) division chiefs, the Chief of Staff, the Human Resources Coordinator, and the Deputy Commissioner. Id. at 303. The Deputy Commissioner served as the Chair of the CRC and membership was not by appointment, but rather, it was considered an additional task for "people

⁶ 151 A.3d 301 (R.I. 2016).

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that are on the leadership team." Id. The CRC was described as an "informal, ad hoc working

group with a strictly advisory role and no legal status or authority. *Id.* While the CRC created a

charter, it did not have regular meetings, post public notices, or keep written minutes. *Id.*

Additionally, "the CRC began reviewing the creation of new positions in RIDE and the work of

each division or office should oversee. Because only the commissioner has the actual authority

to take personnel actions, the CRC is 'strictly advisory' and handles all personnel matters outside

the scope of the human resources department. *Id.*

In support of its decision, the Court stated that the CRC was not created by an executive

order, did not meet on a regular basis, and it "acted as an informal strictly advisory committee."

Id. at 308. (Underlining added for emphasis). Further, the Court explained that even though the

Compensation Review Committee "was composed of a group of high-level state officials and

operated under a charter," these two (2) factors alone were insufficient to "place them into the

'public policy' umbrella." *Id.* The Court also emphasized the fact that the Compensation

Review Committee's sole function was to advise the Commissioner of RIDE, who in turn had to

make a recommendation to the Council explaining that if the Commissioner decided to present

any proposal to the Council for its approval, the public who have an opportunity to be informed

of and object to such a proposal. Id.

Here, the School Committee voted to allow representatives of NSRI, a private, non-profit

organization, to "create an equity and anti-racist advisory board." See. Section I(C) supra.

NSRI was charged with setting up the structure and determining the membership and

membership qualifications of the BIPOC Board. See Id.; See also. Section I(H) supra. The

members of the School Committee had no role in selecting the members of the BIPOC Board.

See. Section I(D) supra. NSRI facilitated the BIPOC Board, which included recruiting members,

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planning agendas, setting dates for meetings, and securing meeting places. See. Id. Unlike in

Pontarelli, there were no School Committee members, administrators or "high-level" school

officials on the BIPOC Board; but rather, it was composed of volunteers from the community.

See. Section I(F) supra. The Superintendent and Director of Curriculum attended one meeting at

which they were observers and did not participate. See Id. In fact, the BIPOC Board did not

have a set membership; sometimes they would have upwards of two (2) dozen attendees, and

other times only five (5) or six (6) "core" members who showed up. See Id.

The function of the BIPOC Board was to talk about the experiences people of color had

in the South Kingstown School District and to make suggestions as to how the District could

"improve things for all students, including the BIPOC students and parents and families." See.

Section I(C) supra.; See also. Section I(E) supra. The BIPOC Board did not have a charter; it

was informal. The BIPOC Board did not interact in an official capacity, have specific agendas,

vote on matters or pass any resolutions. See. Section (I)(G) supra. The School Committee did

not believe that it had control over the BIPOC Board, and while Wildman forwarded meeting

minutes and a draft policy to them as a convenience, they did not expect her to do so, and at least

some of the School Committee members stated that they did not even read what was forwarded

to them. See. Section I(J) supra.

Not only did the School Committee not appoint members to the BIPOC Board, similarly,

it did not appoint specific members of the BIPOC Board to the Policy Subcommittee. Rather,

two (2), and later three (3) seats on the Policy Subcommittee were reserved for BIPOC Board

members, if they chose to attend. See Id. The BIPOC Board members would bring suggestions

to the Policy Subcommittee, which were discussed and analyzed along with all of the other

comments and suggestions of the various Policy Subcommittee members. Just as the CRC in

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Pontarelli only had strictly advisory authority because the Commissioner had the authority to

make personnel decisions, likewise, the BIPOC Board was strictly advisory in that it is the

School Committee that has the authority to make decisions regarding policies.

Pursuant to R.I.G.L. § 16-2-9(a), the specifically enumerated powers and duties of the

School Committee include, but are not limited to: developing education policies to meet the

needs of the community; providing for and ensuring "the implementation of federal and state

laws, the regulations of the council on elementary and secondary education, and local school

policies, programs and directives; having overall policy responsibility for the employment and

discipline of school department personnel; adopting personnel policies; and establishing policies

governing curriculum, courses of instruction, and textbooks.

The Policy Subcommittee also does not have authority to adopt policies for the District.

The Policy Subcommittee must forward all draft policies to the School Committee, and each

policy must be considered at two (2) School Committee meetings before it is adopted by the

School Committee. See. Section I(K) supra. Both the Policy Subcommittee meetings and the

full School Committee meetings are open to the public, and therefore, all policies are subject to

public scrutiny at at least three (3) public meetings. See Id.

Moreover, the extremely limited advisory power of the BIPOC Board is demonstrated by

the fact that the policies that included input from the BIPOC Board were often sent back to the

Policy Subcommittee by the School Committee and/or adopted by the School Committee without

the BIPOC Board's suggested changes. For example, the School Committee was not satisfied

with the Anti-Racism Policy as evidenced by the fact that it sent the Policy back to the Policy

Subcommittee multiple times, and ultimately adopted the Policy only after all of the references

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to the BIPOC Board were stricken. See. Section (I)(L) supra. Likewise, the Hiring Policy was

sent back to the Policy Subcommittee by the School Committee, and the School Committee

ultimately adopted a version of the Hiring Policy that omitted the BIPOC Board's suggestions.

See. Section I(O) supra. Additionally, the School Committee effectively denied the BIPOC

Board's request to have further discussion regarding the Suspension Policy and adopted it the

same night the request was presented to it. See. Section I(N) supra.

In consideration of the foregoing, it is clear that when applying the Court's analysis in

Pontarelli to the instant matter, the balance of the facts falls heavily on the finding that the

BIPOC Board is not a public body. Arguably, the undisputed facts demonstrate that it is even

less likely that the BIPOC Board is a public body when compared to the CRC described in

Pontarelli.

B. The factors relied upon by the Court in Solas v. Emergency Hiring Council of the State of Rhode Island 7 when finding the existence of a public body simply are not

present in this case.

In Solas v. Emergency Hiring Council of the State of Rhode Island, a case that has been

distinguished by *Pontarelli*, the Supreme Court determined that an Emergency Hiring Council

(the "EHC"), which was created by an executive order to manage and control the State's hiring

practices and fiscal resources, was a "public body" within the definition set forth in the Open

Meetings Act. 774 A.2d at 823. Pursuant to the executive order, "no new positions, vacant

positions, or promotions could be created or filled without authorization from the EHC. *Id.* A

second executive order expanded the EDC's duties to make suggestions to the Governor related

to "reforms to the State personnel system." *Id.* at 824. Moreover, the Governor specifically

stated that the intent of the executive order was to insure that "no person or persons other than

⁷ 774 A.2d 820 (R.I. 2001).

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stated:

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the Council shall have the authority to make any determinations in this regard." *Id.* With respect to composition of the EHC, the Director of the Department of Administration or designee, a Department Director appointed by the Governor, the Governor's executive counsel or designee, the Governor's cabinet secretary, and the Special Assistant to the Chief of Staff for Boards and Commissioners were all members of the EHC. *Id.* In consideration of these factors, the Court

The record demonstrates that the EHC combines senior executive branch staff members with employees for assistance with the functions and objectives set forth in both executive orders to determine whether creating a new position in state government or filling a vacancy is absolutely necessary. Upon a reading of both executive orders, it is clear that the council has been granted significant influence and veto power over creating positions in state government, promoting employees to existing positions and filling existing vacancies. Thus, at the very least, the EHC functions in an influential advisory capacity with veto power over a subject of significant public interest. *Id*.

While the Court also rationalized that "whether supervisory or advisory, both functions are regulated by the act," as stated above, controlling case law specifically requires that any advisory power must be "strictly advisory." *Id.* at 825.

Unlike the EHC in *Solas*, here, there is no indicia of supervisory authority or veto power bestowed upon the BIPOC Board. While the EHC had "significant influence and veto power over creating positions in state government, promoting employees to existing positions and filling existing vacancies, the BIPOC Board had no independent authority. The record is replete with references to the fact that the BIPOC Board made informal suggestions (without taking votes), as opposed to any type of formal recommendations to the Policy Subcommittee; and any such suggestions did not even make it out of the Policy Subcommittee unless the Subcommittee voted to incorporate them into a draft policy and send it to the full School Committee. Moreover, neither the BIPOC Board nor the Policy Subcommittee had any veto power. The School

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Committee is vested with the power to make decisions regarding policies and curriculum, and it routinely sent policies back to the Policy Subcommittee for further review and revisions. The BIPOC Board was comprised of volunteer parents, students and community members who had no decision-making authority on behalf of the District. Once again, any so-called advisory power of the BIPOC Board was certainly *de minimis* as evidenced by the fact that many of the suggestions they made were omitted from the District's policies.

C. The findings of the Attorney General in this and comparable matters are entitled deference, or in the very least, are instructive and should not be wholly disregarded.

In *Fischer v. Zoning Board for the Town of Charlestown*, this Honorable Court recognized that his Court gives great deference to the Attorney General in these matters as he is the public official entrusted, in the first instance, to investigate and determine the validity of a complaint made under the Open Meetings Act (42-46-8 of the Rhode Island General Laws, as amended)." No. Civ. A. WC-93-0624, 1997 WL 849921 at * 1 (R.I. Super. May 22, 1997) aff'd on other grounds, 723 A.2d 294 (R.I. 1999). With regard to the instant matter, the Attorney General noted that *Pontarelli* demonstrates that an entity that has an advisory role is not necessarily a public body," and after balancing the facts and considering the tenet set forth in *Pontarelli*, the Attorney General correctly determined that the BIPOC Board does not meet the definition of a "public body" for Open Meetings Act purposes. *See. Exhibit Y*.

Therein, the Attorney General explained that while NSRI receives compensation for facilitating the BIPOC Board, the Board is comprised of volunteers who do not receive pay or benefits related to their membership. *See Id. citing Schmidt v. Ashaway Volunteer Fire*Association, AG Op. OM 98-33 (finding entity to not be a public body and noting that members

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do not receive a salary or benefits for their services). Additionally, the Attorney General aptly stated:

The BIPOC Committee's mission as described by the School Committee, ie. to 'advocate for equity in the education of students who identify as Black, Indigenous, and People of Color (BIPOC) in South Kingstown schools, inspiring a healthier and just community and school system for everyone,' is also more focused on promoting general advocacy than carrying out any particular role or authority that has been designated to it. *See. Id.*

Also, the Attorney General acknowledged that the Policy Subcommittee has the authority to discuss and decide the proposed revisions that will eventually be submitted to the School Committee for final approval, and therefore, the Policy Subcommittee has no obligation to consider the BIPOC Board's suggestions at all. *See Id.* Importantly, the Attorney General noted that even assuming *arguendo* that the BIPOC Board was a public body, it would be difficult to determine whether a quorum existed at any given time and whether a "meeting" actually took place because there was no set membership or number of members. *See Id.* As demonstrated herein, the further development of the record has served to bolster the findings made in the Attorney General's decision in favor of the BIPOC Board <u>not</u> being a public body.

Additionally, the Attorney General has rendered a plethora of decisions concerning the "public body" requirement of the Open Meetings Act which are instructive when opining over the current matter. In *Montiero v. Providence School Board Nominating Commission*, the Attorney General determined that the Providence School Board Nominating Commission was not a public body within the meaning set forth in the Open Meetings Act because the Nominating Commission was formed after the mayor adopted one of the recommendations from a non-profit, non-government group studying the Providence Public Schools, and each of the five (5) members of the Commission were selected by one of the non-profit sponsoring organizations that were not subject to a governmental or approval process. OM 02-25 (R.I.A.G. December 13,

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2002). Therein, the Attorney General also noted that there were no public dollars expended on the Nominating Commission, such as rent, secretarial, postage, stationary, salaries or other benefits. Likewise, here, the members of the BIPOC Board were selected by NSRI, a non-profit organization that was not subject to a governmental process, and while the School Committee paid NSRI a nominal fee for facilitating the BIPOC Board, there were no direct expenditures such as rent, administrative assistance, salaries, or benefits associated with the BIPOC Board.

Also, in Nicole Solas v. RIDE's Educators of Color Committee, the Attorney General determined that based upon the totality of undisputed facts presented, RIDE's Educators of Color Committee was not a public body under the Open Meetings Act. OM 22-45 2022 WL 3581438 (R.I.A.G. July 27, 2022). The Educators of Color Committee, did not have a set membership; rather, it was open to all "Rhode Island teachers, administrators, school leaders, social workers, and any other persons working in the education field," and the Commissioner "informally convened educators and education staff of color 'for a series of ongoing conversations' 'to offer clear guidance and create policies and procedures to promote empowerment and the retention of current and future educators of color." Id. Additionally, it did not have any decision-making authority; rather the members of the group engaged in roundtable discussions and if the Committee made any recommendations to the Commissioner, they would be subject to public scrutiny through public meetings because the Commissioner would have to present the recommendations to the Council at a public meeting. *Id.* The Attorney General determined that the totality of the facts demonstrated that the Committee lacked any specific authority to take any government action and therefore, in keeping with Pontarelli, was not a public body. Id. (See also. Nicole Solas v. RIDE's LEAP Task Force, OM 22-26, 2022 WL 2168832 (R.I.A.G. May 11, 2022) wherein the Attorney General determined that RIDE's Learning and Equity

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Accelerated Pathways (LEAP) Task Force was not a public body because it was created by the Commissioner but not pursuant to any formal statutory or legal authority and the key function was to compile information and make suggestions in the form of a report to the Commissioner, who in turn made recommendations to the Council during public meetings and under public scrutiny.) (*See also. In Re: East Greenwich School Committee*, ADV OM 23-03, 2023 WL 4678970 (R.I.A.G. June 26, 2023) wherein the Attorney General held that a Local Special Education Advisory Committee is not a public body, in part, because the Committee was not required to conduct regular meetings, but rather must hold at least four (4) meetings per year.)

D. Plaintiff's insinuation that correspondence between the District's legal counsel and the BIPOC Board related to the latter's suggestions regarding policies before the Policy Subcommittee created an attorney-client relationship is expressly contradicted by the record and lacks support from relevant case law.

Plaintiff attempts to argue that some sort of attorney-client relationship was created between District's legal counsel and the BIPOC Board and therefore, such a relationship equates to a finding that the BIPOC Board is a public body. Simply stated, Plaintiff has offered no legal support for this argument in the terms of a case, statute, regulation or Attorney General opinion. Rather, Plaintiff relies on the Court's decision in *DiLuglio v. Providence Auto Body, Inc.*, concerning the relationship between a lawyer and a non-lawyer with respect to the dissolution of a private business for the proposition that an attorney-client relationship existed between the District's legal counsel and the BIPOC Board. 755 A.2d 757 (R.I. 2000). Plaintiff's reliance on *DiLuglio* is misplaced.

In *DiLuglio*, the Court explained that the existence of an attorney-client relationship is a question of fact, and the burden rests with the individual asserting the existence of the relationship. *DiLuglio*,755 A.2d at 766. (internal citations omitted.) The Court further explained

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that as a general proposition, the creation of a professional relationship between attorneys and their clients is governed by contract law; the attorney-client relationship arises "by reason of agreement between the parties." *Id.* (internal citations omitted.) While the Court indicates that such a relationship may be implied based on the conduct of the parties, the Court qualifies this statement by explaining: "[a]nd where the advice and assistance of the attorney are sought and received in matters pertinent to the attorney's profession as a lawyer, such a relationship can still arise even in the absence of an express agreement." *Id.* (internal citations omitted.)

Here, there was no express or implied agreement such that the District's legal counsel had any type of professional attorney-client relationship with the BIPOC Board. In fact, testimony contained in the record expressly disclaims this assertion. The District's legal counsel attends Policy Subcommittee meetings to assist the Subcommittee in drafting policies that are in compliance with federal and state laws and regulations and best practices. Gitahi attended Policy Subcommittee meetings as a BIPOC Board representative and the District's legal counsel communicated with Gitahi on behalf of the District to ensure that everyone was "on the same page" with respect to which provisions should and should not be included in the policies to ensure that the District adopted legally sound policies.

The act of an attorney reaching out to a third party working group to clarify or confirm a mutual understanding does not create an attorney-client relationship. Rather it is due diligence on behalf of the District. Moreover, the record plainly reflects that the BIPOC Board did not seek legal counsel from, or otherwise retain legal representation from the District's legal counsel; legal counsel did not provide legal advice to the BIPOC Board; and there was no indication that legal counsel "might have been under the impression" that the BIPOC Board was seeking legal advice from her. *See.* Section I(P) *supra*. The BIPOC Board acknowledged that the District's

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> legal counsel represented the District, not the BIPOC Board, and as such, the District legal counsel's responsibility was to ensure that the District had "strong" policies. See Id.

E. Even if this Court found that the BIPOC Board was considered a "public body," it had no authority to adopt School Committee policies and thus Plaintiff's remedy requesting that the policies adopted by the School Committee be declared null and void is unreasonable.

As demonstrated by the record herein, the BIPOC Board had absolutely no decisionmaking authority with respect to District policies, curriculum or any other decisions related to the school system. The Anti-Racism, Hiring, and Suspension Policies were all discussed at length, during multiple public meetings held by both the Policy Subcommittee and the School Committee. Plaintiff was free to attend the Policy Subcommittee and advocate for changes to the draft policies and/or request that they not be forwarded to the full School Committee for review. Similarly, Plaintiff could have attended any of the School Committee meetings and likewise voiced her opinion and/or concerns regarding any of the policies at issue. The record is devoid of any evidence demonstrating how Plaintiff has been harmed by the adoption of the Policies; especially since there is no indication that she voiced her concerns for any of the policies at any of the public meetings. As such, there is no harm to the Plaintiff that would justify declaring any of the policies null and void. Also, the BIPOC Board was dissolved in or around September of 2021. Moreover, the Court should consider this lack of harm when considering any award of attorneys' fees as the Court "must consider the inherent tenets of justice and fairness in determining the amount, ensuring that the remedy is 'proportional to the breach and the effect thereof." Tanner v. Town Council of Town of East Greenwich, 880 A.2d 784, 800 (R.I. 2005) citing Edwards v. State, 677 A.2d 1347, 1349 (R.I. 1996).

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IV. CONCLUSION

For the foregoing reasons, Defendant, South Kingstown School Committee, respectfully

requests that this Honorable Court deny Plaintiff's Motion for Summary Judgment and grant the

School Committee's Motion for Summary Judgment as the undisputed facts clearly demonstrate

that the School Committee is entitled to judgment as a matter of law.

Respectfully submitted,

DEFENDANT,

SOUTH KINGSTOWN SCHOOL COMMITTEE,

By Its Attorneys,

/s/ Deidre E. Carreno

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Dated: July 16, 2024

CERTIFICATION

I hereby certify that on this **16th day of July. 2024**, I served this document through the electronic filing system to the following:

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Jonathan Riches, Esq.

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Kamron Kompani, Esq. litigation@goldwaterinstitute.org

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/s/ Deidre E. Carreno

Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM

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Exhibit A

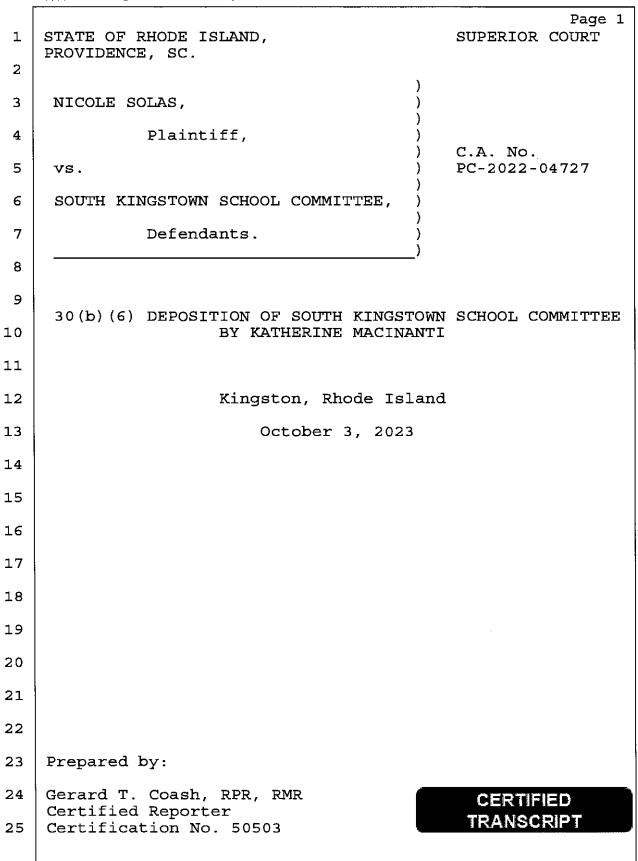
Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court

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> Nicole Solas vs. South Kingstown School Committee 30(b)(6) of South Kingstown School Comittee by Katherine Macinanti

October 3, 2023



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October 3, 2023

Nicole Solas vs. South Kingstown School Committee 30(b)(6) of South Kingstown School Comittee by Katherine Macinanti Page 11 Page 10 1 California. Is that a remote position? 1 Black, Indigenous, and people of color to have -- give 2 kind of their perspective as to what it's like to live A. It is, yes. 3 in -- I'm assuming South Kingstown. They're a group of Q. What's your -- what's your other prior 4 community members. 4 professional experience? A. Prior to that, I worked for American Power Q. Does the school committee currently interact with 6 Conversion, which was then acquired by Schneider Electric, 6 the BIPOC Advisory Board? A. Not to my knowledge. 7 and I worked for them for 19 years as a website quality Has the school committee previously had 8 assurance director. And them I was unemployed for -- I interactions with the BIPOC Advisory Board? 9 want to say two to three years. And then I was employed Δ Yes. 10 by Hinge Health starting in January of 2022. Q. What were the circumstances that led to your What were the nature of those interactions? The nature of those interactions. So they --12 appointment to the South Kingstown School Committee? 13 there are actually -- I do want to restate, there are some A. During that period of time, multiple members had members as -- community members who sit on our policy 14 resigned. And I put my -- I put my name in as -- I've 15 lived in South County, I lived in Narragansett and South 15 subcommittee at the moment, but they -- they work within -- with our school district to give their 16 Kingstown my whole life. Kids are in the school district. 17 I've lived in South Kingstown for the majority of my life. perspective on different policies and educational opportunities in our school district. 18 So I put in my name and the town council then vetted Q. All right. Is it correct that in July of 2022 19 myself and a few other people and them appointed me. 20 the school committee voted to create the BIPOC Advisory Q. I want to ask you about the creation of the BIPOC 21 Advisory Board. Do you know what the BIPOC Advisory Board 21 Board? 22 is? A. In July of 2022? Q. I'm sorry. I'm sorry. July 22nd, 2020. 23 23 A. I do. A. Okay. Yeah, I was going to say. I thought it O. What is it? 24 A. It's an advisory board that was put together for 25 was a trick question. Page 13 Page 12 1 correct? O. There won't be any --1 A. Yes. Q. Sorry, I'm trying to get this task bar -- it's O. I'm sorry. Go ahead. A. Yes. We voted to -- to work with the BIPOC 4 kind of in the way. 5 Advisory Board. All right. I want to draw your attention to Q. I'm going to try and share my screen here so you item number 11 where it says motion "to create an equity and antiracist advisory board." Do you see that? 7 can see the exhibits. Okay. Can you -- can you see that document A. Ido. O. And it looks like the school committee voted on 9 on your screen now, the South Kingstown School Committee 10 Business Meeting? 10 the creation of -- of the advisory board. Is that 11 correct? 11 A. I can see it, yes. MR. RICHES: All right. Jerry, could we What did you understand -- at the time the school 13 mark the first exhibit? This one actually doesn't have a 14 Bates number, but at the top left it says South Kingstown 14 committee voted to create the BIPOC Advisory Board, what 15 School Committee Business Meeting, July 22nd, 2020. did you understand the board's purpose to be? (Deposition Exhibit 1 was marked for That it was just basically what it's called, that 16 17 it would be an advisory board that would work with our 17 identification.) 18 school district in order to make sure that -- that we were 18 BY MR. RICHES: participating in equity and that we were focusing on 19 Q. Okay. Ma'am, do you recognize this document? A. Ido. anti-racist -- I'll say discussions in our schools so that 21 O And what is it? we were not being a racist school system. It was more -- it was advisory by nature. It's meeting -- excuse me -- meeting minutes from

23 our July 22nd, 2020 school committee meeting.

Q. Great. And it looks like your name appears here 25 as a voting member of the committee at that time. Is that 23 And as you can see in this, I asked if she would be paid 24 or volunteer, because I had -- at the time, I had basic

25 information about it, and our attorney Andrew Henneous

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October 3, 2023 14..17

	Page 14		Page 15
1	said that the understanding was it would be a volunteer	1	correct?
2	position.	2	A. Yes.
3	Q. Okay. Was the position when you say	3	Q. Was the advisory board established to study
4	"volunteer," you're referring to Ms. Robin Wildman, who	4	anti-racism policies or issues and then present that
5	was	5	information to school officials?
6	A. Um	6	A. To my knowledge, it was to give their perspective
7	Q for the BIPOC Advisory Board?	7	as a community of Black, Indigenous, and people of color,
8	A. For everybody on the BIPOC Advisory Board, that	8	to give their perspective as to how our policies impacted
9	their participation in the board would be volunteer.	9	them.
10	Q. I see. What about Ms Ms. Wildman? Was it	10	Q. Was one of the purposes of the BIPOC Advisory
11	your understanding that her participation on the BIPOC	11	Board to make recommendations to the school committee
12	Advisory Board would be volunteer?	12	regarding anti-racism policies within the district?
13	A. From that meeting, yes, that was my	13	A. My understanding is that they would advise us on
14	understanding.	14	their perspective, yes.
15	Q. Is it your understanding that Ms. Wildman later	15	Q. And that is is that specifically with respect
16	served in a volunteer capacity or did she receive	16	to school district policies?
17	compensation from the school committee?	17	A. Yes.
18	A. I later learned that she was being compensated by	18	Q. Do you recall if the BIPOC Advisory Board was
19	cur school district.	19	previously called something else?
20	Q. So the school committee never voted to compensate	20	A. I'm to be homest, I'm not a hundred percent
	Ms. Wildman?	21	sure of that. I know there was something called TASK, I
22	A. Not to my knowledge.	22	don't know what TASK stands for, but I do not know if they
23	Q. All right. You testified that the one of the	23	are the same organization.
24		24	Q. Are you aware if it was recommendations of a
25	school committee with anti-racism policies. Is that	25	school committee member to refer to the advisory board as
	Page 16		Page 17
1	Page 16 an advisory board?	1	_
1 2			were in contact with Ms. Wildman about her serving as a
	an advisory board?		were in contact with Ms. Wildman about her serving as a facilitator for the BIPOC Advisory Board prior to the
2	an advisory board? A. Can you repeat that?	2	were in contact with Ms. Wildman about her serving as a facilitator for the BIPOC Advisory Board prior to the
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> Nicole Solas vs. South Kingstown School Committee 30(b)(6) of South Kingstown School Comittee by Katherine Macinanti

October 3, 2023 18..21

Page 19 THE WITNESS: What led to Linda's departure? A. We have the seven school committee members, plus 2 We came to a separation agreement. She -- she submitted 2 our superintendent, Ms. Savastano at the time, and our --3 I think she was the director of curriculum maybe, Gina 3 her resignation, and we came to an agreement to part ways. 4 Masiello. BY MR. RICHES: Q. Okay. Ms. Masiello was the director of Q. Did she -- did she resign on good terms with 6 curriculum to your recollection? 6 the --A. At that time, yes. MS. CARRENO: Objection. This exceeds the Q. Is Ms. Masiello still employed by the school scope of the 30(b)(6). 9 district? MR. RICHES: I'm not sure it does. We're 10 A. She is not. trying to figure out the individuals that are on this Q. What led to her departure? email string, their relation to the BIPOC Advisory Board, 11 MS. CARRENO: Objection. their relation to the school committee, when they were 12 MR. RICHES: Go ahead. employed by the school committee, when they left the 13 14 THE WITNESS: She took a personal leave of school committee, the circumstances of when they left, all 15 absence, to my knowledge, and then resigned from the 15 that's relevant. 16 district. I believe it was in -- what are we in, '23? I MS. CARRENO: Well, I maintain my objection that the circumstances in which these individuals left is 17 believe that occurred in -- I can't recall the exact -- I 18 think it was '22. 18 not relevant to this matter. 19 BY MR. RICHES: 19 BY MR. RICHES: Q. Okay. What about Linda Savastano, is she still 20 20 Did Ms. Savastano's resignation have anything to 21 employed by the school district? 21 do with the school committee's creation of the BIPOC 22 Advisory Board? 22 A. She is not. Q. What led to her departure from the district? 23 A. Did -- Can you repeat that, please? 23 MS. CARRENO: Objection. Yeah. Did Ms. Savastano's resignation from the 24 24 25 MR. RICHES: Go ahead. 25 school district have anything to do with the school Page 20 Page 21 A. I have no knowledge of that. 1 committee's creation or interaction with the BIPOC 1 2 Advisory Board? MR. RICHES: All right. Jerry, if we can 3 mark the next exhibit. It's Defendant's 04665. A. No, it did not. Q. Okay. In this email, Ms. Wildman sends the (Deposition Exhibit 3 was marked for 5 school committee members and Ms. Savastano and identification.) BY MR. RICHES: 6 Ms. Masiello minutes from the first meeting of the BIPOC 7 Advisory Board. Do you see that? Q. Do you see Exhibit 3 on your screen? A. I do. I see it, yes. Q. Do you know if the school committee still has a This appears to be another email from Ms. Wildman 10 copy of those minutes? 10 to the school committee members and the two other school A. I do not know. 11 officials -- two school district officials. Do you 12 12 recall -- looks like you're a recipient on this email as Q. Do you remember receiving those? I remember receiving emails from Ms. Wildman. I well. Do you recall receiving this? 14 was not involved with any of the advisory board A. I don't recall receiving this specific one. I see that it was sent to me. And as I stated before, I 15 interactions, so I never reviewed any of the minutes. So 16 typically didn't -- didn't -- didn't read these because I 16 I'm not very familiar. I know I received them, but I'm 17 not familiar with what they consisted of or where they're 17 wasn't part of the board. So I don't recall this 18 particular email itself. 18 located or anything about them. Q. Do you know why Ms. Wildman sent the advisory 19 No problem. It looks like here Ms. Wildman 20 states that "Here is [an] invite to our next advisory 20 board minutes to the school committee members and the two 21 school officials? 21 board meeting. Feel free to share with BIPOC community members, students, staff [and] families." Do you see A. I do not know. 23 that? Q. Did she have -- are you aware if she had any 24 obligations to send minutes of the board's activities to 24 A. I do, yup. 25 the school committee? 25 Is it your understanding that Ms. Wildman was

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Page 23 1 asking you to share an invitation to the BIPOC Advisory 1 entail? A. I believe it was a community nonviolence workshop 2 Board with other community members? A. That's what this looks like, yes. 3 or work session. Is it your understanding then that members of the Q. So it was like a training for the school 5 community were invited to participate on the BIPOC 5 committee or educational activity? A. It was -- it was more of informational sharing 6 Advisory Board? A. I believe -- I believe so in looking at this, 7 webinar-type of interaction. 8 yes. MR. RICHES: Okay. All right. Jerry, the 9 Q. Do you know if that participation included next exhibit, please, 07138. 10 actually participating on the board or do you know if that (Deposition Exhibit 4 was marked for 11 was just observing meetings of the BIPOC Advisory Board? identification.) MS. CARRENO: Objection. 12 BY MR. RICHES: 12 13 MR. RICHES: Go ahead. Q. Do you see Exhibit 4 on your screen? THE WITNESS: I have no knowledge. 14 14 A. I see it, yes. 15 BY MR. RICHES: Once again, this is an email from Robin Wildman 16 to the school committee members and school officials. And Q. Did you ever attend any meetings of the BIPOC 16 17 Advisory Board? once again, she's sending the minutes of the second BIPOC 18 Advisory Board meeting to the recipients. Do you remember 18 A. Not -- not these meetings, no. 19 Q. Did you attend other meetings of the BIPOC receiving this email? 20 Advisory Board? A. I don't recall this specific email. But again, I A. I don't necessarily think it was the advisory 21 see my email address is there and it was delivered to me, 22 board themselves. But Ms. Wildman and Jonathan did a --22 but I don't recall receiving and reading it. 23 held a workshop for our school committee. But as far as She indicates here that "We will be meeting 24 the advisory board meetings, no. 24 virtually next week and then in-person again the following Q. What did the workshop for the school committee 25 week." Do you see that? Page 24 Page 25 1 A. Ido. Q. For work sessions that the school committee Q. Do you know how often the BIPOC Advisory Board 2 sought public input on, has the school committee ever 3 created a specific group or board for one of those work 3 was meeting? A. I do not. sessions? Q. Do you know why Ms. Wildman continued to send A. A specific group or board for one of those work 6 meeting minutes to the school committee? 6 sessions, not to my knowledge. A. I have no knowledge of that. Q. Do you know if the school committee has ever Q. Was it your expectation as a member of the school 8 funded any of those work sessions that you described? 9 committee that Ms. Wildman would keep you informed about MS. CARRENO: Objection. 10 the activities of the BIPOC Advisory Board? 10 MR. RICHES: Go ahead. I'm sorry. 11 A. Me personally, absolutely not. 11 THE WITNESS: I have no knowledge of that. 12 Q. What about the school committee as a body? 12 BY MR. RICHES: 13 A. Not to my knowledge. Q. During your seven years on the school committee, Q. Has the school committee ever asked other 14 do you know if the school committee has ever established 15 community groups for input on various school policies? another community group like the BIPOC Advisory Board that A. We actually invite members of our community to received school funds and then its function was to provide 17 join various groups that we work with for work sessions to 17 recommendations on the school policies to the school 18 get imput because we're elected officials so we like to committee? MS. CARRENO: Objection. 19 get the perspective of our community members. 19 Q. What sort of work sessions? 20 MR. RICHES: Go ahead. A. If there's any sort of, you know, budget work 21 THE WITNESS: Not to my knowledge. 22 session or anything that's public information that we're 22 BY MR. RICHES: 23 sharing with our community. We like to have -- to hear Q. So is it true them that the BIPOC Advisory Board 24 from the public to make sure that we're representing them 24 is the only entity that the school committee has created

25 properly and adequately.

25 that both received funds from the school committee and had

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Page 27 1 as a function advising the school committee on various 1 his name there on your screen? 2 school district policies? A. I see it. MS. CARRENO: Objection. Q. Do you know who Marc Ladin is? MR. RICHES: Go ahead. I recognize the name only because we're a small THE WITNESS: I am unsure of that. I 5 community, but I do not know him. 6 wouldn't be able to make a definitive answer with that. Q. Do you know anything of him? Or how do you 7 BY MR. RICHES: 7 recognize the name? Q. As you sit here today, can you recall any other Just he's a local person, and I'm a local person. 9 entity that received school funding and then provided the Q. Okay. Did you have any -- did you have any recommendations on policy to the school committee? 10 interactions with him as a member of the school committee? A. I have no recollection of any. A. Not that I can recall. We have many members of 11 MR. RICHES: Okay. All right. Jerry, if we 12 our community come to various meetings over the course of 12 13 could mark the next exhibit, it's Defendant's 06835. seven years. But we have lots of people who come and 14 (Deposition Exhibit 5 was marked for speak. So I -- I cannot recall him specifically at the 15 identification.) 15 moment. 16 BY MR. RICHES: 16 Q. Okay. In this email he's asking, you know, what 17 Q. This is an email string between Robin Wildman and 17 sort of service he can provide as part of the advisory 18 Emily Cummiskey. Do you see that? 18 board. And here it looks like Ms. Wildman is 19 A. Ido. communicating, in this case with Ms. Cummiskey, and she 20 Q. Who's Emily Cummiskey? 20 says, "The advisory board is for BIPOC only." Do you see 21 A. At the time, she was a member of the school 21 that? 22 committee. And I believe at this time she was our chair. 22 A. I see that. Q. Okay. It looks like they're having a discussion 23 Do you know what she meant by that? 24 about somebody who's interested in participating on the 24 A. I do not know what she meant by thet other than 25 BIPOC Advisory Board, a man named Marc Ladin. Do you see 25 what is spelled out here. Page 29 Page 28 O. What does BIPOC stand for? 1 1 interacts with, you know, various working groups and A. Black, Indigenous, and people of color. 2 things like that. Could the school committee -- if the 3 committee set up an entity to advise the committee on Q. Was it your understanding that at this time, in 4 October of 2020, the advisory board was open for policies, would it be within the school committee's 5 membership only if the individuals were Black, Indigenous, 5 authority to restrict that -- that committee based on 6 or people of color? A. At that time, I was not aware of that. MS. CARRENO: Objection. Q. Did you later become aware of that? THE WITNESS: No. We would not be allowed A. Only by reading this that you put in front of me to restrict that based on race. 10 right now. Q. So this is the first time that you were aware And it appears here, though, that the advisory 12 that the BIPOC Advisory Board was only open to Black, 12 board was restricted based on race. 13 Indigenous, or people of color? A. To my knowledge --14 A. Correct. MS. CARRENO: Objection. 14 Q. Are you aware that Ms. Wildman informed Mr. Ladin 15 MR. RICHES: I'm sorry, go ahead. 16 that he couldn't participate on the advisory board because THE WITNESS: To my knowledge, we -- the 17 he was not BIPOC? 17 school committee did not implement that policy for them. 18 A. I'm -- I was not aware of that, no. As an advisory board, they're their own organization. Q. With the school committee -- could the school 19 BY MR. RICHES: 20 committee restrict any of its various working groups or Was the school committee aware of this 21 task forces on the basis of race? 21 restriction based on race? MS. CARRENO: Objection. A. Not to my knowledge. Q. I'm going to pull back Exhibit 3. Do you see 23 THE WITNESS: Can you repeat the question? 23 24 BY MR. RICHES: 24 thet on your screen? 25 Q. Yeah. You indicated that the school committee 25 (An off-the-record discussion ensued.)

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1 BY MR. RICHES: (Deposition Exhibit 6 was marked for Q. Okay. I put Exhibit 3 back on your screen. identification.) 2 Do you recall this -- this email between BY MR. RICHES: 3 4 Robin Wildman and the school committee members regarding All right. Ma'am, do you see Exhibit 6 on your 5 an invitation to BIPOC Advisory Board meetings? 5 screen? A. That you showed earlier, yes. I do. 7 Do you recognize this document? Q. And it looks here as though Ms. Wildman says, ٥. 8 "Feel free to share with BIPOC community members, A. T do. 9 students, staff, [and] families." Do you see that? 9 What is it? 0. A. I see that, yes. 10 It is our South Kingstown School Committee Q. Is it your understanding that when she said feel 11 Bylaws. 12 free to share with BIPOC community members, that meant What -- what legal effect did the bylaws have on 12 13 that this should not be shared with community members who 13 the school committee? MS. CARRENO: Objection. A. I -- I don't know her intention outside of what 15 MR, RICHES: Go ahead. 16 she spelled out here. THE WITNESS: They are the -- basically the 17 guardrails that our school committee agrees upon within 17 Q. Do you recall receiving this email? A. As I stated before, I recall receiving emails 18 itself to stay within. 19 BY MR. RICHES: 19 from her on this subject matter, but I don't -- I did not 20 read them, interact with them, because I was not part of 20 Q. How are the bylaws created? A. How are the bylaws created? They are created --22 MR. RICHES: Okay. All right. Let's mark 22 to be honest with you, I don't know who originally created 23 the next exhibit. This one also doesn't have a Bates 23 the bylaws. I do know that every year the school 24 stamp. But at the top, it's South Kingstown School 24 committee has two members who are supposed to meet, review 25 Committee Bylaws. 25 them, make sure that they're up-to-date and still Page 32 Page 33 1 relevant. And then the school committee -- it comes in 1 committee that typically has between one to three members 2 front of the school committee and we vote to accept them 2 of the school committee sit on it. And then we invite 3 either as-is or if updates have been made. 3 other members of the community to apply to be part of the Q. Once the bylaws have been accepted by the school 4 subcommittee. They are -- again, they are advisory by 5 committee, do they bind the school committee in its 5 nature. They don't make district decisions. They put 6 activities? 6 together -- they review policy, they review different 7 circumstances and make recommendations to the full school A. Yes, that is their intention. Q. Can the bylaws be amended by the school 8 committee, but they do not -- again, they're advisory by 8 9 committee? 9 nature. They do not make district decisions. A. The bylaws can be amended. 10 BY MR. RICHES: 10 11 Q. Do you know the process for amendment? Q. Understood. Is it fair to say then that one of A. I personally do not know the process for 12 the functions of a subcommittee is to assist the school 12 committee in completing the school committee's business? 13 amendment. You don't know if it's by simple majority vote or A. Of a subcommittee? 14 15 some other standard? 15 MS. CARRENO: Objection. 16 MR. RICHES: Correct. 16 MS. CARRENO: Objection. THE WITNESS: Amendment? I would assume it 17 THE WITNESS: Yes. 17 18 would be by majority vote, but I'm personally not 18 BY MR. RICHES: 19 familiar. Q. Is it fair to say that one of the purposes of a 20 BY MR. RICHES: subcommittee is to make recommendations regarding school policies to the full school committee? Okay. Does the school committee under its bylaws 22 have authority to establish subcommittees? A. 23 A. Yes. 23 And is it correct to say that one of the purposes What is a subcommittee? 24 of the subcommittee is to study issues, specific issues, 24 25 A. A subcommittee is a subcommittee of the school 25 and then make recommendations regarding those issues to

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1 the full school committee? 1 section, could the school committee restrict the membership of the subcommittee based on race? A. Study issues? I don't know that I would use that 3 word. But to make -- to have robust discussion around MS. CARRENO: Objection. 4 whatever their charge is and then, yes, make THE WITNESS: No. 5 recommendations to the full body. BY MR. RICHES: Q. Why is that? Q. Do you know if subcommittees of the school MS. CARRENO: Objection. 7 committee -- if their meetings are open to the public under Rhode Island's Open Meetings law? THE WITNESS: I don't think you can restrict MS. CARRENO: Objection. anything based on race. 10 THE WITNESS: Sorry. To my knowledge, yes, BY MR. RICHES: You described earlier your understanding of the 11 they are. 12 BIPOC Advisory Board, and one of its functions was to 12 BY MR. RICHES: Q. So if the BIPOC Advisory Board was established as provide recommendations to the school committee regarding 13 14 a school subcommittee, its meetings would be subject to the anti-racist policy. Is that correct? 15 the Open Meetings law? 15 A. Yes. 16 Do you also know if -- if any school committee MS. CARRENO: Objection. 17 THE WITNESS: If it was a subcommittee, yes. members -- I'm sorry -- if any members of the BIPOC Advisory Board also served as members of the policy 18 BY MR. RICHES: Q. I'm going to scroll down to the section here on subcommittee? 20 subcommittees. Here we are. 20 Δ. Yes. 21 So is it true then that members of the BIPOC 21 Okay. Do you see the section on 0. 22 Advisory Board were also voting members of the policy 22 subcommittees here? 23 subcommittee? 24 If the school committee established a 24 A. They were, yes. 25 subcommittee for one of the purposes articulated in this What's the function of the policy subcommittee? Page 37 Page 36 A. The policy subcommittee reviews our district 1 the achool committee on various issues, including making 2 recommendations to the school committee. Is that correct? 2 policies and/or they have -- they can make a A. Yes. But it's not from their personal 3 recommendation to create a new policy, and they work with 4 our legal team to put that together. And they make a 4 perspective, it's through policy and general law. 5 And members of the school committee actually sit on the 5 recommendation to the full body, the full school committee 6 body. And then the full committee body then does its own 6 subcommittees. 7 procedural and determines whether they will adopt it or Q. Why not just establish the BIPOC Advisory Board as a subcommittee? Q. Got it. If a policy -- if a subcommittee is A. I have no idea. I wasn't involved in that 10 established by the school committee to assist it in the 10 determination at that point. 11 completion of its business and to make recommendations on Q. Do you know if anybody ever made that 12 various school policies, that sounds very similar to the recommendation? 13 function of the BIPOC Advisory Board. Is that an accurate A. I have no -- I have no idea. MR. RICHES: Okay. All right. We can mark 14 statement? 14 15 MS. CARRENO: Objection. 15 the next exhibit, SKSD.00169. (Deposition Exhibit 7 was marked for 16 THE WITNESS: No. 16 17 17 BY MR. RICHES: identification.) Q. Is it correct that you testified earlier that one BY MR. RICHES: 19 of the functions of the BIPOC Advisory Board was to assist 19 Okay. Do you see Exhibit 7 on your screen, 0. 20 the school committee in implementing anti-racist policies? ma 'am? 21 MS. CARRENO: Objection. 21 I do. 22 THE WITNESS: To give their perspective, 22 And do you recognize this document? 23 yes. 23 I recognize that as one of our meeting minutes, 24 yes. 24 BY MR. RICHES: Q. And the purpose of the subcommittee is to assist 25 Q. And it looks like it's meetings minutes from

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- 1 would constitute a quorum of the school committee. So
- 2 we're limited to one, two, or three.
- Q. Why would it be significant if it constituted a
- 4 quorum of the school committee?
- A. If it was a quorum -- voting members were a
- 6 quorum of the school committee, it would be an action
- 7 taken by the full board, and that's not what a
- 8 subcommittee does.
- Q. Do you know how members of the subcommittee are
- 10 appointed?
- A. Members of our subcommittees are appointed by the
- 12 chair of our school committee.
- Q. Does that include members that are also school
- 14 committee members and community members?
- 15 A. So that is only -- Let me think about this.
- So the member -- the members of the 16
- 17 subcommittee that are school committee members are
- 18 appointed by the chair of the school committee. Community
- 19 members can apply and be interviewed and voted on, but
- 20 again, they're appointed by -- the final decision is upon
- 21 chair appointment. And remaining members, if they are
- 22 members of the school district administration, are
- 23 appointed by the superintendent.
- 24 Q. So for community members that are members of the
- 25 policy subcommittee, are they appointed by the chair or

- 1 are they voted on by the full school committee?
- A. They are officially appointed by the chair.
- 3 They -- they are -- they are looked at by the full school
- committee -- again, we give our -- we may give our
- opinion, but it is a chair position appointment.
- Q. Would the school committee ever vote to add a
- member to the policy subcommittee?
- A. Would a school committee vote to add a member?
 - Not to my knowledge.
- So to your knowledge, the chair can, in his or
- 11 her own discretion, appoint community members to the
- policy subcommittee. Is that correct?
- A. That is -- that is the intention, if I'm not
- mistaken, out of our bylaws, yes.
- 15 Q. Would there ever be a reason for the full school
- 16 committee to vote to add a member of the community to the
- policy committee?

9

- MS. CARRENO: Objection.
 - THE WITNESS: I can't think of a reason.
- 20 BY MR. RICHES:
- 21 Q. Okay. Is the school committee aware of the work
- 22 of the policy subcommittee?
 - MS. CARRENO: Objection.
 - THE WITNESS: Yes, it is aware of the work
- 25 of the policy subcommittee.

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- 1 BY MR. RICHES:
- Q. How is it that the school committee is made aware
- 3 of the policy subcommittee's work?
- A. The membership of the subcommittee is made up of
- 5 three school committee members, and they are supposed to
- 6 report back to the full board what they're working on.
- Q. And what's -- how does that process work?
- A. It's a simple report out at a public meeting. Is there a frequency with which the school
- 10 committee -- school committee members who serve on the
- 11 policy subcommittee must provide those reports to the full
- 12 school committee?
- 13 A. There's no predetermined frequency.
- (An off-the-record discussion ensued.) 14
- 15 BY MR. RICHES:
- Q. Is there a certain frequency with which school
- 17 committee members who are also on the policy subcommittee
- 18 have to provide reports to the full school committee?
- A. To my -- to my knowledge, there's no -- there's
- 20 no predetermined frequency.
- Q. Okay. All right. I want to draw your attention
- 22 to the school committee subcommittee -- I'm sorry, to the
- 23 policy subcommittee meeting minutes from November 5th,
- 24 2020.

25

And item -- item 3 here says the advisory

- 1 board will research on this racism policy and bring it 2 back to the subcommittee at a later meeting. Do you see
- 3 that?

23

24

- MS. CARRENO: Objection.
- THE WITNESS: I do.
- 6 BY MR. RICHES:
- Q. Was it your understanding that during this period
- 8 of time the BIPOC Advisory Board was providing research on
- 9 various racism policies within the school district to
- 10 bring back their research findings to the policy
- 11 subcommittee?
- A. I was not a member of the policy subcommittee, so
- 13 I was not aware of what they were doing until they came
- and presented to us at the full body.
- When you say "they," do you mean the policy
- 16 subcommittee?
- 17
- MR. RICHES: All right. Let's look at the 18
- next exhibit. All right. Jerry, can we mark Defendant's
- 00863?
- 21 (Deposition Exhibit 9 was marked for
- identification.)
- 23 BY MR. RICHES:
- Q. Do you see Exhibit 9 on your screen?
- A. Ido.

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Page 51 Page 50 1 might review other people's -- other school districts' 1 policy subcommittee's agenda? A. Not to my knowledge. 2 policies, and our legal team might bring forward other 3 districts' policies to review at the subcommittee for MR. RICHES: All right. We're at about an 4 hour. Why don't take -- if it works for everybody -- a 4 discussion. 5 BY MR. RICHES: ten-minute break? MS. CARRENO: Sure. Q. What about a member of the community, like 7 Ms. Wildman, communicating directly with school committee 7 (A recess ensued.) 8 BY MR. RICHES: 8 members to get an item agendized for discussion in the Q. I'm going to try and share my screen again. 9 policy subcommittee, is that unusual? q All right. Can you see the document I just 10 MS. CARRENO: Objection. 10 THE WITNESS: It's not unusual to make a 11 shared, ma'am? 11 12 suggestion. We have other subcommittees where community A. I can, yes. MR. RICHES: Jerry, could we mark the next 13 members -- again, they get to -- they have -- they are 14 part of our public meetings. They can make community 14 exhibit, SKSD.00233. 15 comment. They can email us at any time. They can make 15 (Deposition Exhibit 11 was marked for 16 suggestions. That part is not unusual. 16 identification.) 17 BY MR. RICHES: BY MR. RICHES: Q. All right. Do you recognize Exhibit 11? Q. What's the unusual part? 18 A. I recognize it as -- it's stated as South 19 19 MS. CARRENO: Objection. 20 Kingstown school policy subcommittee meeting minutes 20 THE WITNESS: It's unusual that they created 21 a draft policy and then it was brought forward. Q. And do you see that these are meeting minutes 22 BY MR. RICHES: 23 from January 7th, 2021? Q. In your seven years on the school committee, have A. I do. 24 you ever seen another instance in which a community group 24 25 created a draft policy that was then agendized on the Q. Do you recall from your earlier testimony that 1 this was the school committee -- I'm sorry -- the policy 1 Advisory Board is the entity that drafted that racism 2 subcommittee meeting at which the director of curriculum 2 policy? A. According to the email stream you shared already, 3 3 was going to agendize the anti-racism policy that 4 Ms. Wildman had sent to her? Q. There's two other items reflected here in the A. I do, yes. Q. I'm want to draw your attention to item 4. Do 6 minutes. 3(a), where it discusses a coach hiring policy. 7 Do you see that? 7 you see that where it's discussing the staff-to-staff, 8 student-to-student racism policy? Do you know if the BIPOC Advisory Board also made A. I do see that, yes. Q. And it looks like there's been a presentation by 10 recommendations to the policy subcommittee regarding the 11 the BIPOC Advisory Board. Is that your understanding? 11 coach hiring policy? A. I don't know that. A. That is what it demonstrates, yes. Q. Item B discusses a suspension policy, and the Q. And then the minutes go on to reflect that Robin 13 14 minutes reflect that a "Recommendation was made for all 14 Wildman shared the draft policy and the rationsle behind 15 building principals to meet with BIPOC to address 15 it. Do you see that? questions still outstanding." Do you see that? 16 A. I do see that. A. I see that, yes. Q. Is it your understanding that this draft policy 17 Do you know if the BIPOC Advisory Board made 18 that's referenced here is the same one that Ms. Wildman 18 19 had previously emailed to you and the other school 19 recommendations to the policy subcommittee regarding school suspension policies? 20 committee members? 21 MS. CARRENO: Objection. 21 A. I do not know that information. Do you know what it means when the minutes THE WITNESS: That's an assumption I would 23 reflect that all building principals are to meet with 23 make from what you presented so far, yes. 24 BY MR. RICHES: 24 BIPOC to address questions still outstanding? 25 A. I personally do not know what that means. 25 Q. And is it your understanding that the BIPOC

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Page 55 Page 54 MR. RICHES: All right. Jerry, if we could 1 to the policy subcommittee? A. Just from reading that, I'm just seeing a third 2 mark the next exhibit, SKSD.00096. ٦ (Deposition Exhibit 12 was marked for 3 seat for the policy subcommittee. I'm trying to recall 4 the details behind it, but it was a while ago. identification.) Okay. Does this -- to the best of your 5 BY MR. RICHES: 6 recollection, does this mean that the school committee Q. Do you see Exhibit 12 on your screen? moved to appoint a BIPOC Advisory Board member to the A. Ido. policy subcommittee or that the school committee just And this appears to be minutes of the school 9 committee from February 9, 2021. Is that correct? added a third seat to the policy subcommittee? 10 A. That is correct. 10 MS. CARRENO: Objection. Q. And you're reflected here as an attendee -- a THE WITNESS: If I'm -- from what I'm seeing 11 12 voting attendee at that meeting? 12 here, it would be a BIPOC advisory third seat to the 13 subcommittee. 13 A. Yes. Q. Let's see here. I want to draw your attention to 14 BY MR. RICHES: Q. So is it your understanding them that the school 15 item 11. Do you see item 11 where it says, "move to 16 appoint a third seat for the policy subcommittee and BIPOC 16 committee voted that a member of the BIPOC Advisory Board would also be on the policy subcommittee and occupy a 17 Advisory"? third seat on the policy committee? 18 A. I do see that. A. That is my understanding of this, yes. 19 Q. What's your understanding of what that action 19 I think you testified earlier that the school 20 item was? A. My understanding would be that we directed the 21 committee chair is the entity that's responsible for 22 chair at the time to appoint a third seat for the policy 22 appointing community members to the policy subcommittee. 23 subcommittee and BIPOC advisory. Is that correct? A. That is correct, yes. Q. Does that mean that the school committee directed 24 24 25 the chair to appoint a member of the BIPOC Advisory Board Q. But here the full school committee is voting on Page 56 1 it. Do you know why that's the case? Okay. During your time on the school committee, 2 do you recollect another instance in which the school A. Why -- why this was on the agenda? I do not know 3 as far as the appointment. It -- it would be the chair 3 committee appointed a member from a community advisory 4 who does this, this action. So it's a -- it's a -- it 4 group to the policy subcommittee? 5 really is a direction to the chair to create that third A. Not to my knowledge. Q. Do you have any recollection of why it was the 7 school committee added a third seat to the policy Q. Okay. Well, the minutes reflect that the motion subcommittee from the BIPOC Advisory Board? 8 was to appoint the third seat. It doesn't appear to be 9 any direction to the chair. Do you read the minutes in A. At this point in time, I do not recall. 10 that way? 10 MR. RICHES: Okay. Jerry, if we could mark 11 the next exhibit as SKSD.00022. 11 A. I read that. But our bylaws -- we act based on 12 (Deposition Exhibit 13 was marked for 12 our bylaws. Okay. During your time on the school committee, 13 identification.) 14 do you recall any other instance in which the school 14 BY MR. RICHES: 15 committee appointed an additional person to the policy 15 Q. Do you see Exhibit 13 on your screen? 16 A. Tido. 16 subcommittee? Q. Do you recognize this document? 17 A. Specifically to the policy subcommittee? 17 A. I recognize it only in that you're showing it and 18 Q. Correct. A. The membership of our subcommittees changes 19 I'm reading what it is, but I've never seen it before. 20 often. We often do vote to expand or add depending on if 20 Q. What does it appear to be? 21 somebody departs. We don't necessarily specify who that A. It appears to be an RFP for professional 22 person is. We may say that -- and I'm only reflecting to 22 development of nonviolence conflict reconciliation with 23 Nonviolent Schools Rhode Island; contact person, Robin 23 a recent meeting -- we may say we need another community 24 member to be part of that committee, but we don't dictate 24 Wildman. 25 who it is. 25 What's an RFP?

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Page 63 1 various activities for the school committee prior to this One of the services identified in this RFP 2 RFP being submitted? 2 is continued facilitation of the weekly meetings to revise A. That would be my assumption, yes, based on the and edit all policies that should reflect an anti-racism 4 date of this. lens. Do you see that? Q. Is it unusual to have a service provider perform A. I do see that. 6 functions for a school district prior to an RFP being Was it your understanding that the BIPOC Advisory Board, one of it functions was to revise and edit all А MS. CARRENO: Objection. school policies to reflect an anti-racism lens? THE WITNESS: Can you repeat that? That was not my understanding, no. 10 BY MR. RICHES: 10 What was your understanding? Q. Yeah. Is it unusual for a service provider to My understanding would be that they would give 12 provide services to the district prior to an RFP being their perspective while reviewing certain policies and 13 awarded? things that were discussed at their board meetings. 14 A. I -- I wouldn't be able to speak to how usual or MR. RICHES: Okay. All right. If we can 14 15 unusual it is. This -- We obviously had interacted with mark the next exhibit, SKSD.00002. 16 these people prior to this particular service that this 16 (Deposition Exhibit 14 was marked for RFP is surrounded by -- or surrounding, I should say. 17 identification.) Okay. In this RFP, Ms. Wildman goes on to 18 BY MR. RICHES: 19 identify the members of the BIPOC Advisory Board. Do you 19 ٥. All right. Do you see Exhibit 14 on your screen? 20 see that? 20 A. I do. 21 A. Ido. 21 And do you recognize this document? Did the school committee ever have any role in I've never seen it before it was displayed here. 23 selecting members of the BIPOC Advisory Board? 23 This is the first time you've seen this? 24 A. Not to my knowledge. I'm sorry. It was part of what my -- the lawyer 25 Okay. Let's see here. 25 shared with me, and I read it like an hour before here, Page 64 Page 65 1 before this started. But yes, today is the first time 1 cutoff, she would have to bring that to school committee. 2 I've seen this. Q. Okay. Do you know if the school committee ever Q. Okay. So you saw this -- this document an hour received this contract? 4 before you started your deposition. Is that correct? A. I personally have never seen this contract before. 6 Q. And that was the first time you'd seen it? And again, it appears to be -- it appears to be dated March 24th, 2021. Is that correct? A. That is what I'm seeing, yes. Q. Okay. What do you recognize this document to be? A. As I'm reading it, I see that it's an agreement Q. And the BIPOC Advisory Board was created all the 10 between Nonviolent Schools RI and the South Kingstown way back -- let's see -- the BIPOC Advisory Board was 11 School Department. created and approved by the school committee on July 22nd, Okay. And the document appears to be an 12 2020. Is that correct? 13 agreement between Robin Wildman and the South Kingstown A. That is correct. 13 14 School Department. Do you see that? Why would we have a contract for services between 15 A. I do. 15 the school district and a vendor several months after 16 Do you recognize the signature for the South 16 those services are purportedly -- or have purportedly been 17 Kingstown School Department? 17 performed? 18 A. I do. 18 A. My understanding is -- just from reading what you 19 O. And who is that? 19 put in front of me is -- maybe this is not -- maybe I'm A. Linda -- excuse me -- Linda Savastano. confusing this with Exhibit 13. 20 Did -- Was it your understanding that Linda This is the -- this is the contract itself. So 22 Savastano had authority to enter into vendor agreements of 22 this would be the approval of the school district for the 23 services to which the RFP was submitted. 23 this sort? A. It would depend on the cost. If it was below our A. So if it's related to Exhibit 13, the RFP, then

25 cutoff, she could sign her name. If it was above the

25 my understanding would -- just from reading -- seeing

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Page 75 1 antiracism/anti-discrimination policy that Ms. Wildman 1 marked. 2 indicated the BIPOC Advisory Board had drafted? 2 MR. RICHES: Jerry, could we mark I have no knowledge of that, no. 3 Defendant's 09744? (Deposition Exhibit 16 was marked for Q. Do you know if the BIPOC Advisory Board drafted 5 an anti-racism/anti-discrimination policy that was subject identification.) 6 to this -- to this agenda item? BY MR. RICHES: A. I -- I'm not familiar with this meeting or Q. Do you see Exhibit 16 on your screen? 8 agenda, so I don't know. A. I do. And it appears as though a motion was made to This is the antiracism/anti-discrimination policy 10 recommend the antiracism, anti-discrimination, and that the policy subcommittee recommended to the school 11 anti-harassment policy to the school committee. Do you committee. Do you recognize this document? 12 see that? I do. A. 13 A. I do, yes. And have you seen it before? A. I don't know if it was this exact draft, but one 14 Q. Okay. Are you aware of any revisions that may 15 have been made to the antiracism/anti-discrimination 15 similar to it was brought in front of the full school 16 policy that the policy subcommittee previously considered in January of 2021? 17 Q. And do you remember the full school committee 18 MS. CARRENO: Objection. considering this policy? 19 THE WITNESS: In relation to this particular A. I do. meeting and this particular draft? Do you know if the school committee made any 21 MR. RICHES: Correct. 21 revisions to the anti-racism policy that the policy 22 THE WITNESS: I have no information about 22 subcommittee recommended to the school committee? A. We revised this, yes. This particular draft did 23 it. 24 not -- did not -- is not our standing policy at the 24 BY MR. RICHES: 25 Q. I want to show you a document after we get it 25 moment. Page 76 Page 77 Q. Do you know what revisions were made? 1 meeting? A. There were multiple revisions. A. I am, yes. Q. Do you recall -- do you recall what those were? I would like to draw your attention to item We have since removed any reference to the BIPOC number 2. Do you see that? 5 Advisory Board. Basically, it was not -- it wasn't I do. 6 specific to any one entity. It was a matter of pulling And there's a motion to approve the antiracism, 7 out of district policy reference to a specific group or 7 anti-discrimination, and anti-harassment policy. Is that 8 organization because it's policy. So that can change over correct? 9 time. And the idea behind it is we don't want to -- we A. That is correct. 10 weren't interested in specifying because organizations Do you remember this motion? 11 change over time. So the policy needed to be more general 12 and not specific. Do you remember voting in favor of it? Q. Okay. Let's see if maybe we can -- let's see if Ιdo. 13 A. we can discuss that with more specificity. And do you remember reviewing the antiracism, 15 MR. RICHES: Jerry, could you mark 15 and-discrimination, and anti-harassment policy that's the 16 SKSD,00267? subject of this motion? 17 (Deposition Exhibit 17 was marked for 17 A. I do. It's a different version than what you identification.) 18 18 just showed. 19 BY MR. RICHES: 19 So in -- December 14th --20 Q. Okay. Do you see Exhibit 17, ma'am? 20 A. Yes. December 14th, 2021, were revisions made to the 22 Q. And these are minutes of the South Kingstown 22 antiracism policy that the policy committee forwarded to 23 school committee from December 14, 2021. Is that correct? the school committee? 24 That is correct. A. There were -- yes. Because our current policy 25 was adopted on December 14th, 2021, and it's different 25 And you're identified as an attendee at that

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30(b)(6) of South Kingstown School Comittee by Katherine Macinanti 78..811 than the draft that you just showed in Exhibit 16. 1 the word -- that's when it was revised and adopted. MR. RICHES: Okay. All right. Jerry, could Is that the only -- How were those revisions we mark Defendant's 09757? 3 made? Α. They were made in policy subcommittee, to my (Deposition Exhibit 18 was marked for 5 knowledge. identification.) Q. In the policy subcommittee? 6 BY MR. RICHES: A. I believe so, yes. They would have had to in Q. Do you recognize Exhibit 18? 8 order to come in front of the full committee. I see it as a version or a draft of our 9 antiracism/anti-discrimination/anti-harassment policy. Q. Okay. Did the school committee have any 10 authority to make revisions on its own or under any other But it doesn't have a date stamp on it, so I don't know 11 what draft this is. 11 process? Q. Okay. Do you know if this -- does this appear to 12 A. Not on the fly like that, no. It has to -- it 13 be a final approved policy that the school committee 13 went through policy and came back to us. We -- we voted 14 to send -- at some point prior to this approval, we voted 14 approved? 15 to send it back to policy and make more revisions, and it 15 A. If you can keep going down -- policy, 16 came back to us. So our current policy is published on communications -- this -- keep going -- district -- yeah, 17 our district policy repository, and it's different than this is not our final draft that is currently -- I don't 18 know what date this -- like I said, I don't know what 18 what you were showing. Q. Okay. Did the, to your knowledge, school version or draft this one is, but it is not the one that 20 committee make any revisions subsequent to December 14th, 20 is currently our district policy. Q. Okay. According to the documents we received, 21 2021 to the anti-racism policy? A. Like, since then? 22 this was the policy that was approved on December 14th --22 Can you scroll up just a smidge? 23 O. Yes. A. A. No. It's -- it has -- the date stamp, I believe, 24 Q. Sure. 25 is adopted December 14th. And then -- I can't remember A. A little bit more to A there. Go up a little Page 81 Page 80 1 faculty/staff, stakeholders and members of the BIPOC 1 further -- shall implement -- my understanding -- my 2 understanding is that -- maybe -- we -- my understanding 2 Advisory Board. 3 is we pulled out that we were explicit in "shall implement Is it your understanding that this provision 4 Kingian nonviolence" because it was a specific program 4 was part of the policy that was approved by the school 5 committee on December 14th, 2021? 5 versus -- it doesn't have a date stamp on it so it's hard 6 for me -- it's hard for me to determine. A. This is --But my recollection of our policy is that MS. CARRENO: Objection. THE WITNESS: This is my understanding, yes. 8 there is not a specific program that's specified. We 8 9 refer to Kingian nonviolence to say such as, but my 9 BY MR. RICHES: 10 Q. That the school committee approved this? 10 understanding is that we did not specify. No, no. We did not -- we removed -- before 11 Q. Okay. 12 approving the final approval, we removed reference to A. I don't have it memorized word for word. But, specific boards and programs outside of using them as an 13 like, see how in B it says -- yeah, don't have reference example. My understanding is BIPOC Advisory Board is not 14 to BIPOC Advisory Board overseeing our -- in our current 15 December 14th. in our current policy. Q. Okay. So let me just make sure I understand Q. Okay. And so it's your understanding that 17 there's no reference to the BIPOC Advisory Board in the 17 this, then. 18 So I understood from the documents we 18 school committee's current anti-racism policy --A. I believe so. 19 received that this was the policy that the school 19 20 committee approved on December 14th, 2021. If you look at (An off-the-record discussion ensued.)

21 BY MR. RICHES:

23 see that?

A. I do.

24

21 subsection C where it says, "Each school shall organize a

Q. And this committee consists of students,

22 standing social justice and equity committee" -- do you

Q. Are you aware of any revisions being made to the

A. Not that I'm aware of. If that's our final

25 policy that's posted on our board docs policy repository,

23 anti-racism policy after December 14th, 2021?

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- 1 A. Since these meetings, the policy subcommittee
- 2 membership has changed. So I know that the hiring policy
- 3 has been reviewed and updated by the policy subcommittee
- 4 after these meetings.
 - Q. Do you know when that happened?
- 6 A. The dates again, not off the top of my head.
- 7 Q. Okay. All right.
- 8 A. Almost -- I'm trying to look at the -- you know,
- 9 looking at the makeup of this particular subcommittee,
- 10 Mwangi is no longer -- like I said, he's not a member of
- 11 our community so he's not on our subcommittee anymore.
- 12 The administrators are not there. So it's a different --
- 13 it's a different group of people now.
- 14 Q. Okay. In looking at Exhibit 19, is it accurate
- 15 to say that the policy subcommittee forwarded to the full
- 16 school committee a hiring policy that was reviewed and
- 17 edited by the BIPOC Advisory Board?
- 18 A. Yes, that would be fair to say.
 - MR. RICHES: Jerry, could we mark the next
- 20 exhibit, Defendant's 09733?
- 21 (Deposition Exhibit 20 was marked for
- 22 identification.)
- 23 BY MR. RICHES:

19

- 24 Q. Do you recognize Exhibit 20?
- 25 A. I see this as Appointment and Hiring Policy, yes.

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- Q. Do you know if this was the same appointment and
- $\ensuremath{\mathbf{2}}$ hiring policy that the subcommittee forwarded for the
- 3 school committee's consideration?
- A. I don't know if this is the same one. Again, it
- 5 doesn't have a date stamp on it. And so it's hard to
- 6 determine.
 - Q. Does reviewing it help refresh your recollection
- at all?
- 9 A. Again, I've seen this. Whether it's a draft or
- 0 the final policy, I'm not fully certain.
- 1 Q. Do you know what role the BIPOC Advisory Board
- had in drafting or editing this policy?
- 13 A. This particular version, I do not know.
 - MR. RICHES: Okay. Jerry, if we could mark
- 15 SKSD,00217.

16

19

21

23

24

- (Deposition Exhibit 21 was marked for
- 17 identification.)
- 18 BY MR. RICHES:
 - Q. Do you recognize Exhibit 21?
- A. I do.
 - Q. And these appear to be minutes from the school
- 22 committee meeting on August 23rd, 2022. Is that correct?
 - That's correct.
 - Q. And you're an attendee at that meeting. Is that
- 25 correct?

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- 1 A. That is correct.
- Q. Okay. Let's see, I'm trying to find the right --
- 3 I guess that would be motion 5 -- or agenda item 5. There
- $4\,\,$ is a motion to approve the appointment and hiring policy.
- 5 Do you see that?
 - A. Ido.
- 7 Q. Did the school committee make any revisions to
- 8 the hiring policy that was sent to it by the policy
- 9 subcommittee on May 13th, 2021?
- 10 A. So I can't speak to the date off the top of my
- 11 head. But I will say that this is a second read, so it --
- 12 it would have gone back to policy for updates prior to
- 13 coming back to us for a second read and then this motion.
- 14 Q. Okay. And do you have an estimate as to when
- 15 that occurred?
- 16 A. There was a significant amount of time in
- 17 between, to my knowledge. As far as giving the exact
- 18 dates, it was not, like, meeting to meeting. There was
- 19 a -- there was a chunk of time in between when this came
- 20 forward and then was approved.
- Q. Do you know the substance of the revisions that
- 22 were made when the policy was sent back to the policy
- 23 subcommittee?
- 24 A. What I do know is that the version that was
- 25 approved and that we currently have would have had no --

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 1 again, it was to remove specifics. Like, there was like
- 2 some definitive statements that just wouldn't be
- 3 appropriate for policy that I recall us asking to be
- 4 removed.
- Q. Do you remember what those were?
 - A. I can speak for myself, and it would be
- 7 specifying racial components of the -- of the policy,
- 8 saying specifically that there had to be X number of and
- a paying specificarry case there and to be a master or an
- 9 them a reference to race as part of the interview
- 10 committee. Because you can't -- we couldn't -- we can't
- l mandate, otherwise, we wouldn't move forward. Because
- 12 they're volunteer -- most of the makeup of the teams that
- 13 are put together to interview are encompassed by
- 14 volunteers, and we wouldn't have been able to meet the
 - 5 requirements. So we made sure that there was no -- and to
- 16 not necessarily specify by race. So . . .
- 17 Q. So the original policy -- hiring policy that was
- 18 sent to the school committee had a requirement that a
- 19 hiring team for school personnel be composed by some
- 20 certain percentage of individuals by race. Is that
- 21 correct?
- 22 A. To my recollection, yes. And we did not approve
- 23 that. We sent that back to have that language removed.
- Q. Okay. So the policy that was ultimately approved
- 25 by the school committee removed a requirement for

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Page 91 1 race-based percentage of interviewers. Is that correct? Q. It's an email string from Sarah Markey in July Correct. 2 2021 and various other individuals. Who's Sarah Markey? 3 Q. Okay. Do you know if Nicole Solas ever requested A. Sarah Markey was a member of our school 4 to observe meetings of the BIPOC Advisory Board? 4 committee. I think at one point she was our vice chair, I I have no idea outside of -- I'm not -- I was not believe so. Yes, she was our vice chair at some point. 6 part of that advisory board or the leadership of it, so I Q. Who's Paula Whitford? 7 don't know what Nicole Solas did. A. Paula Whitford is a member of our school Q. In your capacity as a school committee member, 8 committee. 9 have you ever received information about Nicole Solas O. I want to scroll down to this email from Nicole 10 asking to observe meetings of the BIPOC Advisory Board? Solas on May 20, 2021. And she's informing the recipients A. I have no -- I have no recollection of that. that the BIPOC advisory committee met secretly and that 12 Since we don't -- we don't -- we're not in charge of who's the meetings were never open and the public was never 13 on the board, so . . . notified. Do you see that? Do you -- are you aware of any other members of A. I see that, yes. 15 the public asking to observe meetings of the BIPOC She goes on to write that "I asked Wildman to 16 Advisory Board? open meetings and her answer was no." Do you see that? 17 A. Observe meetings, I -- no, I have no knowledge of A. Ido. 18 any of that. Q. And then she goes on to state that Linda 19 MR. RICHES: Okay. I want to mark the next 19 Savastano directed her to Monviolent Schools Rhode Island 20 exhibit in order. Jerry, could we mark Defendant's 07916. to obtain public information about what she characterizes 21 (Deposition Exhibit 22 was marked for 21 as this public body or the BIPOC Advisory Board. Do you 22 identification.) 22 see that? 23 BY MR. RICHES: 23 A. Ido. 24 Q. Do you see Exhibit 22 on your screen? 24 Q. Do you recall Ms. Solas seeking public -- seeking 25 A. I do. 25 public records about the BIPOC Advisory Board? Page 92 Page 93 MS. CARRENO: Objection. 1 opportunity to observe the discussion of the BIPOC THE WITNESS: I personally don't recall. 2 Advisory Board regarding those policies? 3 I'm familiar with Ms. Solas and some of the public MS. CARRENO: Objection. 4 statements she's made. But I personally do not recall any THE WITNESS: I mean, you're asking me my 5 of this. I, again, wasn't part of the advisory board, not 5 personal sentiment on it? Sure, yes. 6 connected with Wildman, and I don't -- I don't recall any 6 BY MR. RICHES: 7 of this. Q. Are you concerned that members of the public were 8 BY MR. RICHES: 8 not allowed to observe meetings of the BIPOC Advisory Q. Do you have any recollection of Linda Savastano 9 Poard? 10 directing Ms. Solas to Robin Wildman to request to attend 10 MS. CARRENO: Objection. 11 meetings of the BIPOC Advisory Board? THE WITNESS: Am I concerned? I would say A. I have no information about that. I wouldn't 12 12 yes, that's concerning. 13 know. BY MR. RICHES: 14 Q. Do you know if the school committee would have Q. Do you think members of the public should have 15 the authority to authorize members of the public to attend been allowed to attend meetings of the BIPOC Advisory 16 meetings of the BIPOC Advisory Board? 16 Board? A. I -- it's -- I mean, my -- it's not a -- it's not 17 MS. CARRENO: Objection. 18 a South Kingstown school committee entity. We -- I THE WITNESS: I would say yes, they should 19 don't -- I don't see where we could -- we could dictate 19 have been allowed to, yes. 20 that. BY MR. RICHES: Q. Do you feel that members of the public -- knowing 21 Q. And why is that? 22 what you know now, that the BIPOC Advisory Board was 22 MS. CARRENO: Objection. 23 funded by the district and that its function was to make THE WITNESS: It's supposedly a public 24 recommendations to the district about district policies, 24 group, so I would assume the public should be privy to the 25 do you feel like members of the public should have an 25 discussion.

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Exhibit B

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South Kingstown School Committee Business Meeting Tuesday, June 23, 2020

Virtual Meeting

Attendees - voting members

Stephanie Canter - Chair Sarah Markey - Vice Chair Michelle Brousseau Emily Cummiskey Jacy Northup Kate Macinanti Alycia Collins

Attendees - other

Linda Savastano - Superintendent Maryanne Crawford - CFO Mike Polak - Attorney

- 1. 6:00 PM Call to Order
 - A. Call to Order
 - B. Pledge of Allegiance to the Flag
 - C. School Committee Agreements (norms)
 - D. Chair Agenda Review

2. Work Session

A. Anti-racist Work in the South Kingstown Schools

Superintendent Savastano introduced Dr. Robert Hicks and Robin Wildman and thanked them for being here. The committee began by completing an exercise led by Dr. Hicks focusing on a report from the Racial Equity Institute. Robin Wildman introduced herself and explained the mission of her organization, Non-Violent Schools Rhode Island. The focus of the organization is to change the climate and culture in schools. Robin introduced her colleague, Jonathan, who travels the globe teaching non-violence as a senior level non-violence trainer and works as the Director of Youth Training for the Organization. Robin explained the 2-tier approach for change; creation of a task force made up of students and community members and non-violence training/professional development for community, staff, and leadership. Stephanie Canter suggested that the 'task force' be referred to instead as an 'advisory board'. Emily expressed desire to refer to 'achievement gaps' as 'opportunity gaps' going forward. Sarah Markey asked how our current teachers of color will be included in this work. Michelle Brousseau stressed the importance of getting input from people who might not necessarily have direct ties to the School Department currently. Discussion ensued. Stephanie Canter thanked the group for participating in this important discussion.

3. 7:00 PM - Business Meeting.

Ms. Canter proceeded to the business meeting portion of the School Committee meeting at 7:11 PM.



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MSV (1) move the community comments section to the beginning of the School Committee business meeting.

Motion made by: Sarah Markey Motion seconded by: Jacy Northup Vote: Unanimously Approved

Comments from the Community

Phil Eden expressed appreciation on the thoughts that Robin Wildman shared earlier. Mr. Eden stated that the Black Lives Matter group would like to see changes in South Kingstown and that several individuals were going to share the list of changes they would like to see. Mr. Eden stated that there should be accountability, and to create an equity office and a sustained student organization (racial justice club).

Paula Whitford member of the leadership committee at Peace Dale. She stated that our children are not given an equal education; and that there is a stigma because of where you live. She stated that we need to look at equity and equality of education.

Jen T. stated that the group would like to see more black and brown teachers and coaches hired (25% of the teaching force in 2025 with a long-term goal of 50%); and they would like to see have the data published. She stated that they would like ethnic study classes.

Bella Cole stated that the group would like more training for teachers, bias training, part of the professional development for the teachers.

Becky Davis read the Mission of the South Kingstown School Department and made a statement about racialized discipline. Ms. Davis recommended creating an alternative to suspension

Willa Garceau, SKHS graduate, commented that students of color are disproportionally disciplined at school.

Lilly Dwyer, SKHS graduate, recommended to hire teachers of color and to look at other districts. She stated that one of the biggest issues at the high school is the AP placement by race; and that the information should be published each semester.

Michelle Flippin commented on racial inequality and stated that the Latino teachers are leaving our district. Ms. Flippin also recommended the district consider the children's emotional, physical, and mental health and let the 5th grade students stay in the elementary school for September.

May Bodziony commented on the curriculum regarding equity. She stated that the curriculum should work more on life skills, civics, voting, finances, and how to run for office; which could be taught in Advisory for 20 minutes.

Mongee B., SKHS graduate, commented on seeking resources that teach implicit bias for students, so that they can look at their own implicit bias to be able to identify them.

Carolyn Vincent commented that there were no students of color in her AP classes. She shared that she did now see how structural racism was until she went to college. Ms. Vincent stated that role models are

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lacking for children of color in the school department; and that the number of teachers, staff, and faculty of color needs to increase.

Cadence questioned how students with disabilities, who see several therapists in a day, will be kept safe. What are the plans to address that in September?

Ginger Mombelly commented on the history of white men in South Kingstown. She stated that it should be mandatory to learn the black history.

Beth Stroble, SKHS graduate, commented on the discipline that she would like to see addressed. She stated that we need to find a way to keep the student sin school so that they can be successful.

Karen Humes commented that there is not a lot of teacher diversity across the board; and that we need to inspire our students to go into this field.

Eddy P., student, commented on the DLI program and the importance of hiring bilingual black teachers.

Magnee Gomes, parent, commented on the need to teach life skills to children of color; and that they need more training from teachers so that they feel they share some type of experience with that teachers. Mentors should be provided for children in the community. Ms. Gomes also stated that we need to keep the children education and not suspended and out of school.

Dorald Beasley, commented that important subjects are placed on the agenda after community comments; and that the business meeting should be held before community comments. Mr. Beasley spoke about the budget referendum and how it will affect the school programs. He commented on the STARR data and stated that we have a systematic problem with math K-12 in the district.

Bob Hicks commented on the referendum and explained what it was about.

Valerie Sparadalozi applauded the students who spoke this evening and stated that the administrators, teachers, and community need to hear the voices they are raising.

Gail Mizner asked if this meeting was recorded.

MSV (2) move School Committee Business 6a next on the agenda.

Motion made by: Kate Macinanti Motion seconded by: Jacy Northup Vote: Unanimously Approved

Discussion: Teacher of the Year Congratulations

Ms. Savastano expressed her honor and excitement to name the South Kingstown School Department's Teacher of the Year – Ryan Muir, south Kingstown High School Choir and Theater Director.

Gail Saborio read her nomination of Mr. Muir. She shared his accomplishments as a musician and commented that he goes above and beyond in everything he does.

Kenneth Dunn, student, shared that Mr. Muir is his favorite teacher. He further shared how Mr. Muir has influenced and impacted his life and future plans.

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Carter Santos, student, shared that Mr. Muir is his favorite teacher and is a fantastic role model. He shared how Mr. Muir cares about his students and how Mr. Muir connected with him.

Jessica Macinanti, student, read a statement from student, Caroline Parente. Ms. Parente stated that Mr. Muir is a miracle worker and that South Kingstown is very lucky to have a teacher like him.

Jessica Macinanti shared her own thoughts about Mr. Muir. She stated that she has always struggled with mental illness and that Mr. Muir is the only reason she is still here. She shared that Mr. Muir truly cared about her and respects her as a human. Ms. Macinanti stated that the environment that Mr. Muir creates is the most inclusive and he makes everyone feel safe and accepted.

4. Consent Agenda

MS (3) move to approve the Consent Agenda.

Motion made by: Sarah Markey Motion seconded by: Jacy Northup

Ms. Brousseau had a question regarding "H" the exchange student(s) request, with the COVID situation.

Ms. Brousseau made a motion to remove "H" and move it to the Business Meeting.

MSV (4) move to amend the motion to remove 4H.

Motion made by: Michelle Brousseau Motion seconded by: Jacy Northup

Vote:

Stephanie Canter - Yes
Sarah Markey - Yes
Michelle Brousseau - Yes
Emily Cummiskey - Yes
Jacy Northup - Yes
Kate Macinanti - Not present at the time of the vote
Alycia Collins - Yes

MSV (5) move to approve the Consent Agenda with part "H" removed.

Motion made by: Michelle Brousseau Motion seconded by: Jacy Northup

Vote:

Stephanie Canter - Yes
Sarah Markey - Yes
Michelle Brousseau - Yes
Emily Cummiskey - Yes
Jacy Northup - Yes
Kate Macinanti - Not present at the time of the vote
Alycia Collins - Yes

A. Approval of Open Session Minutes - June 9, 2020

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- B. Personnel Actions
- C. Contracts
- D. FY21 Purchases
- E. RFP Award Laptop Lease (Dell Lattitude)
- F. RFP Award High School Esports League
- G. RFP Award Computer Workstations for CCMS STEM Project Lead the Way
- H. Exchange Student(s) Request Removed from the Consent Agenda
- 5. Comments from the Community Previously Addressed
 - Exchange Student(s) Request (removed from Consent Agenda 4H)

MSV (6) move to approve 4H (from the Consent Agenda) and open for discussion.

Motion made by: Michelle Brousseau Motion seconded by: Kate Macinanti

<u>Vote</u>: Unanimously Approved

Ms. Savastano advised that the Committee had already approved one exchange student and that this would be the second request for approval. She further stated that she would imagine that the student would follow all of what the other students have to do; and that we would work with the folks to make sure that we/they are safe as we get closer to school starting.

- 6. School Committee Business
 - A. Discussion: Teacher of the Year Congratulations Previously Addressed
 - B. Discussion: Summer Meeting Calendar

Ms. Savastano stated that she was looking for a date in July to meet, after the referendum; a date for the summer retreat; and another anti-racist work session. After discussion, it was recommended that Ms. Savastano's assistant send out a meeting wizard to determine the best date(s).

C. Discussion / Action: FY21 School Calendar

MSV (7) move to accept the School Calendar for FY21 as revised.

Motion made by: Emily Cummiskey
Motion seconded by: Michelle Brousseau

<u>Vote</u>: Unanimously Approved

Ms. Brousseau expressed concern about the start date of school and the impact on local businesses with losing their work force.

Ms. Macinanti asked how the teachers felt about the calendar, as it is their work calendar and work schedule.

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Ms. Cummiskey stated that it was important to start early so that the students can develop a rapport with the teachers, just in case a second wave of the virus occurs.

Ms. Markey stated that there is a process of the bargaining unit disagrees with the calendar. She also recommended that Juneteenth be put on the calendar.

Ms. Brousseau recommended that the district reach out to the Governor's office and other Southern RI directors due to respect and concern for the local businesses. Ms. Brousseau also commented that February and April recess/vacation should be called breaks, as teachers do not get paid vacations.

Vote taken.

D. Discussion: Reentry Planning

Ms. Savastano advised that the State provided a template regarding opening schools. She stated that we will continue to discuss this through the summer and to make sure that the community is well aware of the plans. Ms. Savastano stated that at any given moment we will need to be able to go from face-to-face learning to virtual and then back again. Our goal is to get children back in school safely. Discussion followed.

E. Discussion: Budget

Ms. Savastano stated that she wanted to make sure that we are mindful that there is a referendum for the South Kingstown budget. The information is available online.

F. Discussion / Action: Resolution Amend Article I

MSV (8) move to approve the Resolution and forward it to the General Assembly and other State leadership.

Motion made by: Michelle Brousseau Motion seconded by: Sarah Markey Vote: Unanimously Approved

Ms. Canter expressed concern about rights infringing on the rights of others. She asked if we can make this without infringing on the rights of others.

Ms. Brousseau stated that she spoke with Tim Duffy and he has brought this up at every training she has attended. She stated that a public education was a constitutionally protected right for our State.

7. Adjournment

A. Adjourn

MSV (9) move to adjourn at 9:34 PM.

Motion made by: Michelle Brousseau Motion seconded by: Alycia Collins

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Vote: Unanimously Approved

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Exhibit C

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Reviewer: Maureen D.

Nicole Solas vs. South Kingstown School Committee Robin Wildman September September 29, 2023

PC-2022-04727

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1 2	STATE OF RHODE ISLAND, SUPERIOR COURT PROVIDENCE, SC.
)
3	NICOLE SOLAS,)
4	Plaintiff,)) C.A. No.
5	vs.) PC-2022-04727
6	SOUTH KINGSTOWN SCHOOL COMMITTEE,)
7	Defendants.)
8	
9	VIDEOUNDED DEDOCTUION OF DODIN MILDMAN
10	VIDEOTAPED DEPOSITION OF ROBIN WILDMAN
11	West Winners Physic Island
12	West Kingston, Rhode Island
13	September 29, 2023
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23	Prepared by:
24	Gerard T. Coash, RPR, RMR Certified Reporter Certified Reporter
25	Certified Reporter Certification No. 50503 TRANSCRIPT

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Nicole Solas vs. South Kingstown School Committee Robin Wildman September 29, 2023

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	Page 10	Т	Page 12
1	purposes of preserving the record or for making subsequent	1	Q. You indicated it's a 501(c)(3). How's how's
2	objections at a later proceeding in this case. Unless	2	it how is nonprofits I'm sorry Nonviolent Schools
3	your attorney instructs you not to answer, answer the	3	Rhode Island funded?
4	question anyway even if an objection is raised. Do you	4	A. Well, if a school hires us, the school pays us.
5	understand that?	5	So by the school system
6	A. Yes.	6	Q. Is that I'm sorry. Go ahead.
7	Q. Okay. Would you please state your name for the	7	A. Then sometimes we do trainings that are not
8	record, please?	В	that don't involve schools, so the participants would pay.
و	A. My name is Robin Wildman.	9	Q. So the source of the funding is training that you
10	Q. Did you do anything to prepare for the deposition	10	provide to school districts and other people requesting
11	today?	11	your services. Is that correct?
12	A. Yes.	12	A. Yes, that's correct for most of the time. We
13	Q. What is it that you did to prepare?	13	had we did have a fundraiser once, and we that's
14	A. I spoke with my attorney and I read most of the	14	yeah, basically that's it.
15	documents that were sent to me. I looked at some emails	15	Q. As a 501(c)(3) nomprofit, I assume you've
16	that I had to try and help me remember dates and times.	16	submitted a mission statement with the IRS?
17	Q. What documents were sent to you?	17	A. Correct.
18	A. Whatever you sent to her, I don't know. I don't	18	Q. What's the mission statement for Nonviolent
19		19	Schools Rhode Island?
20	Q. Maybe the exhibits that we that may be	20	A. I cannot recite it off the top of my head.
21		21	Q. How would you describe the mission of of your
22	A. Yeah.	22	organization?
23	Q. Did you review anything else, any other	23	A. Our mission is to teach educators and
24		24	administrators in grades K through college age the
25	A. My recollection.	25	
-	A. W Iccollected.	23	puriosomy and scrategies of Mr. Marchi Indust. King, Ur.,
	Page 11		Page 13
1	(An off-the-record discussion ensued.)	1	so that we can improve the climate and culture of the
2	THE VIDEOGRAPHER: We are going off the	2	school communities or help help to improve it.
3	record at 12:32.	3	Q. Did you undertake any education or training in
4	(An off-the-record discussion ensued.)	4	order to make you proficient to teach those philosophies
5	THE VIDEOGRAPHER: We are back on the	5	and strategies?
6	record. Time on the monitor is 12:33 p.m.	6	A. Yes.
7	BY MR. RICHES:	7	Q. And what did that entail?
8	Q. Okay. Ms. Wildman, are you currently employed?	8	A. In 2001 I met Bernard Lafayette, Jr., who worked
9	A. Yes.	9	with Dr. King and created the programming and training
10	Q. What's your employment?	10	modules for this training, and he taught the information
11	A. I'm the executive director for Nonviolent Schools	11	to myself and my students. And then I attended training
12	Rhode Island.	12	at the University of Rhode Island that he conducted also.
13	Q. What's Nonviolent Schools Rhode Island?	13	And yeah, that's how it started.
14	A. We do conflict reconciliation training, mostly	14	Q. You provide training to teachers within various
15	for teachers and students.	15	school districts?
16	Q. Is it an LLC, for-profit, nomprofit, how's it	16	A. Volunteer teachers, yeah.
17	how's it organized?	17	Q. What are volunteer teachers?
18	A. 501(c)(3).	18	A. We we prefer not to train at schools where
19	Q. Do you have other employees that work for	19	teachers are told they have to take the training. So it's
20	Nonviolent Schools Rhode Island?	20	teachers who want to come to learn what we have to offer.
21	A. Yes, I do.	21	Q. So there are teachers that are currently employed
22	Q. How marry?	22	by a school district, but they're voluntarily taking your
23	A. It kind of varies depending on the training. So	23	training?
24		24	A. Correct.
25	and that those would be our trainers who go to schools.	25	Q. Do you create the training modules or are they
123			

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	Page 14		Page 16
1	provided to you by by some other organization?	1	(Deposition Exhibit 1 was marked for
2	A. So as I mentioned before, Bernard Lafayette	2	identification.)
3	created the modules. And then with his help, I adapted	3	BY MR. RICHES:
4	some of them so that they would be applicable to	4	Q. Ms. Wildman, I'm showing you meeting minutes of
5	educators. But for the most part, it goes along with the	5	the South Kingstown School Committee meeting from
- 6	training program that he's created and has taught	6	June 23rd, 2020. Do you recall do you recall attending
7	basically internationally.	7	a meeting of the South Kingstown School District on that
8	Q. Were you previously employed by the South	8	date?
9	Kingstown School District?	وا	A. I I couldn't say the date is correct, but I
10	A. Yes.	10	have attended school committee meetings.
11	Q. In what capacity?	11	Q. This was a meeting at which you presented, during
12	A. I was a fifth grade teacher.	12	a work session, regarding Monviolent Schools Rhode Island,
13	Q. What period of time were you a fifth grade	13	and maybe some services that could be provided by that
14	teacher for?	14	organization to the school committee. Do you remember
15	A. 25 of my 28-year career.	1	_
16	Q. You were a teacher for 28 years?	16	A. Yes.
17	A. Yes.	17	Q. Do you recall how if you were invited to that
18	Q. Was that whole time spent within the South	18	· · · · · · · · · · · · · · · · · · ·
19	Kingstown School District?	19	A. I couldn't exactly say how I was invited. Like,
20	A. Yes.	20	are you asking by email or conver
21	Q. How did your employment end?	21	Q. Were there were there school officials who
22	A. I retired in 2019.	22	contacted you and asked you to present at this meeting?
23	Q. And then when did you become the executive	23	A. I'm sure there were, yes.
24	director of Nonviolent Schools Rhode Island?	24	Q. Do you have a recollection as to who who those
25	A. That was in 2000 well, we started in 2017.	1	were?
	,		
	Page 15		Page 17
1	But we became a 501(c)(3) in 2018.	I	A. I don't, sorry.
2	Q. So you started the organization and received its	2	Q. Did you do you recall reaching out yourself to
3	501(c)(3) status while you were still employed with the	3	any school officials and asking to present at this
4	South Kingstown School District?	4	meeting?
5	A. Yes.	5	A. I don't recall, no.
6	Q. I want to ask you about the creation of the BIPOC	6	Q. It looks like you made a presentation with
7	Advisory Board. When I say BIPOC Advisory Board, do you	7	Dr. Robert Hicks. Who's that?
8	know what I'm referring to?	8	A. He Dr. Hicks is a former superintendent for
9	A. Yes.	9	South Kingstown School District. Not the one before
10	Q. And what's your understanding of that?	10	Superintendent Savastano, but the one before that, I
11	A. Of the creation of it?	11	believe. So yeah.
12	Q. Of the BIPOC Advisory Board. What is that?	12	Q. It looks like from these minutes you explained a
13	A. That was it started as a committee, I guess.	13	two-tier approach for change. Do you remember doing that?
14	I don't know no, task force we called it to process	14	A. Yes.
15	the feelings and opinions and experiences of BIPOC	15	Q. What were you referring to when you referred to a
16	residents.	16	two-tier approach for change?
17	And we had a couple of educators from the	17	A. I was referring to working on, like I said
18	district, and students, so that we could bring forward to	18	before, this idea of conflict and how to address conflict
19	the school committee the experiences that people were	19	amongst students, staff, teachers, leadership, and hoping
20	having in the district.	20	to be I'm looking for a word a conduit for people to
21	MR. RICHES: Jerry, if we could see if I	21	learn those important skills.
22	can share my screen here. There we go.	22	Q. What's what's the two tiers? Is there is
i	(An off-the-record discussion ensued.)	23	there a difference between one tier and another, and if
23	/ 	122	there a difference between the tree and another, and if
23 24	MR. RICHES: I'd like to mark this as the	24	
24		l	so, what's

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Page 18 -- the difference? 1 1 meeting that the charge of the BIPOC Advisory Board would A. Yeah. So -- so one tier would be this task 2 be to -- and I'm quoting -- identify policies and 3 force, and the second tier would be Nonviolent's training 3 practices based on personal experience and devise 4 and professional development. 4 recommendations to eliminate or change them? Q. When you say "task force," what are you referring 5 A. Not to my recollection. 6 to? Would that be your understanding as you sit here A. So that was the wording that I used for the BIPOC 7 today as the charge of the task force at its inception? 8 Advisory Board, but then Stephanie Canter, as you can see, A. Can you just read it one more time? 9 changed it to advisory board. Identify policies and practices based on personal Q. Do -- do you know why Stephanie Canter wanted to 10 experience and devise recommendations to eliminate or 11 refer to it as an advisory board rather than a task force? change them? A. I think to the best of my recollection she liked 12 A. No, that was not part of the initial formation of 13 the name better. It was -- it was a minor conversation 13 the group. 14 and then -- that's all I can remember. Q. Okay. So if you stated that during the meeting, Q. And do you remember presenting at this meeting, 15 would you -- would you say that you were not communicating 16 speaking to the school committee members? 16 accurately with the school committee? 17 Yeah. A. MS. SOUSA: Objection. 18 Q. Do you recall during the meeting if you stated THE WITNESS: I -- I homestly don't recall 19 what you viewed as the charge of the task force or what 19 saying that. So if you're quoting from someplace, 20 later became the BIPOC Advisory Board? 20 where -- where would that be? Where are you --A. I -- I don't recall, no. MR. RICHES: Give me -- give me one minute, 22 What is your understanding of what the charge of 22 and we'll take a look. 23 the task force or the BIPOC Advisory Board was going to (An off-the-record discussion ensued.) 24 be? 24 BY MR. RICHES: 25 A. In its interception, it was to, like I said Q. Okay. Can you see my screen now? Page 19 Page 21 1 before, talk about experiences that people of color Yeah. 2 experienced in the school systems in South Kingstown. We Let's see if I can move this larger for you. It 3 did have parents on the committee who expressed some says full screen, but doesn't appear to be full screen to 4 experiences and to process those and try and find a way 5 to -- to, like, suggest -- make suggestions of ways that Okay. Can you see the little video in 6 we can improve things for all students, including the 6 the -- on the right-hand side of the screen here? 7 BIPOC students and parents and families. A. Yes. Q. During this meeting, you -- you stated to the Q. And do you see the box that's around your image 9 school committee that the charge of the task force was, 9 there? 10 quote, to identify policies and practices based on 10 A. 11 personal experience and devise recommendations to This is a video from the -- from the June 23rd, 12 eliminate or change them. Do you remember saying that as 12 2020 meeting of the school committee. I'm going to play a 13 your understanding of the charge of the BIPOC Advisory segment of it for you here. 14 Board? 14 (Video being played.) 15 MS. CARRENO: Jon, if I could just interrupt 15 BY MR. RICHES: 16 you for a second. Are you quoting something from Q. Can you hear there all right? 17 (Video being played.) 18 MR. RICHES: No. 18 BY MR. RICHES: 19 MS. SOUSA: Okay. Can you please read back Q. When you indicated there that Stephanie and Sarah 20 reached out to Nonviolent Schools Rhode Island about doing 20 the question --21 MR. RICHES: Sure. 21 this work, who -- who is Stephanie? 22 MS. SOUSA: -- court reporter? 22 That would be Stephanie Canter. MR. RICHES: Yup, sure. 23 Q. And what was her role at the school committee? 24 BY MR. RICHES: A. She was a school committee member, maybe. I 25 Q. Ms. Wildman, do you remember stating during this 25 don't know. Was she the chair? I don't know if she was

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	on Midnian		
	Page 30		Page 3
1	BY MR. RICHES:	1	(Deposition Exhibit 4 was marked for
2	Q. What were those?	2	identification.)
3	A. We had offered to do some of those teacher	3	BY MR. RICHES:
4	trainings that I mentioned earlier. We offered to do some	4	Q. Okay. Do you see on your screen, Ms. Wildman,
5	workshops for the school committee. We offered to do book	5	the highlighted portion of the document which is
6	clubs for teachers. And quite a few of those, almost	6	identified as agenda item 11, "move to create an equity
7	nearly all of them, we never had the opportunity to	7	and anti-racist advisory board"?
8	proceed with.	8	A. I see it.
9	Q. Do you recall the school committee formally	9	Q. Is it your understanding that the school
10	approving the BIPOC Advisory Board?	10	committee then as part of this action created the BIPOC
11	A. Yes.	11	Advisory Board?
12	MS. SOUSA: Objection.	12	A. No.
13	MS. CARRENO: Objection.	13	Q. What's your understanding of this action?
14	MS. SOUSA: Theresa objected.	14	A. The action was that we that my organization
15	MS. CARRENO: As did Deidre.	15	would recruit or request of people to join and that they
16	BY MR. RICHES:	16	were approving that action on our behalf.
17	Q. What's your understanding of what action the	17	Q. Okay. Why would the school committee need to
18	school committee took on July 22nd, 2020 to approve or	18	approve who you would invite to join the BIPOC Advisory
19	create the BIPOC Advisory Board?	19	Board?
20	A. What do you mean by action?	20	MS. CARRENO: Objection. Deidre.
21	Q. What what official do you recall the school	21	MS. SOUSA: Objection. Theresa.
22	committee taking any official action with respect to the	22	THE WITNESS: They weren't they weren't
23	creation of the BIPOC Advisory Board?	23	voting to approve that. They were voting in my
24	MS. CARRENO: Objection. Deidre.	24	understanding, they were voting to to have us go
25	THE WITNESS: I still am not sure what you	25	forward with this advisory board.
	Page 31		Page 3
1		ı	
_	mean by action.	1	BY MR. RICHES:
2	mean by action. MR. RICHES: Go ahead.	1 2	
	-		Q. Why is it that the school committee would need to
2	MR. RICHES: Go ahead.	2	
2	MR. RICHES: Go ahead. THE WITNESS: Go ahead.	2	Q. Why is it that the school committee would need to vote to have you go forward with your advisory board?
2 3 4	MR. RICHES: Go ahead. THE WITNESS: Go ahead. BY MR. RICHES: Q. Is it your understanding that the achool	2 3 4	Q. Why is it that the school committee would need to vote to have you go forward with your advisory board? MS. CARRENO: Objection. Deidre.
2 3 4 5	MR. RICHES: Go ahead. THE WITNESS: Go ahead. BY MR. RICHES:	2 3 4 5	Q. Why is it that the school committee would need to vote to have you go forward with your advisory board? MS. CARRENO: Objection. Deidre. MS. SOUSA: Objection. Theresa.
2 3 4 5 6	MR. RICHES: Go ahead. THE WITNESS: Go ahead. BY MR. RICHES: Q. Is it your understanding that the school committee voted to create the BIPOC Advisory Board on	2 3 4 5 6	Q. Why is it that the school committee would need to vote to have you go forward with your advisory board? MS. CARRENO: Objection. Deidre. MS. SOUSA: Objection. Theresa. THE WITNESS: I don't know, you'd have to
2 3 4 5 6 7	MR. RICHES: Go ahead. THE WITNESS: Go ahead. BY MR. RICHES: Q. Is it your understanding that the school committee voted to create the BIPOC Advisory Board on July 22nd, 2020?	2 3 4 5 6 7	Q. Why is it that the school committee would need to vote to have you go forward with your advisory board? MS. CARRENO: Objection. Deidre. MS. SOUSA: Objection. Theresa. THE WITNESS: I don't know, you'd have to ask them.
2 3 4 5 6 7 8 9	MR. RICHES: Go ahead. THE WITNESS: Go ahead. BY MR. RICHES: Q. Is it your understanding that the school committee voted to create the BIPOC Advisory Board on July 22nd, 2020? A. I know they voted, but I don't know the date.	2 3 4 5 6 7 8	Q. Why is it that the school committee would need to vote to have you go forward with your advisory board? MS. CARRENO: Objection. Deidre. MS. SOUSA: Objection. Theresa. THE WITNESS: I don't know, you'd have to ask them. BY MR. RICHES: Q. What was your understanding of your roles and
2 3 4 5 6 7 8 9	MR. RICHES: Go ahead. THE WITNESS: Go ahead. BY MR. RICHES: Q. Is it your understanding that the school committee voted to create the BIPOC Advisory Board on July 22nd, 2020? A. I know they voted, but I don't know the date. Q. What is your understanding of what they voted to	2 3 4 5 6 7 8	Q. Why is it that the school committee would need to vote to have you go forward with your advisory board? MS. CARRENO: Objection. Deidre. MS. SOUSA: Objection. Theresa. THE WITNESS: I don't know, you'd have to ask them. BY MR. RICHES: Q. What was your understanding of your roles and
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Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Nicole Solas vs. South Kingstown School Committee Robin Wildman

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September 29, 2023 Page 34 When you say "we," are you referring to you, Q. And what was your hope with respect to talking 2 about what you were doing was -- Let me rephrase. 2 Sarah Markey, Stephanie Canter, and Linda Savastano? When you say that you hoped that you could A. When I said "we" about the conflict training, 4 come and speak to the school committee, is that on behalf 4 that was Nonviolent Schools. 5 of the BIPOC Advisory Board? Q. When you state -- when you say "we" in this 6 A. Yes. 6 email, are you referring to you and the recipients of the Q. And was part of your intent to provide 7 email? 8 recommendations to the school committee regarding A. Yes. 9 anti-racist policies within the school committee? Do you still have a copy of the document that's A. Not at this date and at that time. 10 linked to this email? Q. Did that later become part of the intent of the A. I -- I don't know what that document is, no. 12 BIPOC Advisory Board? 12 Q. Can you tell from the URL where that document is 13 MS. CARRENO: Objection. Deidre. 13 stored? 14 THE WITNESS: Can you repeat that? 14 A. I don't know what that means, sorry. 15 BY MR. RICHES: 15 Q. You still have access to your Nonviolent Schools Q. Did it later become part of the intent or purpose 16 Gmail account, I believe you testified earlier that you 17 of the BIPOC Advisory Board to provide recommendations to 17 did? 18 the school committee on things like anti-racist policies 18 A. Yes, I do. 19 within the school committee? 19 Q. And do you still have emails that are preserved A. Yes. But I will also add that the 20 within that email account? 21 recommendations were just suggestions. 21 22 MR. RICHES: All right. All right. If we 22 Q. Do you know if this email was preserved in that 23 can mark the next exhibit, Jerry. It's defendant's 05788. 23 email account? 24 (Deposition Exhibit 5 was marked for A. I don't know. 25 identification.) 25 MR. RICHES: All right. Jerry, could we Page 35 Page 37 1 BY MR. RICHES: 1 mark the next exhibit, 04667? Q. Ms. Wildman, do you see Exhibit 5 on your screen? (Deposition Exhibit 6 was marked for identification.) Q. And this looks like it's an email from you to 4 BY MR. RICHES: 5 Sarah Markey, Stephanie Canter, and Linda Savastano. Do Q. Okay. Do you see Exhibit 6 on your screen, 6 you see that? 6 Ms. Wildman? Q. And in this email, you link an article or a Q. And this is an email from you to -- looks like 9 document and you say, "I came across this today. If you 9 various school officials. Do you -- can you identify the 10 haven't seen it, I think it speaks to the work we are 10 recipients of this email? 11 trying to do in SK." Do you see that? 11 A. Yes. 12 A. Yes. 12 Q. Who are they? 13 Q. Do you remember sending this email? 13 A. Do you want me to name them? Q. You could name them and then identify what their 14 15 When you referenced SK, were you referring to 15 role within the school committee is. 16 South Kingstown School District? Well, Linda Savastano is the superintendent. 17 17 Stephanie Canter, Sarah Markey, Kate Macinanti, Emily Q. And you state that the document that you link 18 Cummiskey, Alycia Collins, J. Northup, and M. Brousseau 19 "speaks to the work we are trying to do." Do you see 19 are school committee people, and them Ginamarie Masiello 20 that? 20 was the maybe director of curriculum, I think, or 21 A. I do. 21 something like that. 22 Q. What did you mean by that? Q. So this is an email from you to the school A. I think I meant the work of the advisory board 23 committee members and the school superintendent and who 24 and trying to hopefully do some of this conflict 24 you believe to be the director of curriculum. Is that

25 correct?

25 reconciliation training as well.

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Nicole Solas vs. South Kingstown School Committee Robin Wildman September September 29, 2023

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	Page 38		Page 40
I	A. Yeah.	1	Q. Who were you who were you hoping they would
2	Q. And it appears as though you're sending minutes	2	invite when you sent this email?
3	"from our first meeting." Is this you sending minutes	3	 Mostly if they knew of any students or staff.
4	from the first meeting of the BIPOC Advisory Board to	4	But I know that some of these folks live in town, so if
5	these recipients?	5	they knew other people that might be interested that they
6	A. Yes. That's what it says.	6	could invite them.
7	Q. Why is it that you were sending the school	7	Q. Did any school committee members ever attend a
8	committee minutes of the advisory board's meeting?	8	BIFOC Advisory Board meeting?
9	A. I thought it would be nice for them to to know	وا	A. No. No. Not that oh, actually, I think Linda
10	that we had had a meeting and to let them know that things	10	came to one.
11	were moving forward, that people had come, and we were	11	Q. Linda Savastano came to an advisory board
12	starting to have some conversations.	12	meeting?
13	Q. Why did you feel like you had to let them know	13	A. Yes.
14	that?	14	Q. And she was the superintendent at that time?
15	A. I didn't feel like I had to.	15	A. Yes.
16	Q. Why did you send the email?	16	Q. How many meetings did she come to?
17	A. As I said, I thought it would be a nice gesture	17	A. Just one.
18	so they knew that we had started meeting.	18	
19	Q. Okay. Do you still have a copy of the minutes of	19	
20	this meeting?	ł	the BIPOC Advisory Board?
21	• • • • • • • • • • • • • • • • • • •	20	A. Not that I can recall.
22	A. Most likely somewhere on my computer, I would think so.	21	I'm sorry, I believe Ginamarie came with her
		22	on that day,
23	MR. RICHES: Okay. Next exhibit, please,	23	Q. Okay. So it's your recollection that Ginamarie
24	Jerry. It's Defendant's 04665.	24	Masiello also attended a BIFOC Advisory Board meeting?
25		25	A. Yeah.
	Page 39		Page 41
1	(Demographics Dublish 7 and modern for		_
	(Deposition Exhibit / Was marked for	1	Q. Did they participate in that meeting?
2	(Deposition Exhibit 7 was marked for identification.)	1 2	
2			A. I think they mostly listened, end maybe people
	identification.)	2	A. I think they mostly listened, end maybe people thanked them for coming. And they I don't recall if
3	identification.) BY MR. RICHES:	3	A. I think they mostly listened, end maybe people thanked them for coming. And they I don't recall if they said anything.
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Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Nicole Solas vs. South Kingstown School Committee Robin Wildman

PC-2022-04727 42..45

September 29, 2023 Page 44 Q. How often was the BIPOC Advisory Board meeting at A. He was the former principal of Peace Dale 2 this time? 2 Rlementary School and is a community member now. A. At this time, it was once a week. And then it Q. Okay. And it looks like he was -- he had 4 ended up being every other week, and then it kind of was 4 expressed some interest in participating in the BIPOC 5 at like -- we had less people coming, so we met less times 5 Advisory Board. Do you remember that? 6 than what -- you know. We started at once a week though. A. Yes. Q. From what period of time to what period of time What's your understanding of what -- what he 8 was the BIPOC Advisory Board meeting once a week? 8 wanted to participate with regarding the advisory board? A. I would have to guess at that. I know we A. I -- I'm not -- I'm not exactly sure. I couldn't 10 started --10 speak for him. I think he was helping -- hoping to help 11 MS. SOUSA: I don't -- let me interject. 11 in some way with the charge of what the advisory group was 12 Nobody wants you to quess. 12 trying to do. 13 THE WITNESS: Okay. Then I couldn't say. 13 Q. Okay. And did he end up participating with the 14 BIPOC Advisory Board? 14 MS. SOUSA: That was Theresa. 15 BY MR. RICHES: 15 A. He did not. Q. Can you estimate over what period of time the 16 Q. Do you know why? 17 BIPOC Advisory Board was meeting on a weekly basis? Well, initially, it was for BIPOC people, and 18 A. Eight months maybe. That's an estimate. 18 then we changed that to open it up to community members. Q. And would that have been starting in August 2020 19 19 And I don't know if I reached out to him again. I might 20 when the board first met to approximately eight months 20 not have. 21 after that date? Q. Okay. When you say initially the advisory board A. Well, I definitely remember starting in August. 22 was for BIPOC people, what do you mean? 23 That's for sure. But I really can't be sure about the A. So it was a group created for people who 24 rest of that statement. 24 identified as BIPOC. Q. All right. In this email, it looks like you also Q. What does "BIPOC" mean? Page 45 1 linked to minutes of the BIPOC Advisory Board meeting. Do A. Black, Indigenous, and people of color. 2 you see that? Q. So if somebody did not identify as a Black, A. I see it. 3 Indigenous, or a person of color, would they be prohibited Q. Do you recognize the Google document link there 4 from participating on the advisory board? 5 that you sent? A. We had asked them to wait for -- for the time A. No. 6 that we were going to use to gather the stories and Q. Do you still have access to the minutes from the 7 experiences of the BIPOC members, and then open the group 8 September 9th, 2020 advisory board meeting? up to other community people. 9 A. It's possible. I would have to check. Q. In this email you state, "The advisory board is 10 for BIPOC only." Do you see that? 10 MR. RICHES: All right. Jerry, if we could 11 mark the next exhibit, Defendant's 06835. 11 A. I do. 12 (Deposition Exhibit 9 was marked for Q. Is it your understanding at that time then that 13 identification.) 13 if somebody was not BIPOC, they could not participate on 14 BY MR. RICHES: 14 the advisory board at the time this email was sent in Q. Okay. Do you see Exhibit 9 on your screen? It 15 October 2020? 16 appears to be an email from Emily Cummiskey to -- to you A. Yes, at that time. 17 from October 8th, 2020. Q. How do you define a person of color? A. I see it. A. I don't. I -- I think that's for everybody to Q. Do you remember receiving this email? 19 19 define themselves. 20 A. I do not. 20 So -- so it's just how an individual identifies Q. I want to draw your attention to a part -- it 21 as to whether or not they're a person of color? 22 looks like you and Ms. Cummiskey are discussing a man A. That's correct. 23 named Marc Ladin. Do you remember that? Could a person with Caucasian heritage identify

A. Yeah.

Q. Who's Marc Ladin?

25

A. I don't know the answer to that.

24 as a person of color?

Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Nicole Solas vs. South Kingstown School Committee Robin Wildman September 29, 2023

PC-2022-04727 50..53

110	Robin Wildman September 29, 2023 50				
	Page 50		Page 52		
1	MS. SOUSA: Objection. Theresa.	1	Q. Did the BIPOC Advisory Board make any		
2	MS. CARRENO: Objection. Deidre.	2	recommendations regarding school curriculum to school		
3	MR. RICHES: Okay. Jerry, if we could	3	officials?		
4	mark Actually, this might be a good time for a break.	4	A. I don't recall so. But I do remember		
5	Why don't we go ahead and take a ten-minute break if that	5	Ms. Masiello doing a review of I think reading materials		
6	works for everyone?	6	and inviting people to go and review those materials. But		
7	MS. SOUSA: Sure.	7			
8	THE VIDEOGRAPHER: Okay. We are going off	8	anybody could go. But she she did open that invitation		
9	the record. Time on the monitor is 1:31 Eastern time.	9	up,		
10	And this will end Media Number 1.	10	Q. So Ms. Masiello, you testified earlier she was		
11	(A recess ensued.)	11	the director of curriculum for the school district. Is		
12	THE VIDEOGRAPHER: Okay. We are back on the	12	that correct?		
13	record. Time on the monitor is 1:47 p.m. Rastern time.	13	A. I said I wasn't sure what her job title was, I		
14	This will begin Media Number 2.	14	think that's what it was, but I'm not sure.		
15	MR. RICHES: Okay. Jerry, if we could mark	15	Q. And did she send an invitation to you to review		
16	the next exhibit. It's Bates stamped SKSD.00169.	16	reading materials within the school district?		
17	(Deposition Exhibit 10 was marked for	17	A. Yes. I believe it was via email.		
18	identification.)	18	Q. And did she send that invitation to you because		
19	BY MR. RICHES:	19	of your role as the facilitator of the BIPOC Advisory		
20	Q. Okay. All right. Ms. Wildman, do you see	20	Board?		
21	Exhibit 10 on your screen?	21	A. I believe so.		
22	A. No.	22	Q. The meeting minutes reflect here also that		
23	Q. No. No, you don't because I have not shared it	23	Ms. Savastano and Ms. Masiello attended this BIPOC		
24	yet.	24	Advisory Board meeting. Is that is it the same meeting		
25	Okay. How about now?	25	you referred to earlier?		
	Page 51		Page 53		
1		1	A. What what's the date on this?		
2	Q. All right. This is minutes from the October 27,	2	Q. This is October 27, 2020.		
3	2020 South Kingstown School Committee meeting. I'm going	3	A. It could be, yes.		
4	to draw your attention to item 2 where it says "BIPOC	4	Q. It looks like you shared with the school		
5	Advisory Board update." Do you see that?	5	committee that "the advisory board would like an		
6	A. I do.	6	opportunity to provide knowledge, expertise, and		
7	Q. Do you remember providing an update on the BIPOC	7	experiences when new curriculum are being developed." Do		
8	Advisory Board's activities to the school committee during	8	vou see that?		
9	this meeting?	9	A. Yes.		
10	A. I do.	10	Q. Do you remember sharing that sentiment with the		
11					
	(An off-the-record discussion ensued.)	11			
12	(An off-the-record discussion ensued.) BY MR. RICHES:		school committee?		
		11	school committee? A. I don't remember saying it, but I if I wrote		
12	BY MR. RICHRS: Q. All right. In the minutes here it says that you	11 12	school committee? A. I don't remember saying it, but I if I wrote it, then I must have.		
12 13	BY MR. RICHES:	11 12 13	school committee? A. I don't remember saying it, but I if I wrote it, then I must have.		
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12 13 14 15 16 17 18 19 20 21	BY MR. RICHES: Q. All right. In the minutes here it says that you shared that members of tha advisory board recently had a meeting to talk about curriculum. Do you see that? A. I do. Q. Do you remember tha advisory board meeting to talk about curriculum? A. Yes. Q. And what was the nature of those discussions? A. So we were I I can't recall exactly what we	11 12 13 14 15 16 17 18 19 20 21	school committee? A. I don't remember saying it, but I if I wrote it, then I must have. Q. What is it that you wanted the advisory board to provide input on with respect to curriculum? A. So we have we had people on the committee who had ties to Narragansett Indigenous peoples and they had offered to be guest speakers and people who could be contacted for not their personal knowledge of the Narragansett people. So that that was an example. Q. Was it your desire that the BIPOC Advisory Board		
12 13 14 15 16 17 18 19 20 21 22	BY MR. RICHES: Q. All right. In the minutes here it says that you shared that members of tha advisory board recently had a meeting to talk about curriculum. Do you see that? A. I do. Q. Do you remember tha advisory board meeting to talk about curriculum? A. Yes. Q. And what was the nature of those discussions? A. So we were I I can't recall exactly what we talked about, but I think we were referring to social	11 12 13 14 15 16 17 18 19 20 21 22	school committee? A. I don't remember saying it, but I if I wrote it, then I must have. Q. What is it that you wanted the advisory board to provide input on with respect to curriculum? A. So we have we had people on the committee who had ties to Narragansett Indigenous peoples and they had offered to be guest speakers and people who could be contacted for not their personal knowledge of the Narragansett people. So that that was an example. Q. Was it your desire that the BIPOC Advisory Board provide recommendations to the school committee on		
12 13 14 15 16 17 18 19 20 21 22 23	BY MR. RICHES: Q. All right. In the minutes here it says that you shared that members of tha advisory board recently had a meeting to talk about curriculum. Do you see that? A. I do. Q. Do you remember tha advisory board meeting to talk about curriculum? A. Yes. Q. And what was the nature of those discussions? A. So we were I I can't recall exactly what we talked about, but I think we were referring to social studies curriculum.	11 12 13 14 15 16 17 18 19 20 21 22 23	school committee? A. I don't remember saying it, but I if I wrote it, then I must have. Q. What is it that you wanted the advisory board to provide input on with respect to curriculum? A. So we have we had people on the committee who had ties to Narragansett Indigenous peoples and they had offered to be guest speakers and people who could be contacted for not their personal knowledge of the Narragansett people. So that that was an example. Q. Was it your desire that the BIPOC Advisory Board provide recommendations to the school committee on curriculum?		

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	Page 54		Page 56
1	members of the advisory board also participated in a	1	BY MR. RICHES:
2	• · · · · · · · · · · · · · · · · · · ·	2	Q. During the school committee meeting, you informed
3	in a discipline policy discussion." Do you see that?	3	the school committee that you were looking at anti-racist
4	A. Yeah.	4	policies in other school districts and making
5	Q. Did you participate in a district policy	5	recommendations to Linda about what we've come up with.
6	discussion as as the facilitator of the BIPOC Advisory	6	Do you remember stating that to the school committee?
7	Board?	7	A. Yes.
8	A. In this instance of being at a policy committee	8	Q. When you refer to Linda, are you referring to
9	meeting?	9	Linda Savastano?
.0	Q. Right.	10	A. I am.
.1	A. No.	11	Q. What did you mean that you were looking at
2	Q. Are you aware of other BIPOC Advisory Board	12	anti-racist policies and making recommendations to Linda
.3	members participating in a policy committee meeting where	13	about what you've come up with?
4	discipline policy was discussed?	14	A. So there there were quite a few other
.5	A. Yeah,	15	districts in not just Rhode Island, I believe we looked
.6	Q. Do you know what imput the BIPOC Advisory Board	16	at policies in other states as well, and then to have a
.7	provided with respect to discipline policy?	17	conversation with Linda about what those school districts
18	A. I don't.	18	had written in their policies.
9	Q. Was it your hope that the BIPOC Advisory Board	19	Q. When you said "what we have come up with," is the
0	would provide recommendations regarding discipline	20	"we" you're referring to the BIPOC Advisory Board?
!1	policies to the policy subcommittee?	21	A. Yes.
22	A. Can you repeat that? Sorry.	22	Q. Was the BIPOC Advisory Board drafting an
23	Q. Was it your hope that the BIPOC Advisory Board	23	anti-racist policy for the school committee at this time?
24	would provide recommendations regarding discipline	24	A. No.
25	policies within the school district to the policy	25	Q. What what is it that you were coming up with
	Page 55		Page 57
1	committee?	1	then?
2	MS. SOUSA: Jon, if I can interject. Are	2	A. We were doing investigation work at that time.
3	you talking about her personally or her the 501(c)(3)?	3	Q. Did you did the BIFOC Advisory Board ever
4	MR. RICHES: I'm referring to the role of	4	draft an anti-racist policy for the school district?
5	the BIPOC Advisory Board. So the	5	A. Yes.
6	MS. SOUSA: When you when you say was it	6	Q. And who drafted that?
7	her hope, I'm just trying to understand. Are you talking	7	A. The people on the committee.
В	about was it her personal hope?	8	(Video being played.)
9	MR. RICHES: I'll rephrase.	9	BY MR. RICHES:
LO	BY MR. RICHES:	10	Q. Do you recognize that speaker?
11	Q. Was it your was it your intent that the BIPOC	11	A. Yup.
L2	Advisory Board provide recommendations regarding	12	Q. Who is that?
L3	discipline policies within the school district?	13	A. That's Sarah Markey.
4	A. It was it was the people in on the advisory	14	Q. She references the policy subcommittee. Do you
.5	board's intent.	15	know what that is?
6	Q. Okay. Let me see here. Okay. I'm going to try	16	A. I do.
.7	and share my screen here once again. Let's see if this	17	Q. What is it?
	works.	18	A. I believe it's made up of some school committee
8.		i	_
	Okay. Okay. Can you see my screen	19	members and some community volunteers, and they look at
L9	Okay. Okay. Can you see my screen A. Yup.	19 20	members and some community volunteers, and they look at district policies to see if revisions need to be made.
18 19 20 21		i	

22 committee.

24 the policy subcommittee?

24 I'm going to play a couple portions for you.

Okay. This is a video of the October 27,

23 2020 meeting that we were just discussing the minutes on.

(Video being played.)

 ${\tt Q.}\quad$ And were members of the BIPOC Advisory Board on

A. Not initially. But then I think after this

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September 29, 2023 62..65 Page 62 Page 64 1 review advisory board research"? 1 participated in the advisory board for a bit of time. Q. Do you know if -- if Mr. Gitahi also participated 2 A. Yes. It says the BIPOC Advisory Board will continue on the policy subcommittee? 4 this discussion and bring back to the policy subcommittee A. I believe so. 5 at a later date. Do you see that? Q. He states -- Mr. Gitahi states in this email that A. I do. 6 the advisory board is still reviewing and doing some Do you know what the -- the minutes are referring research behind the coaching and suspension policies. Do 8 to there? you see that? A. I -- I believe it would be the -- like the -- the A. I do. 10 information that we had gathered. I'm not sure what the Was the BIPOC Advisory Board reviewing and 11 TASK shared resources is. 11 researching coaching and suspension policies during Q. Was the idea that the BIPOC Advisory Board would November 2020? 13 gather information regarding anti-racist policies to later A. I don't -- I don't know if that's exactly 14 present to the policy subcommittee? 14 correct, what he wrote. I think he meant we were 15 A. I don't think we were presenting them to the 15 reviewing the South Kingstown coaching and suspension 16 subcommittee. 16 policy. 17 Who were you presenting them to? Q. What were you reviewing those policies for? 17 Q. 18 A. To ourselves. 18 A. We were looking at how they were worded to see if 19 Okay. 19 they were inclusive of opening up -- for example, the Let me -- let me just read that again. Review coaching, hiring of anybody who wanted to apply and to --20 21 advisory board research and TASK shared resources. And and the suspension policy -- I think we were looking at 22 then I don't know what that word "New" means. What does the suspension policy to see if it was in line with the 23 that mean at the end of that sentence -- at the end of state suspension policies, which had changed in recent 24 that line? New-BIPOC Advisory -- I don't know what -- I 25 don't know what this means. Sorry. 25 Q. Was part of the purpose of that review for the Page 65 Page 63 Q. Do you know what -- do you know what the minutes 1 BIFOC Advisory Board to provide recommendations to school 2 are referring to when it says that the BIPOC Advisory 2 officials on the coaching and suspension policies? A. No. It was -- those policies were being 3 Board will bring hack to the policy subcommittee its 4 research on these anti-racist policies? 4 discussed at the sub- -- at the subcommittee meeting. A. I think -- I think that might be referring to Q. Did the BIPOC Advisory Board provide 6 the -- a discussion -- BIPOC continuing this discussion --6 recommendations to the policy subcommittee meeting based 7 I -- I -- I'm sorry, I don't know what this is. on its review of the coaching and suspension policies? MR. RICHES: All right. Jerry, if we could A. I believe -- I wasn't present. So I believe when 9 mark the next exhibit, Defendant's 03561. the representatives were present at those meetings, there 10 (Deposition Exhibit 12 was marked for 10 was discussions that were held by everybody present. 11 identification.) 11 Q. And do you know if the representatives of the 12 BY MR. RICHES: 12 advisory board provided recommendations from the advisory 13 Q. Do you see Exhibit 12 on your screen? 13 hoard regarding the coaching and suspension policies to 14 14 the policy subcommittee? A. Q. This is an email from Jenna -- I believe it's 15 A. I believe they did, as well as everybody else at 15 16 Ouellette -- to Mwangi Gitahi. Do you see that? 16 the meeting. 17 Yes. 17 MR. RICHES: Okay. Give me one moment here. 18 Q. Do you know who Jenna Ouellette is? Or 18 Okay. All right. Jerry, could we mark the

Q. Do you know who Mwangi Gitahi is?

A. He was a community member and a person who

I have heard her name, but I don't know who she

19 Ouellette?

A. Yes.

O. And who's that?

20

22

23

24

25

21 is.

(Deposition Exhibit 13 was marked for

Q. All right. Ms. Wildman, do you see Exhibit 13 on

19 next, which is Defendant's 00916?

identification.)

20

21

23

25

22 BY MR. RICHES:

24 your screen?

A. Yeah.

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1	Q. And this is an email from you to Emily Cummiskey	1	Q. This is an email from you to looks like a
2	and Paula Whitford from December 22, 2020. Do you see	2	couple school committee members and them Ginamarie
3	that?	3	Masiello and Linda Savastano. Do you see that?
4	A. Ido.	4	A. I do.
5	Q. Who's Paula Whitford?	5	Q. And here it says you state "Attached is the
6	A. She's on the school committee.	6	anti-racism/anti-discrimination policy that the BIPOC
7	Q. She was a school committee member?	7	Advisory Board created." Do you see thet?
8	A. Yeah.	8	A. I do.
9	Q. All right. In this email, you write to Emily and	9	Q. Do you remember sending this email?
10	Paula regarding some questions that the advisory board	10	A. No. But I I know it's mine because my name's
11	has, and then you state, "As you know, the Board is	11	on it. I don't remember sending it.
12	writing an anti-racism/anti-discrimination policy that	12	Q. Okay. When you say that "Attached is the
13	will go before the subcommittee on January 7th." Do you	13	anti-racism/anti-discrimination policy that the BIPOC
14	see that?	14	Advisory Board created," are you referring to the same
15	I'm sorry, do you see that?	15	document that you previously referenced, which was an
16	A. Yes, I do.	16	anti-racism/anti-discrimination policy that the BIPOC
17	Q. Do you remember sending this email from	17	Advisory Board initially drafted?
18	December 21st, 2020?	18	A. Yes.
19	A. No.	19	Q. Why is it that you sent that document to the
20	Q. Do you remember the BIFOC Advisory Board writing	20	recipients of this email?
	an anti-racism/anti-discrimination policy that later went		-
21 22	before the policy subcommittee?	21	A. I thought they would like to read it since it is
		22	something that the subcommittee was discussing for the
23	A. Yes.	23	purposes of bringing it to the school committee once the
24	Q. Did the BIPOC Advisory Board draft the	24	subcommittee approved it.
43	draft provide a draft of the	25	Q. And you were sending it directly to some school
	Page 67		Page 69
1	anti-racism/anti-discrimination policy to the policy	1	committee members. Is that correct?
2	subcommittee?	2	A. Yes.
3	A. I believe so, yes.	3	Q. Why were you sending it to those school committee
4	Q. And that was written by members of the BIPOC	4	members?
5	Advisory Board?	5	A. So they could review it and read it, just as a
6	A. Yes. A lot of it was cut-and-pasted well, not	6	
7	a lot of it, but parts of it were cut-and-pasted from	7	Q. This document that you sent to the school
8	other districts' policies.	8	committee members in this email, is that the same document
9	Q. The document that was ultimately presented to the	9	that was later sent to the policy subcommittee for its
10			January 7th, 2021 meeting?
11	exclusively by the BIPOC Advisory Board?	11	A. I'm not sure. Because I know that the district's
12	A. Yup. Yes.	12	lawyer had a lot of imput on that document, so I don't
13	MR. RICHES: All right. Okay. Jerry, if we	13	
14	could mark the next exhibit. For some reason, I can't see	14	Q. Looks like you provided another Google link in
15	the Bates stamp. Give me a second, my Zoom the Zoom	15	this email. Do you still have a copy of this of this
16		1	
17	task bar is in the way here. Give me one moment.	I	policy? A The pot sure I have a come of that portionlar
	That's better I think. No, still not there.	17	A. I'm not sure I have a copy of that particular
18	Okay. Jerry, could we mark the exhibit here	18	one.
19	which has a date of December 27th, 2020 at the top?	19	Q. Do you still access you testified earlier you
20	(Deposition Exhibit 14 was marked for	20	still have access to this email address, correct?
21	identification.)	21	A. Yes.
22	BY MR. RICHES:	22	Q. Okay.
23	Q. Okay. Do you see Exhibit 14 on your screen,	23	A. But I I do just want to add that I it's
24	Ms Ms. Wildman?	24	it's possible that I deleted the earlier versions of that
25	A. Yes.	25	document.

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Page 80 Page 78 1 lens through which the other policies would be viewed --1 the district, like, professional development 2 or reviewed, but I'm just -- that's just an assumption, 2 opportunities. 3 it's not a fact. I don't know. Q. Did you also seek to submit an RFP to facilitate 4 the work of the BIPOC Advisory Board? Q. Do you know if she's referring to the same 5 anti-racism policy that the BIPOC Advisory Board created A. I don't know. Is it in here maybe? I don't -- I 6 and then that the policy subcommittee considered later? 6 don't remember. Q. You don't remember submitting an RFP for purposes MS. CARRENO: Objection. Deidre. THE WITNESS: I think you would have to ask 8 of facilitating the work of the BIPOC Advisory Board? R A. I don't -- I don't know if it was an RFP. I'm 9 her which one she was referring to. I don't know if the 10 district already had one written, maybe. But it could be. 10 not sure what -- what I -- I don't know. I don't know 11 what -- I don't know what's in this one. 11 MR. RICHES: Okay. All right. Next 12 exhibit, SKSD.00022. 12 Q. Okay. A. I've written other RFPs for other districts, 13 (Deposition Exhibit 20 was marked for 13 identification.) 14 14 though. I don't know. Q. So to be clear, you asked the district if there 15 BY MR. RICHES: Q. Okay. Do you see Exhibit 20 on your screen? 16 was available RFPs. No one from the district asked you to 16 17 submit an RFP or a response to an RFP? 17 A. I do. 18 Q. Do you recognize this document? A. I'm not sure I can -- I remember that. 19 Q. All right. I want to draw your attention to 19 A. I do. 20 Q. What is it? 20 page 19 of your response to the RFP. Do you see that on That is the RFP proposal that I submitted to the 21 your screen? 21 A. 22 district. A. It says, "This section of the proposal focuses on 23 Q. Did you prepare this proposal? 24 the continuation of the impactful work that the BIPOC 24 A. Yes, I did. Q. Was -- was the proposal submitted in response to 25 Advisory Board has accomplished in just 5 short months." 25 Page 81 Page 79

- 1 a request for proposals?
- A. I think that's what an RFP means, yeah.
- Q. Okay. So is it your understanding that the
- ${\tt 4}$ district requested various proposals and this is the
- 5 document that you submitted as one of those requested
- 6 proposals?
- 7 A. Yes.
- 8 Q. Do you know if any other organizations or
- 9 entities submitted responses to the district's request for
- 10 proposals?
- 11 A. I don't. I didn't ask.
- 12 Q. Do you still have a copy of the district's
- 13 request for proposals?
- 14 A. I don't believe so, no.
- 15 Q. Do you remember how you came into possession of
- 16 the district's request for proposals or how you knew they
- 17 were asking for various proposals?
- 18 A. No. I only know that I emailed somebody at the
- 19 superintendent's office asking if there were RFPs
- 20 available.
- 21 Q. Do you remember who you emailed?
- 22 A. Maria Parrillo, I think.
- Q. And what RFPs were you asking for when you said
- 24 are there RFPs available?
- 5 A. I think to do the professional development for

- 1 Do you see that?
 - A. Ido.
 - Q. All right. So the time you submitted this RFP in
- 4 January of 2021, is it accurate to say that the BIPOC
- 5 Advisory Board had already been operating for five monthe?
 - A. Yes. So now I remember. I think prior to this,
- 7 I submitted a proposal and it was -- the money was less
- 8 than what an RFP needed to be or something like that, so I
- 9 didn't have to do an RFP. And that's how -- that's how
- 10 the BIPOC board started.
- 11 Q. Okay. So you submitted a proposal prior to your
- 12 response to this RFP to facilitate the work of the BIPCC
- 13 Advisory Board?
- 14 A. Yes. Yeah.
- 15 Q. Did that proposal include compensation to
- 16 Nonviolent Schools Rhode Island for the purpose of
- 17 facilitating the BIPOC Advisory Board?
 - A. Yes.
- 19 Q. Do you know what the terms of that arrangement
- 20 were?

18

25

- 21 A. Yeah. The first one, the proposal, it was to
- 22 gather the members, to create agendas, to host the
- 23 meetings and facilitate, to -- I don't know. But just to
- $24\,$ get things started, that was kind of the basis of it.
 - Q. And the -- the school district ultimately

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	on which an Septembe		9, 2023 020
1	Page 82		Page 84
1	approved that proposal?	1	curriculum?
2	A. I I would I assume so, yes.	2	A. Well, I think you're connecting the advisory
3	Q. Was your organization, Nonviolent Schools Rhode	3	board to Nonviolent Schools Rhode Island. We were the
4	Island, then being paid by the school district to	4	facilitators of meetings that we had where people would
5	facilitate the work of the BIPOC Advisory Board prior	5	discuss things. But the advisory board members could, on
6	A, Yes,	6	their own time, assist in helping to rewrite curriculum
7	Q to submitting this RFP?	7	because of their expertise that they might have.
	<u>-</u>	l	
8	A. Yes.	8	MR. RICHES: All right. Jerry, if we could
9	Q. What were the terms of the compensation?	9	do the next exhibit, SKSD 0002.
10	A. What do you mean by that?	10	(Deposition Exhibit 21 was marked for
11	Q. How much were they paying you?	11	identification.)
12	A. Oh, how much? It was for \$4,999.	12	BY MR. RICHES:
13	Q. And what were you expected to provide in exchange	13	Q. Okay. Do you recognize Exhibit 21?
14	for that \$4,999?	14	A. Yes.
15	A. Part of that was to do I think was to do some	15	Q. And what is this document?
16	of this conflict reconciliation training. I would have to	16	A. I believe it's called a contract.
17	look back at it to to know exactly the specifics.	17	Q. Do you recognize what contract this is?
18	Q. Was part of it also to facilitate the work of the	18	A. I do.
19	BIPOC Advisory Board?	19	Q. What is it?
	-	20	A. It is the contract between Nonviolent Schools
20	A. Yeah, like I said before.		
21	Q. Did the was the BIPOC Advisory Board or was	21	Rhode Island and the South Kingstown School Department.
22	Nonviolent Let me rephrase that.	22	Q. Was this contract provided in response to your
23	Was Monviolent Schools Rhode Island	23	response to the district's request for proposals that we
24	receiving any other compensation apart from that that was	24	just discussed in Exhibit 20?
25	provided by the district for facilitating the work of the	25	A. Yes.
	Page 83	-	Page 8
1	BIPOC Advisory Board?	1	Q. Okay. And it appears as though you signed this
_	Biloc Micholy Board.		
ם	No.		
2	A. No.	2	contract on March 24, 2021. Is that correct?
3	Q. Do you see the paragraph that's highlighted, "The	3	contract on March 24, 2021. Is that correct? A. Yes.
3 4	Q. Do you see the paragraph that's highlighted, "The Advisory Board will assist and advise in rewriting	2 3 4	contract on March 24, 2021. Is that correct? A. Yes. Q. I'm sorry, I didn't hear your answer.
3	Q. Do you see the paragraph that's highlighted, "The Advisory Board will assist and advise in rewriting curriculum to uplift BIPOC"?	2 3 4 5	contract on March 24, 2021. Is that correct? A. Yes.
3 4	Q. Do you see the paragraph that's highlighted, "The Advisory Board will assist and advise in rewriting	2 3 4	contract on March 24, 2021. Is that correct? A. Yes. Q. I'm sorry, I didn't hear your answer.
3 4 5	Q. Do you see the paragraph that's highlighted, "The Advisory Board will assist and advise in rewriting curriculum to uplift BIPOC"?	2 3 4 5	contract on March 24, 2021. Is that correct? A. Yes. Q. I'm sorry, I didn't hear your answer. A. Yes.
3 4 5 6	Q. Do you see the paragraph that's highlighted, "The Advisory Board will assist and advise in rewriting curriculum to uplift BIPOC"? A. I do.	2 3 4 5 6	contract on March 24, 2021. Is that correct? A. Yes. Q. I'm sorry, I didn't hear your answer. A. Yes. Q. Is that your signature?
3 4 5 6 7	Q. Do you see the paragraph that's highlighted, "The Advisory Board will assist and advise in rewriting curriculum to uplift BIPOC"? A. I do. Q. Was part of your proposal that the BIPOC Advisory	2 3 4 5 6 7	contract on March 24, 2021. Is that correct? A. Yes. Q. I'm sorry, I didn't hear your answer. A. Yes. Q. Is that your signature? A. Yes, it is.
3 4 5 6 7 8	Q. Do you see the paragraph that's highlighted, "The Advisory Board will assist and advise in rewriting curriculum to uplift BIPOC"? A. I do. Q. Was part of your proposal that the BIPOC Advisory Board would assist in rewriting curriculum for the school	2 3 4 5 6 7 8	contract on March 24, 2021. Is that correct? A. Yes. Q. I'm sorry, I didn't hear your answer. A. Yes. Q. Is that your signature? A. Yes, it is. Q. And it looks like Linda Savastano signed it for
3 4 5 6 7 8	Q. Do you see the paragraph that's highlighted, "The Advisory Board will assist and advise in rewriting curriculum to uplift BIPOC"? A. I do. Q. Was part of your proposal that the BIPOC Advisory Board would assist in rewriting curriculum for the school committee?	2 3 4 5 6 7 8	contract on March 24, 2021. Is that correct? A. Yes. Q. I'm sorry, I didn't hear your answer. A. Yes. Q. Is that your signature? A. Yes, it is. Q. And it looks like Linda Savastano signed it for the school department. Is that correct?
3 4 5 6 7 8 9 10	Q. Do you see the paragraph that's highlighted, "The Advisory Board will assist and advise in rewriting curriculum to uplift BIPOC"? A. I do. Q. Was part of your proposal that the BIPOC Advisory Board would assist in rewriting curriculum for the school committee? A. That's what it says, yes. Q. So you were proposing that the BIPOC Advisory	2 3 4 5 6 7 8 9 10	contract on March 24, 2021. Is that correct? A. Yes. Q. I'm sorry, I didn't hear your answer. A. Yes. Q. Is that your signature? A. Yes, it is. Q. And it looks like Linda Savastano signed it for the school department. Is that correct? A. I guess so. That could be. Q. You don't recognize that signature?
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. Do you see the paragraph that's highlighted, "The Advisory Board will assist and advise in rewriting curriculum to uplift BIPOC"? A. I do. Q. Was part of your proposal that the BIPOC Advisory Board would assist in rewriting curriculum for the school committee? A. That's what it says, yes. Q. So you were proposing that the BIPOC Advisory Board write curriculum for the school committee and that the BIPOC Advisory Board be compensated for that service? A. No. Nobody in the advisory board was being paid. Q. I'm sorry. So that Nonviolent Schools Rhode Island was compensated for that service? A. No. We were we were paid to facilitate the advisory board; the people doing that work, that's the work that they volunteered to do. Q. And Nonviolent Schools Rhode Island was being compensated to facilitate the work of curriculum rewriting? A. No. No. That would be Ginamarie's purview. Q. Tell me what you mean then when you proposed that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	contract on March 24, 2021. Is that correct? A. Yes. Q. I'm sorry, I didn't hear your answer. A. Yes. Q. Is that your signature? A. Yes, it is. Q. And it looks like Linda Savastano signed it for the school department. Is that correct? A. I guess so. That could be. Q. You don't recognize that signature? A. I don't. It's a mess. Q. Do you remember do you remember do you remember who you were speaking with when you were deciding whether to sign this contract within the school district? A. It could have been Linda. Q. Okay. Let's see here. Part of this contract is facilitating the BIPOC Advisory Board. Do you see that? A. I do. Q. And the term for facilitating the BIPOC Advisory Board was February to August 2021? A. Yes. Q. For 25 meetings. Is that correct? A. Correct.

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Nicole Solas vs. South Kingstown School Committee Robin Wildman September 29, 2023

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Rot	oin Wildm	ian Septembe	r 29	9, 2023 8689
		Page 86		Page 88
1	still meet:	ing on a weekly basis at this time?	1	to continue to facilitate the BIPOC Advisory Board from
2		n 2021, I don't think so. No.	2	September '21 to August 2022. Do you see that?
3		o you know how often the board was meeting?	3	A. I do.
4	-	don't.	4	Q. Did Norwiolent Schools Rhode Island in fact
5	Q. I	t looks like you promised, as part of the	5	continue to facilitate meetings of the BIPOC Advisory
6	contract,	to facilitate 25 meetings within that period of	6	Board during that time frame?
7	time. Is t	that correct?	7	A. No.
8		I'm sorry	8	Q. What why not?
9	A, Y	es.	9	A. The I believe the the new school committee
10	Q. D	id you, in fact, facilitate 25 meetings of the	10	voted to not continue with the contract.
11	BIPOC Advi	sory Board between February and August 2021?	11	Q. When did they when did they vote to do that?
12	A. Ye	es.	12	A. Don't know. I think prior to September 2021.
13	Q. A	nd it looks	13	So this part of the contract, we did not
14	A. I	would say probably more.	14	provide any of these services.
15	Q. D	o you know how many more?	15	Q. Okay. Did you continue to facilitate meetings of
16	A. I	don't.	16	the BIPOC Advisory Board after September 2021?
17	Q. W	hy do you say probably more?	17	A. I did not.
18	A. S	o so this this part of the contract says	18	Q. Did the BIPOC Advisory Board continue to meet to
19	includes p	lanning. So sometimes the meetings were between	19	your knowledge after September 2021?
20	myself and	my facilitator partner as well. So the term	20	A. Yes. But by that time or probably before that
21	"meeting"	wasn't necessarily just meeting with the	21	time they are now called the Beloved Community Advisory
22	advisory b	oard.	22	Board and the membership has changed quite a bit.
23	Q. W	ho was your facilitator partner?	23	Q. So is it accurate to say that you stopped that
24	A. J	onathan Lewis.	24	Nonviolent Schools Rhode Island stopped facilitating
25	Q. W	as he employed by Nonviolent Schools Rhode	25	meetings of the BIPOC Advisory Board after the school
		Page 87		Page 89
1	Island?		1	district stopped compensating Nonviolent Schools Rhode
2	A. Y	es.	2	Island to do so?
3	Q. W	That was his position?	3	A. Yes.
4		Te is the director of youth training and one of	4	Q. There's also an agreement here to provide
5		trainers.	5	consultation with the superintendent and director of
6	Q. c	okay. Looks like the terms of the arrangement	6	curriculum on an ad-hoc basis. Do you see that?
7		per 90-minute meeting. Does that mean that	7	A. I do.
8	Nonviolent	: Schools Rhode Island was paid \$200 for each	8	Q. What sort of consultation was being provided to
9	90-minute	meeting it facilitated for the BIPOC Advisory	9	the superintendent and curriculum director?
10	Board?		10	A. We didn't provide any because this part of the
11	A. I	I I I think so, yes.	11	contract was null and void.
12	Q. W	Was that the sole source of funding Nonviolent	12	Q. Did you provide any consultation to the
13	Schools Rh	node Island received for purposes of facilitating	13	superintendent or director of curriculum prior to
14	the BIPOC	Advisory Board?	14	September 20th, 2021 in your capacity as Nonviolent
15		That's correct.	15	Schools Rhode Island?
16	Q. A	All right. And it looks like huh. Yeah,	16	A. Yes.
17	okay.		17	Q. What sort of consultation was that?
18		Is this do you see the document on your	18	A. I think we had we had meetings about how to
1			1	

23 provide to the school district?

21 Q. Is this for a subsequent period of time for 22 services that Nonviolent Schools Rhode Island would

Q. And it looks like there's also an agreement here

19 screen here?

20

25

MR. RICHES: All right. Why don't we take

19 provide this conflict reconciliation training to tha staff

20 in South Kingstown. And I think we also talked about

21 ideas that we had for, like, maybe some after-school

22 programs for kids. So it -- the conversations were
23 different depending on what we were talking about at that

24 time. 25

Submitted: 7/16/2024 3:50 PM

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Nicole Solas vs. South Kingstown School Committee Robin Wildman September 29, 2023

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	on Wilding Ceptembe		
	Page 102		Page 104
1	Q. And that's the BIPOC Advisory Board. Did the	1	Q. Do you remember the BIPOC Advisory Board
2	name of it change after the school committee stopped	2	reviewing and providing edits and suggestions on the
3	providing funding to Nonviolent Schools Rhode Island?	3	hiring policy?
4	A. I don't I don't know when when the name was	4	A. Yes.
5	changed. And as I said the the people who were	5	Q. What was the nature of those edits and
6	attending meetings fluctuated over time. And now it seems	6	suggestions?
7	like less of the original members are participating. It's	7	A. When you say "nature," do you want, like,
8	like a new like a new group, and they have a new focus,	8	specific examples?
9	I think.	9	Q. Well, did the BIPOC Advisory Board draft a
10	Q. All right. So you testified that the BIPOC	10	version of the hiring policy?
11	Advisory Board originally drafted the anti-racism policy	11	A. No.
12	and that draft was presented to the policy subcommittee.	12	Q. What what role did the BIPOC Advisory Board
13	Is that correct?	13	have regarding the hiring policy reviewing the hiring
14	A. Yes.	14	policy?
15	Q. And you testified that the policy subcommittee	15	A. So the group looked at the policy and made
16	sent that anti-racism policy to the full school committee.	16	recommendations to bring to the subcommittee for some
17	Is that correct?	17	revisions. And I think you can see there's one one
18	A. I don't know what draft they sent, but some	18	that's listed here that 40 percent of the hiring committee
19	some draft was sent, yes.	19	would be BIPOC members.
20	Q. And then the school committee ultimately approved	20	Q. Were the revisions that the BIPOC Advisory Board
21	the anti-racism policy. Is that correct?	21	· · · · · · · · · · · · · · · · · · ·
22	A. Correct.	22	A. I don't believe so. And I only I'm only
23	MS. CARRENO: Objection. Deidre.	23	remembering this because I think there was a lot of back
	BY MR. RICHES:	24	and like, I think this topic was frequently discussed
25	Q. And we just went through some portions of the	25	at the subcommittee meetings, as I recall. And I don't
	g. 1434 we just worse chrough bond positions of and		at the descondances modelings, as I result. That I don't
	Page 103		Page 105
1	${\bf Page~103}$ anti-racism policy that the BIPOC Advisory Board drafted,	1	Page 105 believe they came to a conclusion, but you'd have to look
1 2	-	1 2	believe they came to a conclusion, but you'd have to look
	anti-racism policy that the BIPOC Advisory Board drafted,	1	believe they came to a conclusion, but you'd have to look
2	anti-racism policy that the BIPOC Advisory Board drafted, correct?	2	believe they came to a conclusion, but you'd have to look at the policy they have now to see. I'm not sure. MR. RICHES: Let's do that. Jerry, next
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3 4	anti-racism policy that the BIPOC Advisory Board drafted, correct? A. Yes. Q. Is it safe to say that the BIPOC Advisory Board	2 3 4	believe they came to a conclusion, but you'd have to look at the policy they have now to see. I'm not sure. MR. RICHES: Let's do that. Jerry, next exhibit, Defendant's 09733.
2 3 4 5	anti-racism policy that the BIPOC Advisory Board drafted, correct? A. Yes. Q. Is it safe to say that the BIPOC Advisory Board drafted portions of the anti-racism policy that were then	2 3 4 5	believe they came to a conclusion, but you'd have to look at the policy they have now to see. I'm not sure. MR. RICHES: Let's do that. Jerry, next exhibit, Defendant's 09733. (Deposition Exhibit 26 was marked for
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25

25

A. I do.

A. Well, the reason why I remember this is because I

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

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1	worked for the district. So I was familiar with the	1	reached	out to me. They could have reached out to people
2	what I what I remembered of the hiring policy where	2	on the -	- on the board.
3	there was a team and the principal is part of the team,	3	Q.	What about meetings of the BIPOC Advisory Board,
4	you know, and how they how they interviewed people.	4		se open to the public?
5	Q. Okay. Do you remember the BIPOC Advisory Board	5	A.	No.
6	making any edits to this or any portions of it?	6	Q.	Did members of the public ever request to
7	A. Can you go back down?	7	particip	ate in meetings of the BIPOC Advisory Board?
8	Yeah, stop.	8	А.	Yes.
9	All right. And can you go back up to, like,	9	Q.	Who made those requests?
	3 2 and 3?	10	Α.	I believe the person you're representing.
1	Yeah no, I think I don't I don't	11	Q.	Ms. Solas?
2	really remember, but I don't believe we made any revisions	12	Α.	Correct.
3	to to this list of under A.	13	Q.	Anyone else?
4	Q. Okay. Any other portions?	14	Α.	I don't think so, that I can remember.
5	A. Hold on. Not no, I don't I don't think	15	Q.	Do you remember Ms. Solas requesting to attend
	that. Nope. I think the discussion was about about			
6	-	16 17	A,	of the BIPOC Advisory Board? Yes, via an email.
7	the hiring team more than how to conduct the interviews and stuff like that.		_	
8		18	Q.	Who did she send that request to?
9	Q. Okay. What was the discussion regarding the	19	Α.	To me.
0	hiring team?	20	Q.	And what did you tell her?
L	A. I think the discussion was about, like, number 2,	21	Α.	I I believe she asked why I wasn't opening the
2	which says I I think it was what was in that the	22	-	to the public, and I responded that that we
3	minutes from that meeting about what the makeup of the	23		rendor of the district and were not required to.
4	hiring teams would be as far as including BIFOC	24	Q.	Did you ever advertise meetings of the BIPOC
5	individuals.	25	Advisory	Board?
	Page 107			Page 109
1	Q. Okay. Okay. Give me one moment here.	1	A.	No, I don't believe so.
2	Okay. We had a discussion earlier about	2	Q.	You never sent out emails or social media posts
3	membership on the BIPOC Advisory Board. Was the BIPOC	3	regardin	g meetings of the BIPOC Advisory Board?
4	Advisory Board open to members of the public?	4	A.	Well, to people on the board I did send email.
5	A. Yeah.	5	Q.	How about more broadly to those not on the board?
5	Q. Was it open to all members of the public?	6	A.	No, I don't think so.
7	A. Not initially, no.	7		Oh, well, you saw that invitation that I
8	Q. Who decided who could participate as a member of	8	asked th	me superintendent to send out to people that she
9	the BIPOC Advisory Board?	9	knew.	• •
0	A. I think I I think myself it was like a	10	Q.	Right. In fact, you sent that to members of the
1		11		committee and the superintendent. Is that correct?
2	think I reached out to a few people I knew, and then they	12	A,	Yes.
.3	reached out to people who reached out to people. And	13	Q.	And you testified earlier that you sent that
L4	that's that's what I remember from who came to our very	١		
_	-	14		that they would share the invitation with others. correct?
.5 -	first gathering.	15		
6	Q. Who ultimately had authority to decide who was a	16	A.	Yes.
7	member of the BIPOC Advisory Board?	17	Q.	Did you intend, then, for other members of the
8.	A. That was probably me.	18	_	to join meetings of the BIPOC Advisory Board?
9	Q. Apart from Marc Ladin, did you tell anyone else	19	Α.	Yes.
20	they couldn't participate as a member of the BIPOC	20	Q.	So meetings of the BIPOC Advisory Board were open
1	Advisory Board?	21	to membe	ers of the public?
2	A. I I asked him to wait. I didn't say he	22		MS. CARRENO: Objection. Deidre.

23 couldn't. I said at this time. But we would, you know,

24 open up the meeting at a later date. But I don't recall

25 if other people did. If they did, they might not have

24 for people to join the board, not just to show up at a

25 meeting. It was for people to -- it was to invite people

THE WITNESS: No. It was -- that was asking

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- 1 that we didn't know that might be interested to become
- $2\,\,$ part of the advisory board, not -- not just to observe a
- 3 meeting.
- 4 BY MR. RICHES:
- 5 Q. Did members of the public -- did members of
- 6 public or -- did anybody who wasn't on the BIPOC Advisory
- 7 Board ever show up to observe a meeting of the BIPOC
- 8 Advisory Board?
- 9 A. Well, when we -- we, early on, tried to meet in
- 10 person, but it was Covid. So I don't know -- I don't know
- 11 how people found out or how they got to us. But then
- 12 after that, it was on Zoom. So I'm just assuming that
- 13 only the people who had the Zoom link could come to the
- 14 meeting.
- 15 Q. Let's start with the ones in person. When you 16 were conducting in-person meetings, were people that were
- 17 not on the BIPOC Advisory Board also in attendance?
- 18 A. Well, we assumed whoever was there was part of
- 19 the board. But that -- that initial group was very large
- 20 and over time it just -- it shrunk down and it became
- 21 smaller. So whoever -- whoever came to that first
- 22 meeting, we considered on the board. And then it -- I
- 23 think it -- as time went on, we saw who was coming each
- 24 time and then we said, "Okay, these must be the people who
- 25 are -- who are committed to -- to continue."

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18

19

- Q. So is it your testimony then thet when the BIPOC
- $2\,$ Advisory Board was first established, board membership was
- 3 open to anybody who would show up at an in-person meeting?
 - A. Well, yesh. That's what happened.
- 5 Q. If Ms. Solas showed up an in-person meeting
- 6 during this period of time, would she then be
- 7 participated -- be allowed to participate as a member of
- 8 the BIPOC Advisory Board?
- 9 A. Most likely. Because like I said earlier, I'm
- 10 not the determiner of who -- how people identify
- 11 themselves. And we did have a woman, who if you saw her,
- 12 she looked Caucasian, and she continues to this day to be
- 13 a part of the group. I never asked her, "What are you?"
- 14 Q. But you told Ms. Solas sbe couldn't attend
- 15 meetings of the BIPOC Advisory Board?
- 16 MS. CARRENO: Objection.
- 17 THR WITNESS: I said that they were not open
- 18 to the public because of her harassment of myself and the $\,$
- 19 people on the committee.
- 20 BY MR. RICHES:

25

- 21 Q. I'm not sure I understand. So you just testified
- 22 thet membership on the BIFOC Advisory Board was open to
- 23 anybody who would show up in person. Is that correct?
- 24 A. That is correct.
 - Q. And then you testified that you told Ms. Solas

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- 1 she was not allowed to join meetings of the BIPOC Advisory
- 2 Board. Is that correct?
 - MS. SOUSA: Objection.
 - THE WITNESS: That -- those were the Zoom
- 5 meetings, not the in-person.
- 6 BY MR. RICHES:
 - Q. Did you -- did you inform Ms. Solas she could not
- attend meetings of the BIPOC Advisory Board?
- A. I'd have to go look at my emails to see if I
- 10 actually said those words. I don't know what I said to
- 11 her. It's probably in the emails that you might have it.
- 12 Q. So were you just excluding Ms. Solas from this
- 13 meeting or were you excluding other members of the public
- 14 as well?
- 15 A. Well, you already mentioned Marc Ladin earlier.
- 16 Q. On what basis were you excluding Ms. Solas from
- 17 meetings of the BIPOC Advisory Board?
 - MS. SOUSA: Objection.
 - THE WITNESS: I was concerned about her tone
- 20 and her harassment of me on social media. And quite
- 21 frankly, I was a little bit alarmed by her aggressiveness
- 22 and what she could do to me and possibly -- I don't know
- 23 what she would do if she came to a meeting or if she found
- 24 out where I lived. So I was a little bit fearful.
- 5 MR. RICHES: Okay. I want to show you the
- 111

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- 1 next exhibit. Jerry, could you mark the next exhibit in
- $2\,$ order here? It's -- there's no Bates, but the capture at
- 3 the top is Public Presence at BIPOC Advisory Board
- 4 Committee Meetings.
 - 5 (Deposition Exhibit 27 was marked for
- 6 identification.)
- 7 BY MR. RICHES:
- 8 Q. Okay. This is an email from Nicole Solas to you.
- 9 Do you remember this?
- 10 A. Yup.
 - Q. And she says, "Other parents and I would like to
- 12 be present at future BIFOC Advisory committee meetings."
- 13 Do you see that?
- 14 A. I do
- 15 Q. So is it correct that she was asking for both her
- 16 to attend and for other parents within the South Kingstown
- 17 school district?
- 18 A. Well, yes. But she wanted to observe, not be a
- 19 part of the committee.
- 20 Q. Okay. Do you remember her making a request to
- 21 observe meetings of the BIFOC advisory committee?
- 22 A. Yes
- Q. Okay. And she was making that request both on
- 24 her own behalf and of other parents within the South
- 25 Kingstown school district. Is that correct?

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Nicole Solas vs. South Kingstown School Committee Robin Wildman September 29, 2023

PC-2022-04727 114..117

Rol	bin Wildman Septembe	г 29	9, 2023 114117
	Page 114		Page 116
1	A. Seems so, yes.	1	now morphed into a different group and that group opened
2	MR. RICHES: Okay. All right. Jerry, if we		up to other people who wanted to join.
3	could mark the next exhibit.	3	Q. Did you ever inquire into Ms. Solas' ethnic
4	(Deposition Exhibit 28 was marked for	4	background?
5	identification.)	5	A. No.
6	BY MR, RICHES:	6	Q. Do you know if she's a member of the BIPOC
7	Q. Okay. Do you see Exhibit 28?	7	community?
8	A. Yes.	8	A. I do not.
9	Q. Is this your response to Ms. Solas' request for	9	Q. If she had represented herself or identified as a
10	her and other parents to be present at BIPOC Advisory	10	member of the BIPOC community, is it your testimony she'd
11	Board meetings?	11	be permitted to participate on the BIPOC Advisory Board?
12	A. Yes.	12	A. Most likely
13	Q. And here you say as a private vendor hired by the	13	MS. SCUSA: Objection.
14	school district, Nonviolent Schools Rhode Island is	14	THE WITNESS: Most likely not.
15	permitted to have closed meetings. Do you see that?	1	BY MR. RICHES:
16	A. I do.	16	Q. Why is that?
17	Q. And you also state, "At this time, the board	17	A. As I stated before, her harassment of me and
18	meetings aren't open to the public." Do you see that?	18	unkind words that she used against people who were on the
19	A. I do.	19	board made people afraid. And, in fact, when she started
20	Q. So is it your testimony that when you sent this	20	sending those emails and posting things on social media,
21	email to Ms. Solas, meetings of the BIPOC Advisory Board	21	
22	were not open to members of the public?	22	
23	A. Not for observation, that's right.	23	Q. Was there any point in time in which observation
24	Q. Were they open to members of public for	1	of meetings of the BIPOC Advisory Board were open to
l	participation?	1	members of the public?
	par or a parameter.		monoto de cue parece
	Page 115		Page 117
1	A. What date was this? Do you know?	1	A. No.
2	Q. Yeah, we do. These were sent in May of 2021.	2	Q. So is it correct then that only meetings of the
3	A. May of 2021?	3	BIPOC Advisory Board were attended by members of the BIPOC
4	Q. Correct.	4	Advisory Board?
5	A. Can you repeat your question, please?	5	A. No. Because there were a few times where school
6	Q. As of May of 2021, is it your testimony that	6	committee members came because the people had questions
7	meetings of the BIPOC Advisory Board were open to members	7	for them, and that time that the superintendent and the
8	of the public?	8	director of curriculum came to one, I think.
9	A. If somebody wanted to join the group, which is	9	Q. So meetings were open to individuals who weren't
10	different than "I want to come and observe." So no, we	10	members of the BIPOC Advisory Board if those individuals
11	weren't open for observations.	11	were school officials?
12	Q. If Ms. Solas wanted to join the BIPOC Advisory	12	A. Yes, for the purpose of gathering information
13	Board in May of 2021, would that be permitted?	13	from them.
14	A. I'd have to look and see when we opened I	14	Q. To be clear, you opened meetings of the BIPOC
15	don't remember if I was still facilitating when it when	15	Advisory Board to school officials. Is that correct?
16	it opened to anybody can join. So I would have to try and	16	MS. CARRENO: Objection.
17	figure out what dates that was. But at some point, if she	17	THE WITNESS: Well, I guess if you call
18	was interested in in joining and it was open to more	18	inviting somebody to come and so you can ask them
19	people, like Marc Ladin, then other people joined at that	19	questions opening it. It's not really opening the
20	time.	20	meeting. It's inviting them to come and answer your
21	Q. Do you mean when it was opened to members was	21	questions.
22	open to individuals who you didn't perceive as members of	22	BY MR. RICHES:
23	the BIPOC community?	23	Q. Is it your testimony that you then invited and
24	A. That's correct. That I it's not my	24	allowed members member school officials to meetings

25 determination, but theirs. So the group that started has

25 of the BIPOC Advisory Board?

Envelope: 4715877 Reviewer: Maureen D.

Nicole Solas vs. South Kingstown School Committee Robin Wildman September 29, 2023

PC-2022-04727 118..120

	Page 118		Page 120
1	MS. SOUSA: Objection.	1	STATE OF ARIZONA)
2	THE WTINESS: To yes, to answer our	2	COUNTY OF MARICOPA)
3	questions.	3	BE IT KNOWN the foregoing deposition was
4	BY MR. RICHES:	4	taken by me pursuant to stipulation of counsel; that I was
5	Q. And you but you did not allow members of the	5	then and there a Certified Reporter of the State of
6	public to participate in meetings or observations of	6	Arizona, and by virtue thereof authorized to administer an
7	meetings of the BIPOC Advisory Board?	7	oath; that the witness before testifying was duly affirmed
, B	MS. SOUSA: Objection.	8	by me to testify to the whole truth; signature by the
	•	9	deponent was not requested; that the questions propounded
9	THE WITNESS: Can you repeat that?	10	by counsel and the answers of the witness thereto were
10	BY MR. RICHES:	11	taken down by me in shorthand and thereafter transcribed
11	Q. But you did not allow members of the public to	12	into typewriting under my direction; that the foregoing
12	observe meetings of the BIPOC Advisory Board?	13	pages are a full, true, and accurate transcript of all
13	A. Right.	14	proceedings and testimony had and adduced upon the taking
14	MR. RICHES: Okay. Okay. That's all the	15	of said deposition, all to the best of my skill and
15	questions I have.	16	ability.
16	MS. CARRENO: Can we just have a minute,	17	I FURTHER CERTIFY that I am in no way related to
17	please.	18	nor employed by any parties hereto nor am I in any way
18	MR. RICHES: I'm sorry, did you direct that	19	interested in the outcome hereof.
19	to me, Deidre?	20	DATED at Phoenix, Arizona, this 16th day of
20	MS. CARRENO: Yeah, I just want to see if I	21	October, 2023.
21	have any questions. Thank you.	22	QL
22		23	
23	EXAMINATION		Gerard T. Coash, RMR
24	BY MS. CARRENO:	24	Certified Reporter #50503
25	Q. Ms. Wildman, I just have one question for you.	25	
	P 110	-	
١.	Page 119		
1	Did the BIPOC Advisory Board ever rewrite		
2	any curricula for the school district? A. No.		
3	A. No. MS. CARRENO: That's all I have.		
5	THE VIDEOGRAPHER: Okay. Anything else?		
6	All right. We are offered		
7	MS. CARRENO: Wait, Ms. Sousa is stuck on		
8	mite.		
9	THE VIDEOGRAPHER: Oh, I'm sorry.		
10			
11	MS. SOUSA: I don't I don't have		
12	anything.		
13	• -		
14			
15	•		
16	· · · · · · · · · · · · · · · · · · ·		
17			
18			
	(Signature Not Requested.)		
19	ROBIN WILLMAN		
20			
21			
22			
23			
24			
25			
1 "		1	

Case Number: PC-2022-04727
Filed in Providence/Bristol County Superior Court
Submitted: 7/16/2024 3:50 PM
Envelope: 4715877

Reviewer: Maureen D.

Exhibit D

Case Number: PC-2022-04727	
Filed in Providence/Bristol County Superior Court	
Submitted: 7/46/2024: 3:50 PM	

Submitted: 7/16/2024 3:50 PM Envelope: 47<mark>15877</mark>

Click 🕑 to view the entire meeting or click any video icon below to jump to that section of the meeting.

Reviewer: Maureen D.

South Kingstown School Committee Business Meeting Wednesday, July 22, 2020

Virtual Meeting

Attendees - voting members

Stephanie Canter - Chair Sarah Markey - Vice Chair Michelle Brousseau Emily Cummiskey Jacy Northup Kate Macinanti Alycia Collins

Attendees - other

Linda Savastano - Superintendent

Maryanne Crawford — CFO

Charity Shea — Director of Pupil Personnel Services

Ginamarie Masiello - Director of Curriculum, Learning & Innovation

Dr. Chip McGair — High School Principal

Patricia Aull — CCMS Principal

Elizabeth McGuire — Matunuck Principal

Andrew Henneous - Attorney

5:00 PM - Call to Order

A. Call to Order

Ms. Canter opened the July 22, 2020 School Committee meeting at 5:02 PM.

B. Pledge of Allegiance to the Flag

Ms. Savastano led in the Pledge of Allegiance to the Flag.

C. School Committee Agreements (norms)

Ms. Canter reviewed the School Committee norms.

D. Chair – Agenda Review

Ms. Canter asked if there were any questions on the agenda as presented. No questions were noted.

MSV (1) move the discussion on Reentry Planning (item 5L) directly after the Superintendent's review, to provide for continuity.

Motion made by: Michelle Brousseau Motion seconded by: Kate Macinanti

Vote:

Stephanie Canter - No Sarah Markey - No Michelle Brousseau - *Yes* Emily Cummiskey - No Jacy Northup - No Kate Macinanti - No Alycia Collins - No

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2. Superintendent's Report

A. Meeting Calendar

Ms. Savastano review the summer meeting calendar, advising that another meeting may need to be scheduled as there are important issues to discuss this summer. She also advised that she would like to talk about the retreat. Discussion followed about how the community is advised of meetings and where the School Committee meetings are noted on the district website.

B. Enrollment Update

Ms. Savastano advised that the district is transitioning to the 20-21 SY student information system database, as we are in the process of cleaning up data for next year. She shared the unofficial enrollment numbers; as well as the registration appointments chart. Ms. Macinanti inquired about CTE information, as



Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3: 50 PSW ho is going out of district and who is coming in.

Envelope: 4715877

Reviewer: Maureen D. C. Reentry Plan Overview

Ms. Savastano provided an overview of the reentry plan. She shared the SKSD re-entry plan that was submitted to RIDE, which included information about SKSD vision of re-entry; SKSD reentry guiding principle; SKSD reentry beliefs; wellness and safety; operations and governance; and teaching and learning. She stated that we need to provide an environment for in person and virtual, simultaneously. She advised that a child can be counted as 100% in person if they participate virtually. Discussion followed regarding getting information out to the community, meeting the needs of the severe profound population, getting teachers comfortable in the new environment, and professional development for the teachers before school starts.

Dr. Chip McGair, SKHS Principal, shared an overview of the SKHS reentry plan for in person and virtual. He shared information regarding schedule considerations; proposed rotation schedule; breakfast and lunch configurations; and limited, partial, and virtual configurations.

Ms. Patricia Aull, CCMS Principal, shared information regarding stable pods, advising that a teacher could teach in one classroom but also teach to students in three other classrooms virtually.

Ms. Elizabeth McGuire, Matunuck Elementary Principal, shared an overview for the elementary schools. She shared information regarding the social distancing; stable pods; common spaces; teaching and learning; rituals and routines for relationships.

D. Facilities Projects Update

Brian Mahoney shared information about the facilities work that has been completed by the custodial and maintenance staff while the schools have been in shutdown. Mr. Mahoney explained the COVID sanitation process; and he shared pictures of the various projects completed in each building in the district, and about the plans going forward. Appreciation was expressed by the Committee and administrators.

E. Financial Update

Maryanne Crawford advised that the budget is fluid and subject to change. She provided a breakdown of the revenue and expense statements, the revised budget with COVID, and the expenses related to the various reopening scenarios. Discussion followed regarding staffing needs with reopening schools.

F. CLSD Literacy Grant Award

Ms. Savastano advised that the district was awarded the CLSD Literacy Grant in the amount of \$350,000, which is a multi-year grant. She stated that we would be required to meet the DOE's requirement, which includes meeting the requirements around curriculum resources and the ed report. Ms. Savastano noted that Gina Masiello did the legwork on this grant and expressed appreciation for her work.

Gina Masiello shared that the grant would allow the district to hone in on ELA K-5. She stated that by the year 2023, LEAs will be required to have an approved curriculum resource. Ms. Masiello explained what the grant will allow the district to do, which includes professional learning for teachers and to procure a development reading assessment.

MSV (2) move to accept and place on file the Superintendent's report.

Motion made by: Sarah Markey

Motion seconded by: Michelle Brousseau

Vote: Unanimously Approved

3. Consent Agenda

Approval of Open Session Minutes - June 23, 2020 Approval of Executive Session Minutes – June 9, 2020 Amend Meeting Minutes Previously Adopted - June 25, 2019 Personnel Actions

Contracts / Raises FY21 Purchases

RFP Award Laptop Lease Amendment (Dell Latitude)

RFP Award Apple iPads

Change Order: PDES Parking Lot (Site Prep Removals, Playground Underdrain, Cox Conduit)

Exchange Student(s) Request Homeschooling Request Approve Consent Agenda

MSV (3) move to approve the consent agenda.

Motion made by: Sarah Markey Motion seconded by: Emily Cummiskey

Vote:

Stephanie Canter - Yes Sarah Markey - Yes Michelle Brousseau - No Emily Cummiskey - Yes

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Submitted: 7/16/2024 31569 PMrthup - Yes

Submitted: 7/16/2024 31569 PWrthup - Yes Envelope: 4715877 Kate Macinanti – Yes Reviewer: Maureen D. Alycia Collins – Yes

4. Comments from the Community

Honor Pearce, SKHS student speaking on behalf of TASK (BLM group), shared her experience in taking an elective course at the high school called The Black Experience. She stated that she was hopeful in taking the course; however, she left it feeling dissatisfied and angry. She stated that the teacher did not teach her to understand the black experience today; and that the teacher did not have resources available to teach the class. Ms. Pearce advised that it is important to understand whatstudents are taking out of a class being taught.

Rebecca Thornton commented on having SROs in the school building. She stated that it caused more conflict than good and that students felt uncomfortable with the SRO walking around in a police uniform.

Ryan Perrini, member of TASK organization, shared his personal experience with an SRO while in 7th grade. He stated that he was questioned and interrogated. He commented that an SRO should never be in a role of discipline, as that is the role of the Dean of Students.

Ciara Reilly, SKHS graduated, spoke about the need of transparency, make data available to the public regarding the hiring more people of color so that the data will show if we are making progress in that area.

Sarah Leclair, resident, student, and TASK member, commented on the need for a focus of prioritizing safety, education, and comfort for black and brown students. She stated that it is important to make sure we have teachers who represent the actual students who are attending their class.

Catrina Morin, SKHS student, shared her personal experience of racism as an Asian American at SKHS. She stated that teachers need to be trained on sensitivity; and that is important to teacher students at every grade level about racism and microaggression.

Phil Eden, TASK member, stated that we need to listen to the young folks who spoke; and that he hopes that action will be taken. He also shared the need to empower people to make changes going forward, such as committees and student organizations.

Daria Montiquilla commented that there are consequences of racism; and that there needs to be a formal, written document outlining the consequences of offenders of racist acts and comments.

Amber Dyer read a statement from Ian Pearce, a SKHS graduate, where he expressed appreciation for the global studies course he took at SKHS and what he learned. He commented that global studies should be mandatory for all students and that the American history classes should dig deeper.

Helene Vincent, SKHS graduate, commented on racism experienced by Asian Americans, and stated that we need to make sure the all minorities are included in the racism discussion.

Ann Vincent, parent, commented that the experience that Catrina Morin shared is not unique and that many students are too shy to talk.

Ginger Mombelly, SKHS graduate, commented on the lack of teachers and coaches of color in the district, which has an impact on students. She shared her experiences at SKHS and she shared two negative events she had when she took a class called The Black Experience. Ms. Mombelly stated that a reporting mechanism needs to be in place regarding staff members, as students are not heard. She also shared the mistreatment of a teacher from Haiti who taught her French class. She advised that she and her sister obtained almost 1,000 signatures on a petition that outlined the demands for changes with curriculum, discipline, and various other things

Julie Williams, parent, advised that her child was called the "N" word continually by another student and nothing was done about it for several weeks. She stated that we need a written policy on what will be done about these incidents. Ms. Williams acknowledged the need for changes in the curriculum and stated that ethnic studies and bias studies should be taught at all grade levels, starting in kindergarten.

Valerie Speredelozzi stated that the petition and requests made are reasonable. She stated that she hopes teachers will receive professional development so they are in tune with what is provided in the curriculum. Ms. Speredelozzi commented on the reentry plan and that families need a lot more information immediately so they can plan. She urged the Committee not to consider having students attend on alternate days. Ms. Speredelozzi stated there should be ongoing surveys to families.

Paula Bradley, parent, commented on antiracist professional development and recalled that back in 2018 the School Committee adopted an equity policy and professional development training was provided by The Center for Leadership and Educational Equity. Ms. Bradley stated that perhaps some of the materials, and insights learned could be utilized to build the plan for the antiracist professional development.

Karen Humes stated that she would like to hear what the district will do to support teachers regarding the reentry plans. She stated that communication is important. Ms. Humes expressed concern about unified arts teachers not being included in the discussion.

Ivy Lanz, SKHS graduate, spoke about what is missing in the SKHS classes. She commented that we need to talk about the history and successes of black people; and that she did learn a lot in global studies.

Roxanne Finart, parent, commented on including ventilation and HVAC in the reentry plan to make the schools safer.

Becky Davis, parent, commented on COVID-19 and emphasized that racism is a pandemic also, which affects the health, safety, and well-being of our community. She read a quote about the effects of out-of-school suspension and student achievement. Ms. Davis stated that we need to replace out-of-school suspensions with positive alternative plans.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM Envelope: 4715877 Madeline Regatta stated that we may save money with a world view of how countries have re-opened schools successfully. She asked about face coverings for Reviewer: Maureen students with asthma, special difficulties, and claustrophobia.

Josh Daly commented on the reentry plans, stating that there is a lack of communication and input from parents and teachers. He stated that you need to garner the information from parents and teachers, noting that it will help the Committee to make decisions on allocating resources.

Sydni Phillips, SKHS graduate, expressed that she is grateful for her SKHS experience; however, she hopes that the Committee sees the flaws. She stated that she was never exposed to black history, which a vital part. She encouraged the district to look at the material in the social studies classes.

Carolyn Vincent, TASK member, expressed the need and importance of hiring black coaches and other staff members of the school department. She stated that coaches have a tremendous impact on students. She expressed the importance of public data sharing regarding graduation rate, disciplinary action, etc. Ms. Vincent stated that the data needs to be publicly available; and commented that the district website is not easy to navigate.

Stella Cole, TASK member, commented that the social injustices at SKHS will still be an issue when the school reopen; and that the teachers need to go through proper training.

Cadence Hansen stated that you cannot solve racism in one meeting; and that we need to commit to regular bimonthly subcommittee meetings as a community to include students and community members. Ms. Hansen stated that social injustices need to be addressed about distance learning; and commented that special needs students were left behind. She stated that all students have access to PPEs. She advocated for more teachers, coaches, and counselors of color. Ms. Hansen also shared that she has witnessed the discrimination of Latino teachers.

Brian Kleczek expressed concerns about children who have sensory or anxiety issues returning to school. He commented that he wants to be sure that students will not be in school wearing masks for six hours.

Coach Longi stated that systemic racism is an important issue and that students are not ready for the real world; and they need to learn how to be empathetic.

Kathleen Carr, parent and TASK member, expressed concern about SROs working as an informal counselor and mentor. She stated that she is concerned that having an SRO will increase harm to black students, as they have the power to incarcerate. Ms. Carr stated that there should be ongoing training for SROs.

Laura Roebuck commented on virtual learning; stating that she would like to know who the adult supervisor will be of the children at home at the elementary level to assist with the student's virtual learning. She stated that adults should get a portfolio for the week so they can know what to expect. Parents need to know they can support their child.

Brian Nelson, teacher, parent, NEASK President, expressed interest in being a part of TASK; and he stated that racism needs to be addressed; teachers need training; and he is excited about moving forward.

Stella Lanz, student, commented that over the past few years, her summer reading list were all books written by white authors. She recommended that the district diversity the summer reading list.

Nicole M. asked what the plan was for virtual learning; and she questioned if the curriculum will be the same virtually as it is in person. She stated that it sounded like the districts would have to do whatever the Department of Health said. Nicole stated that virtual learning was difficult as a parent,

Kileen Urian, parent, commented that nothing was said about DLI teachers. She stated that she wants to make sure that Unified Arts happen at all levels. She questioned how Pods will work for advanced math and band? Ms. Urian stated that she is looking for communication and details.

Paula Whitford expressed concern about the reentry plans regarding our vulnerable population and communication with parents who have a language barrier. She stated that we need some way of reaching parents so that they can voice their concerns about not having access to the internet.

Melissa Boyd, parent, stated that she hoped this is the start of the conversation about diversity and inclusion. She offered her experience as a URI staff member to help the School Committee to look at what to do to gain knowledge, look at professional development for staff, look at policies, look at what opportunities do we have to enhance educators, and what is wrong with our climate that we are not hiring staff of color. She stated that community members can be a resource.

Dorald Beasley commented that South Kingstown has the highest level of Native American student; and that he hopes the curriculum includes Native Americans. Mr. Beasley spoke about the reentry plan and asked that we consider having full opening for students through grade 4 (based on information from South Korea's reopening) and then have the middle school and high school student have distance learning. He asked about the HVAC systems, how many windows in our schools cannot open, and how will transportation work. Mr. Beasley also asked why Mr. Pope is not on the fast track to be an assistant principal.

James Thompson, teacher, thanked the Committee for what they are doing. He stated that there should be some training for administrators and staff in order to help the students who go to the school feel like it is "a place where they can belong and become".

Christie Fish commented that there is a huge parallel with antiracism and the pandemic they both fall under social responsibility. She stated that a good amount of time should be spent on establishing routines, relationships and looking at the big picture with these issues; and look at the things that are most important, what will have the biggest impact, and apply them to our entire community.

Bernice Evans, parent and SKHS graduate, expressed appreciation that the Committee is allowing the students to share their experiences and for listening. Ms. Evans expressed concern about the Pods, hoping that they will not be based on economics and race.

Filed in Providence/Bristol County Superior Court Submitted: 7.5.6/2025 (\$1.60) Remmittee Business

Envelope: 4715877

Reviewer: Maureen Discussion: Sub-committee Reports

Jacy Northup provided an update on the Building Committee: She stated that the Peace Dale parking lot is on schedule and underway; the Sustainability Committee meet with the Building Committee; and the Stage II application is underway. She advised that the Building Committee is scheduled to meet again on July 28, 2020 via Zoom at 5:00 PM.

Ms. Carter commented that RIDE stated it is unorthodox for a Town, within its charter, to dictate that the town side hold the majority of the school building committee and for the chair to be a town council member. As the chair of the building committee is not seeking re-election, she stated that they should seek a leadership change now; and to loop in members of the sustainability committee. Discussion followed.

Sarah Markey provided an update on the Sustainability Subcommittee: She advised that they identified and voted for two representatives from the Sustainability Subcommittee to work with the Building Committee on sustainability - Bob Moore and Chris Hubbard.

B. Discussion / Action: Culturally responsive curriculum audit (of scope, sequence, content, resources, and assessments)

MSV (4) move to engage in a curriculum audit to ensure that it is culturally responsive.

Motion made by: Sarah Markey Motion seconded by: Alycia Collins Vote: Unanimously Approved

The Committee discussed the timeline for a curriculum audit. After discussion, it was agreed that it would be a K-12 comprehensive audit, that expert facilitators should be brought it, and that it would take four months and then there would be monthly reporting.

C. Discussion / Action: Equity and representation curriculum audit (of scope, sequence, content, resources, and assessments)

MSV (5) move to undergo a curriculum audit on equity and representation.

Motion made by: Sarah Markey
Motion seconded by: Kate Macinanti

<u>Vote</u>: Unanimously Approved

D. Discussion / Action: Creation of ethnic studies course and require for graduation (beginning with class of 2024)

MSV (6) move to create an ethnic studies course and require for graduation (beginning with class of 2024).

Motion made by: Jacy Northup Motion seconded by: Sarah Markey Vote: Unanimously Approved

Discussion followed that it is important that it goes hand-in-hand with broader curriculum changes; the need to look at what is currently offered at the high school (resources); and to acknowledge that we have good educators that move in the right direction (use our experience).

E. Discussion / Action: Removal of Out of School Suspension (except for physical violence)

MSV (7) move to remove out of school suspensions from the disciplinary code, except for physical violence.

Motion made by: Jacy Northup Motion seconded by: Ernily Cummiskey

Vote: Unanimously Approved

Ms. Brousseau stated that we have Policy #8305 and that we need to give the policy a complete overhaul. After discussion, it was suggested that the out-of-school suspensions be removed until the policy can be reviewed.

F. Discussion / Action: Antiracist professional development for all staff members (incorporating partnerships and grounded in professional learning community culture)

MSV (8) move to have antiracist professional development for all staff members (incorporating partnerships and grounded in professional learning community culture).

<u>Motion made by</u>: Sarah Markey <u>Motion seconded by</u>: Jacy Northup <u>Vote</u>: Unanimously Approved

Ms. Cummiskey stated that this is not an issue about our teachers and administrators being racist; we are moving to be antiracist. Ms. Brousseau stated that we need to set up a work session and bring active groups to participate. She stated that this is a topic for the retreat.

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court	
Submitted: 7/16 /2 0 24:3:6:3:16M Action: Creation of plan Envelope: 4715877	to ensure that equity and antiracist language is embedded in all contracts, policies, and guidance documents
	that equity and antiracist language is embedded in all contracts, policies, and guidance documents.
Motion made by: Sarah Markey Motion seconded by: Kate Macinanti Vote: Unanimously Approved	
Attorney Henneous advised that the Committee if there is an issue.	Superintendent would review documents and that contracts would have to be negotiated and brought back to the
H. Discussion / Action: Creation of plan(3) programs (AP, honors and dual la	to ensure the public data sharing (1) discipline data (all incidents, all grade levels), (2) workforce (including coaches), and
· / · · · ·	re public data sharing for discipline data, workforce, and programs.
Motion made by: Sarah Markey Motion seconded by: Emily Cummiske Vote: Unanimously Approved	zy
McGair confirmed that they could.	d the DLI program. Ms. Brousseau asked if any student was allowed to take an AP or honors course if they wanted. Dr. e a tab on the district website about the work being done on antiracism so that it is easy for the community to find the
I. Discussion / Action: Creation of equ	ity & antiracist advisory board, created and charged by Robin Wildman and Jonathan Lewis 🕩
MSV (11) move to create an equity and	antiracist advisory board, crated and charged by Robin Wildman and Jonathan Lewis.
Motion made by: Jacy Northup Motion seconded by: Emily Cummiska Vote: Unanimously Approved	
stated it was his understanding it wo	n the advisory board. Ms. Macinanti asked if Ms. Wildman would be a paid consultant or a volunteer. Attorney Henneous uld be a volunteer position; and if paid, he would have to look at it closely. Ms. Markey stated that Robin and Jonathan and process and then get compensated.
Robin Wildman advised that they we on the list as well.	ant to center the advisory board around the experts and experiences of the BIPOC community. She noted that students are
J. Discussion: Student Resource Office	r Agreement 🕩
Ms. Savastano advised that this is a roles.	n agreement that she has used with our SROs since she has arrived; and that you need to have an understanding of their
of SROs past and current? She stat	SRO position has evolved. She quested if we have data from our school district demonstrating positive/negative interactions ed that she has witnessed students approaching SROs in a happy manner; and that she wants to make sure that we are also stated that she is not discounting anyone's decision.
Ms. Canter stated that if the underlyi	ing message is that you comply with a police officer, then she could only imagine how a black student would feel.
Ms. Collins stated that anecdotes ar	e data points.
Ms. Cummiskey stated that it is a co	enversation that needs to continue; and that this is a topic that should be given to Robin & Jonathan's group.
K. Discussion / Action: Substitute Rate	Increase
Ms. Savastano advised that moving portion of the pay. She advised that clerical subs, and school nurse teach	forward we will be managing our own substitutes, as last year we paid an agency and the substitutes were receiving only a at the rate would increase to \$100.00 per day. Ms. Savastano also advised that she would increase the hourly rate for TA, ners.
MSV (12) move to increase the substitu	ute rate to what is reflected in the document.
Motion made by: Sarah Markey Motion seconded by: Jacy Northup Vote: Unanimously Approved	
L. Discussion: Reentry Planning	

Ms. Northup stated that every single parent needs to plan for the school year; however, we do not have the information yet, and as soon as we have the

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Submitted: 7/16/2024 6:50 PM, we will get it to the parents. She stated that we want success for every student.

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Reviewer: Maureen D.

Ms. Markey expressed concern regarding the guidance from staff; and that she is not comfortable putting the burden on teachers and staff.

Ms. Macinanti stated that she feels strongly about having public discussion about this, for proper planning. She stated that the cost would not be so high if we waited; and just have virtual learning from 8/31 to 1/2. Ms. Macinanti read a letter from a teacher expressing concerns about returning to school.

Ms. Cummiskey stated that it is her understanding that it will be a state-wide decision. She stated that she wanted to be sure that we are reaching people in multiple ways. She also asking if CARES could help with families that are having difficulty.

Ms. Brousseau stated that she received comments from an individual that stated she has updated her will, power of attorney, guardianship; which took the wind out of her. She further stated that 100% in person will create a further divide in our country; and she noted that when children return to school, they will see that it is not like it was in 2019 and it will cause anxiety.

Further discussion followed.

M. Discussion: Budget

Ms. Cummiskey asked what the timeline was for purchasing or getting into a contract with transportation.

Ms. Crawford advised that the transportation manager will not be on site until August 13th. Ms. Crawford also explained that all of the supplies have been ordered to open the schools; we have sent the technology purchase order. Ms. Crawford spoke about the tier 3 model for transportation; however, start times will need to be adjusted if we move to a tier 3 model. She also advised that the PODs have been ordered.

Ms. Savastano stated that we do not want to commit, but we want to be ready.

Adjournment 🕒 6.

A. Adjourn

MSV (13) move to adjourn at 11:48 PM.

Motion made by: Jacy Northup Motion seconded by: Sarah Markey **Vote**: Unanimously Approved

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Exhibit E

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Nicole Solas vs. South Kingstown School Committee Emily Cummiskey June 27, 2023

PC-2022-04727

E	Emily Cummiskey June 27, 2023	
1	STATE OF RHODE ISLAND, PROVIDENCE, SC.	SUPERIOR COURT
2	NICOLE SOLAS,	
3	Plaintiff,	
4	vs.	C.A. No.
5	SOUTH KINGSTOWN SCHOOL COMMITTEE,)	PC-2022-04727
6	Defendants.	
7	/	
9	DEPOSITION OF EMILY CUMMIS	SKEY
10		
11	Block Island, Rhode Isla:	nd .
12	June 27, 2023	
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22		
23	Prepared by:	
24	Gerard T. Coash, RPR, RMR Certified Reporter	CERTIFIED
25	Certification No. 50503	TRANSCRIPT

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Nicole Solas vs. South Kingstown School Committee

PC-2022-04727 26..29

mi	ly Cummiskey June 27	, 2	023 2629
	Page 26		Page 28
1	your screen now?	1	THE WITNESS: I'm sorry, can you repeat your
2	A. Yes.		question?
3	Q. And here it appears as though you're asking	3	BY MR. RICHES:
	Ms. Wildman if Marc Ladin can be a member of the advisory	4	Q. Actually, let's look at October 8, 2020, where
	group. Do you see that?	5	Ms. Wildman said the advisory board is for BIPOC only.
6	A. Yes.	6	When she's referencing the advisory board, is it your
7	Q. When you indicated advisory group there, did you	7	understanding she's referencing the BIPOC Advisory Board?
В	mean the BIPOC Advisory Board?	8	A. In the context of the email that you're showing
9	A. I can only say I would assume so at this time	9	me right now, that is how I would interpret that.
0	because of the context that you're showing me.	10	Q. And what interactions, if any, were you having as
Ĺ	Q. All right. And do you recall asking Ms. Wildman	11	a member of the school committee with the BIPOC Advisory
2	if Mr. Ladin could be a member of the BIPOC Advisory	12	Board at this time?
3	Board?	13	A. I don't remember.
4	A. I don't recall any specific emails. But looking	14	Q. Do you recall having interactions with the BIPOC
,	at this email chain, then it appears as that is exactly	15	Advisory Board as a member of the school committee?
5	what happened.	16	A. I don't remember.
7	Q. It looks like on October 8, 2020 Ms. Wildman	17	Q. You don't remember if you had any interactions
9	responded to your email indicating that the advisory board	18	with the BIPOC Advisory Board?
9	is for BIPOC only. Do you see that?	19	A. No, I don't.
0	A. Yes.	20	Q. I am showing you an email string where you're
1	Q. Do you know what Ms. Wildman meant by the	21	communicating with the executive director of the advisory
2	advisory board is for BIPOC only?	22	
3	MS. CARRENO: Objection.	23	
4	THE WITNESS: Well, it says the advisory is	24	Q. Would you agree that emailing the executive
25	for BIPOC only, so that it would be Black, Indigenous,	25	director of the advisory board is an interaction with the
		L	the state of the s
	Page 27		Page 29
1	people of color.	1	advisory board?
2	BY MR. RICHES:	2	•
3	Q. Is it your understanding that she meant that only	3	as I would interpret the situation, Robin Wildman is the
4	people that were Black, Indigenous, or people of color	4	executive director. I didn't know that she was even the
5	could serve on the advisory board?	5	executive I didn't know they had an executive
6	A. Well, I'm reading it right here. It says the	6	
7	2	7	wouldn't have thought she was the advisory board. I don't
8	statement, I would say that that is what she meant.	8	know who was a member of the advisory board.
9	However, I'm not I don't feel like I'm privy to	9	Q. When you said the head of group, what group are
10		10	you referring to?
11		13	A. The nonviolence group, whatever they call it,
12		12	whatever the Nonviolent Schools for Rhode Island here.
13		13	3 So I don't know that Robin Wildman is a par
14	1 1 11 111 111	14	4 of the advisory board. Do you know that?
1.	سخة عبر فيح فيستان والمراز وال	1:	5 MS. CARRENO: Objection.
16		1	f THE WITNESS: So communication
17		1	7 BY MR. RICHES:
18		1	Q. What is your understanding of Hold on a
19		1	9 second. Hold on a sec.
20	The state of the s	2	0 What's your understanding of Robin Wildman
2:			1 association with the BIPOC Advisory Board?
2		ŀ	 A. That she was the head of the group.
2:			 Q. And what does it mean to be the head of the group
			4 as you just testified?
2	IND WITHERS: EXCUSE ME.	1.	

25

MR. RICHES: Bless you.

25

A. The person that organizes or oversees a group.

Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877

Reviewer: Maureen D.

Exhibit F

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

> Nicole Solas vs. South Kingstown School Committee PC-2022-04727 December 19, 2023 Mwangi Gitahi 1 STATE OF RHODE ISLAND, SUPERIOR COURT 2 PROVIDENCE, SC. 3 4 NICOLE SOLAS, Plaintiff, 5 C.A. No. PC-2022-04727 6 vs. SOUTH KINGSTOWN SCHOOL COMMITTEE, 7 Defendants. 8 9 10 VIDEO-RECORDED DEPOSITION OF MWANGI GITAHI 11 12 Rocky Mount, North Carolina 13 December 19, 2023 14 15 16 17 18 19 20 21 22 Prepared by: 23 24 Gerard T. Coash, RPR, RMR

Certification No. 50503

Certified Reporter

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CERTIFIED

TRANSCRIPT

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Nicole Solas vs. South Kingstown School Committee Mwangi Gitahi December December 19, 2023

PC-2022-04727 14..17

	Page 14		Page 16
1	mine?	1	groups members of the group.
2	THE WITNESS: Oh, no, that's not my end.	2	Q. Did you serve any specific role on the BIPOC
3	MS. CARRENO: I apologize. I think it's	3	Advisory Board, any officer role or position?
4	mine.	4	A. No. I was just I was just there as a member
5	THE WITNESS: Okay. Yeah.	5	of the community who who had a leadership role in a
6	So they they were brought essentially,	6	student-led social activist group in town. So I was I
7	they were they were brought on by the school district	7	guess I was viewed as a leader in the community and so
8	to help facilitate the BIPOC Advisory Board. But when I	В	they wanted to get my they wanted to get my involvement
9	say "they," I don't mean the entire Schools RI. I mean,	9	and my I guess my feedback. But I wasn't I didn't
10	there was a representative who was a member of Nonviolent	10	hold an official position, and I didn't we didn't
11	Schools RI who was helping to facilitate the BIPOC	11	interact on an official capacity. We didn't vote on
12	Advisory Board.	12	anything. We didn't really we didn't pass policy
13	BY MR. RICHES:	13	resolutions or anything like that. It was kind of an
14	Q. Who who's that representative?	14	informal a chance to meet informally and to talk in
15	A. One second. Her name was Robin her name is	15	a to create like a safe environment, a safe space that
16	Robin Wildman.	16	was welcoming and to them talk about issues that people
17	Q. And do you know Robin Wildman?	17	who identified as BIPOC were experiencing in the
18	A. I know her from the work we did with the BIPOC	18	community, especially in the school district, both
19	Advisory Board.	19	students and parents of students and other community
20	Q. When did you first meet her?	20	members. So it was more of like just conversations each
21	A. Summer of 2020. So around around May of 2020.	21	week.
22	Q. And did you meet her only through your work with	22	Q. When you said that they wanted to get your
23	the BIPOC Advisory Board?	23	perspective because you were a community leader, who are
24	A. That's correct, yes.	24	you
25	Q. Were you a member of the BIPOC Advisory Board?	25	A. Yeah.
	Page 15		Page 17
1	Page 15 A. I was, yes.	1	Page 17
1 2	A. I was, yes.	1 2	Q referring to?
1	A. I was, yes. Q. How many members were on the board?		Q referring to?
2	A. I was, yes. Q. How many members were on the board? A. It's hard to say. Because it was it was	2	Q referring to? A. I'm referring to Robin and Globe, who are members
2 3 4	A. I was, yes. Q. How many members were on the board?	2	Q referring to? A. I'm referring to Robin and Globe, who are members of the who are members of Nonviolent RI Schools.
2 3 4	A. I was, yes. Q. How many members were on the board? A. It's hard to say. Because it was it was pretty open to the community. Anyone who identified	2 3 4	Q referring to? A. I'm referring to Robin and Globe, who are members of the who are members of Normviolent RI Schools. Q. I'm sorry, Robin and who?
2 3 4 5	A. I was, yes. Q. How many members were on the board? A. It's hard to say. Because it was it was pretty open to the community. Anyone who identified with identified as BIPOC or had family members or	2 3 4 5	Q referring to? A. I'm referring to Robin and Globe, who are members of the who are members of Nonviolent RI Schools. Q. I'm sorry, Robin and who? A. I'm sorry. That's his nickname, Jonathan Lewis.
2 3 4 5 6	A. I was, yes. Q. How many members were on the board? A. It's hard to say. Because it was it was pretty open to the community. Anyone who identified with identified as BIPOC or had family members or children that identified as BIPOC were welcome to come to	2 3 4 5 6	Q referring to? A. I'm referring to Robin and Globe, who are members of the who are members of Nonviolent RI Schools. Q. I'm sorry, Robin and who? A. I'm sorry. That's his nickname, Jonathan Lewis. Jonathan Lewis goes by Globe, his nickname. So I'm not sure if I'm getting the name
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2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. I was, yes. Q. How many members were on the board? A. It's hard to say. Because it was — it was pretty open to the community. Anyone who identified with — identified as BIPOC or had family members or children that identified as BIPOC were welcome to come to the meetings. It was actually just an open — so sometimes we would have a dozen, sometimes a couple dozen people. We didn't really have a membership, like, the same number of people who would attend each meeting. It just kind of depended on who was available and who could make it. Q. Was there some people who attended more meetings than others or a core group of people that regularly attended?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q referring to? A. I'm referring to Robin and Globe, who are members of the who are members of Nonviolent RI Schools. Q. I'm sorry, Robin and who? A. I'm sorry. That's his nickname, Jonathan Lewis. Jonathan Lewis goes by Globe, his nickname. So I'm not sure if I'm getting the name right. It's either Nonviolent Schools RI or Nonviolent RI Schools. But it's one of those. Q. You you testified that the school committee created the BIPOC Advisory Board. Is that correct? A. Again, I'm not I'm not so I was invited to join the BIPOC Advisory Board. I'm not quite sure how it was created or what the official process was to if there was one to create it. I just know that it it
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I was, yes. Q. How many members were on the board? A. It's hard to say. Because it was it was pretty open to the community. Anyone who identified with identified as BIPOC or had family members or children that identified as BIPOC were welcome to come to the meetings. It was actually just an open so sometimes we would have a dozen, sometimes a couple dozen people. We didn't really have a membership, like, the same number of people who would attend each meeting. It just kind of depended on who was available and who could make it. Q. Was there some people who attended more meetings than others or a core group of people that regularly attended? A. Yes, there was. Q. And about how many individuals would you would you say constituted that core group of regular attendees?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q referring to? A. I'm referring to Robin and Globe, who are members of the who are members of Nonviolent RI Schools. Q. I'm sorry, Robin and who? A. I'm sorry. That's his nickname, Jonathan Lewis. Jonathan Lewis goes by Globe, his nickname. So I'm not sure if I'm getting the name right. It's either Nonviolent Schools RI or Nonviolent RI Schools. But it's one of those. Q. You you testified that the school committee created the BIPOC Advisory Board. Is that correct? A. Again, I'm not I'm not so I was invited to join the BIPOC Advisory Board. I'm not quite sure how it was created or what the official process was to if there was one to create it. I just know that it it existed and that Robin and Jonathan Lewis were facilitating the group and they were inviting community members to be a part of the group. And that it was to
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2 3 4 5 6 7 8 9 100 111 122 133 144 155 166 177 188 199 20 21 22	A. I was, yes. Q. How many members were on the board? A. It's hard to say. Because it was it was pretty open to the community. Anyone who identified with identified as BIPOC or had family members or children that identified as BIPOC were welcome to come to the meetings. It was actually just an open so sometimes we would have a dozen, sometimes a couple dozen people. We didn't really have a membership, like, the same number of people who would attend each meeting. It just kind of depended on who was available and who could make it. Q. Was there some people who attended more meetings than others or a core group of people that regularly attended? A. Yes, there was. Q. And about how many individuals would you would you say constituted that core group of regular attendees? A. There were a core group of five or six of us who were at every meeting I would say. Q. What are their names? A. So it was myself, Robin Wildman, Jonathan Lewis.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q referring to? A. I'm referring to Robin and Globe, who are members of the who are members of Nonviolent RI Schools. Q. I'm sorry, Robin and who? A. I'm sorry. That's his nickname, Jonathan Lewis. Jonathan Lewis goes by Globe, his nickname. So I'm not sure if I'm getting the name right. It's either Nonviolent Schools RI or Nonviolent RI Schools. But it's one of those. Q. You you testified that the school committee created the BIPOC Advisory Board. Is that correct? A. Again, I'm not I'm not so I was invited to join the BIPOC Advisory Board. I'm not quite sure how it was created or what the official process was to if there was one to create it. I just know that it it existed and that Robin and Jonathan Lewis were facilitating the group and they were inviting community members to be a part of the group. And that it was to part of our responsibility was to report back to the school district on what was sort of discussed in in the meetings. But I wasn't involved in the creation of the group, and I don't really know how it came about. Q. Ckay. I'm going to mark the first exhibit and

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Page 18 Page 20 Q. Okay. Can you see that on -- on your screen? 1 doesn't mention the BIPOC Advisory Board. So it didn't ---1 2 Yes. I can. 2 I don't believe it existed at the time. MR. RICHES: All right. Jerry, could we Q. Do you have any idea as to when the BIPOC 4 mark the first exhibit. It's not Bates numbered, but it 4 Advisory Board was created? 5 says South Kingstown School Committee Business Meeting, A. I do not, no. Like I said, I was just invited --6 Wednesday, July 22nd, 2020. 6 once it was created, I was invited to join. (Deposition Exhibit 1 was marked for Q. When was that? identification.) 8 That was -- this is the summer of 2020. So I 9 (An off-the-record discussion ensued.) quess it would have to be after -- probably either late --10 BY MR. RICHES: probably early August of 2020. Q. Okay. Mr. Gitahi, I want to draw your attention 11 Q. Okay. At the time you joined the BIPOC --12 to item number 11 there. Do you see that on your screen? 12 Yeah. A. 13 13 0. -- Advisory Board --14 Q. And it looks like it's a -- a motion by the 14 A. Yeah. 15 school committee to "create an equity and antiracist -- summer of 2020, what was your understanding of 16 advisory board" -- I think that's supposed to be created 16 the purpose and function of the -- of the board? 17 "and charged by Robin Wildman and Jonathan Lewis." Do you Yeah, it was -- it was to -- so the advisory part 18 see that? 18 of the BIPOC Advisory Board was to advise the school 19 A. Yes, I do. 19 district on the voices and the issues that concerned the Q. Is it your understanding that after reviewing members of the BIPOC -- BIPOC members of the South 21 this that the school committee is the entity that created Kingstown community. 22 the BIPOC Advisory Board? 22 So it was a place for people to come and 23 MS. CARRENO: Objection. 23 talk about the issues that they had experienced in the 24 MR. RICHES: You can go ahead and answer. 24 school district and to -- and to provide us with, like, 25 THE WITNESS: No. I mean, I -- I -- I 25 insight into that because we weren't all part of the Page 19 1 remember this because this was an open meeting to the 1 school district. And so then we could turn around and 2 public. And the move to create an equity and antiracist 2 advise the school committee on -- as -- you know, as 3 advisory board was -- was approved, but -- but they didn't 3 representatives of the BIPOC community, SK BIPOC 4 mention the BIPOC Advisory Board in that meeting. So 4 community, on what they were telling us. 5 that -- I don't know if there was -- this them resulted in Q. What sort of things would you advise the school 6 the BIPOC Advisory Board or if it was just -- I'm not 6 committee on as a member of the BIPOC Advisory Board? 7 quite sure how this then led to the advisory board, that's So things like issues with discrim- -- you know, 8 my point. 8 issues with discrimination in the school -- in the school, 9 MR. RICHES: Okay, I see. 9 issues of harassment, issues of -- issues surrounding, 10 THE WITNESS: Yeah. 10 like, dismissals and -- basically any- -- anything. 11 BY MR. RICHES: 11 Anything that they wanted to talk to us about, you know, Q. Did you -- did you attend this meeting? 12 we were willing to listen. Issues of hiring, like,

- A. I was listening in. I was just listening in as 14 a -- as a -- like a community member. Q. Was it a virtual meeting? A. Let's see, was it all virtual? I don't -- I 17 think, yes, actually it was all virtual, yes. Q. What was your understanding at the time of this 18 19 meeting on July 22nd, 2020 of what the purpose and 20 function of the BIPOC Advisory Board was? 21 A. I'm sorry, can you repeat that question? Q. Yeah. At the time of this meeting on July 22nd, 23 2020, what was your understanding of the purpose and 24 function of the BIPOC Advisory Board? 25 A. I'm not quite sure I understand because this
- practices -- hiring practices and representation in 14 hiring, things of that nature. So it was pretty open. We didn't really have a -- like an agenda 16 specific, you know, points or topics we wanted to talk 17 about at each meeting. It was just kind of an open --18 open forum. You testified earlier that Robin Wildman invited 20 you to join the BIPOC Advisory Board. When she did that, 21 did she explain what the purpose of the BIPOC Advisory 22 Board would be? A. It was -- it was just -- she was just inviting me

24 to join. I mean, it -- so this was at a time when we were

25 trying to -- when -- when -- so I was involved with a

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	1	group called TASK, Toward an Antiracist South Kingstown.
	2	It was a time when we were trying to get the school
ļ	3	committee to adopt policies that reflected fairness and
	4	equity. And so she knew the work that I had done with
	5	that group, and she thought that I would be a good voice
	6	for the advisory board, which which according to her,
	7	would be advising the school district on issues related to
	8	the BIPOC community. And so that's all she had to tell me
	9	for me to be interested.
	10	Q. What what's TASK?
	11	A. It's a student-led organization called Toward an
	12	Antiracist South Kingstown.
	13	Q. What
	14	A. One should say it was. It's it's not
	15	really it's not really active right now, but it was
	16	active in 2020.
	17	Q. Okay. At the time it was active, what was the
	18	mission
	19	A. Yeah.
	20	Q of TASK?
	21	A. To advance antiracist policies, to champion
	22	antiracist policies in the South Kingstown School
	23	District.
	24	Q. Was it a volunteer organization?
	25	A. Yes, it was.

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		Page 24		
	Q.	The National Education Association.		
	A.	Can you repeat that question, please?		
	Q.	Yeah. Were there any members or volunteers for		
	TASK who	were also members or employees of NEA Rhode		
	Island?			
	A.	Of TASK? I don't no, there weren't.		
	Q.	You testified that one of the things that TASK		
	did was r	review school policies. Is that correct?		
	A.	No, that's not correct.		
		TASK was we were trying to implement		
	changes t	to school policies, but we didn't actually review		
	the school	ol school policies. We we came up with a		
	list of d	lemands essentially, based on student feedback,		
	and then	we took those demands to the school district.		
	But we we	eren't actually taking school policies and		
	reviewing	g them.		
	Q.	When you joined the BIPOC Advisory Board, was one		
,	of the fu	unctione of the BIPOC Advisory Board to review		
ı	achool po	olicies?		
ı	A.	Not initially. That came about later.		
		We we first just started by listening to		
	feedback	. And then we decided that we wanted to we		
	decided t	that we wanted to understand how the current		
	policies	spoke to the issues that we were hearing. And so		
i	that's wi	hen we started to review certain policies that we		

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23 24

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A. I was -- I was one of the co-founders. So there
were three of us who co-founded the group. And by
co-founding, I mean, we basically just gave students a
platform to express their views and then we -- we
organized them around -- around the issues that they were
interested in. So we were mainly facilitating,
coordinating, but the students were the voice.

Q. How many members did TASK have?

A. Oh, quite a few. I would -- I would say like 50
or 60 members.
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Q. And what was your role with TASK?

of students and just parents in the community. Might have
been some teachers there, some -- I'm not quite sure.

So again, it was another one of those open
groups that people could just join if they felt affiliated
or felt an interest in helping, you know, with it.

A. Yeah, majority of them were students and parents

19 Q. Who were the co- -- who were the fellow 20 co-founders of TASK?

Q. Were those all students?

21 A. It was myself, it was a lady named Ginger 22 Mombelly, and Daria Lyric Montaquila.

23 Q. Did TASK have any members or volunteers who were 24 also members of NEA Rhode Island?

A. NEA? What's NEA?

1 felt were appropriate and -- and then understand how they
2 needed to be changed. So -- so that came about a little
3 bit later on.
4 Q. Can you describe how that came about?
5 A. Yeah. So, for example, if we were hearing a lot

6 of issues about the suspension -- suspension policies in 7 schools, then we would -- then we would pull out the 8 suspension policy and start to look at it and then start 9 to discuss it, start to see if there were ways that we 10 could -- we could suggest changes or amend things or

include things or -- or exclude things, you know, based on the feedback that we were getting from -- from the

13 community members that identified as BIPOC. And then the 14 qual was to take those suggestions to the school district

15 subcommittee on policy.

16 Q. Do you remember when the BIPOC Advisory Board 17 first began to review school policies?

18 A. I don't -- I don't remember to be honest with 19 you. It was a couple months in to our -- in to the group. 20 But I -- but by the -- by the spring of 2021, we were

21 reviewing policies.

22 Q. Do you recall what policies the BIPOC Advisory 23 Board reviewed?

24 A. Yeah. So hir- -- hiring policy, the coaching 25 hiring policy, the general hiring policy, the suspension

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Page 26 1 drafting the antidiscrimination/antiharassment/antiracism 1 policy. We looked at -- might have looked at the 2 transportation policy because there was some issues with 2 policy? 3 discrimination even with transportation. A. No. That's not how it worked. We just -- we I'm just thinking about what else we looked just did it by committee. So it wasn't -- it wasn't 4 5 like -- it wasn't like one person was drafting it because 5 at. Those are -- I would say those were the main 6 then that wouldn't be -- that wouldn't be fair, that 6 7 ones. Those are big ones. So we needed to take our time 7 wouldn't be representative of the group. And so we did 8 with them. They're the big policies. They're like it -- you know, there were documents that were shared. I 9 multidocument policies that you can't just review in a day believe there were Google docs that were shared. And so 10 or a week, yeah. we would kind of look at it, make suggestions, you know, Q. Did members of the BIPOC Advisory Board also 11 make comments over to the right. And then when we got 11 together in subcommittee meetings, then we would discuss 12 draft policies for the South Kingstown School District? 13 A. Draft in the sense of create new policies? those suggestions and see what needed to be included and 14 O. Correct. what didn't need to be included. 15 A. No. No. We -- we -- our goal was to see how we Q. Okay. We'll get back to that in a moment. 16 can adjust existing policies. But towards -- the work I MR. RICHES: Jerry, can you mark the next 16 17 exhibit as Exhibit 2. It's Defendant's 06835. 17 did on the subcommittee, we did actually come up with an 18 umbrella policy, which was a brand new policy, which would (Deposition Exhibit 2 was marked for 18 identification.) 19 encompass a lot of the other ones that we were discussing. 20 What policy was that? 20 BY MR. RICHES: A. It was the antidiscrimination, antiharassment --Okay. Mr. Gitahi, I want to show you what's been 22 antiracism, antiharassment, antidiscrimination policy. It marked as Exhibit 2. Do you see that on your screen? 23 was supposed to be an umbrella policy. Q. And it looks like it's an email from Emily Because the policies that we were looking at 25 Cummiskey to Robin Wildman from October 8, 2020. Do you 25 seemed like they needed like an overarching guiding Page 27 Page 29 1 framework and so that's why we created it. 1 see that? Q. When you say "we created it," who are you A. Yes. Do you know who Emily Cummiskey is? 3 referring to? ο. A. Yes, I do. A. The subcommittee, the school committee 5 subcommittee. O. Who is that? A. She is a former member of the South Kingstown Q. And the South Kingstown School Committee 7 subcommittee on policy? 7 School Committee. A. That's -- yes. I was a member of that committee. Q. Okay. I'm going to draw your attention to an And when you indicated that the subcommittee 9 email where it looks like Robin is having a conversation

10 created this antiracist/antidiscrimination/antiharassment 11 policy, were there specific members of the subcommittee 12 who drafted it? A. No. We drafted it as a group so that the policy 14 members drafted it in meetings -- in policy meetings. 15 Q. Did you draft any portion of the policy? A. I helped review -- yeah, I helped review and edit 17 portions of it. But it was -- it was a group -- it was a 18 group effort. So I did what I could. I mean, this was --19 this was another volunteer position. So I was essentially 20 volunteering with three different organizations at that 21 point, and so I did what I could. It was -- it was 22 important for each member of the subcommittee to take 23 their time with it. Q. Was there a -- was there a primary person who --25 who was responsible for the primary responsibilities of

10 with Emily Cummiskey about a member who wanted to volunteer -- a person who wanted to volunteer to serve on 12 the BIFOC Advisory Board, and Ms. Wildman responds that 13 the advisory board is for BIPOC only. Do you see that? A. I do see that. 14 You had testified earlier that it was your 16 understanding that the advisory board was also only open 17 to BIPOC individuals. Is that correct? 18 MS. CARRENO: Objection. THE WITNESS: We -- only open -- I -- so 20 I -- I wouldn't say "only open." But we -- we certainly 21 were looking for people who were members of the BIPOC 22 community to come and speak at these meetings. So it 23 was -- they were encouraged, but it wasn't -- it wasn't --24 I wouldn't say it was only for -- you know, this 25 characterization in this email, I -- I don't know if I

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Nicole Solas vs. South Kingstown School Committee PC-2022-04727 Mwangi Gitahi December 19, 2023 Page 30 Page 32 1 completely agree with it. Because we didn't -- no one, in Q. Did individuals who were not BIPOC attend 2 my experience, attempted to attend the meetings and was 2 meetings of the BIPOC Advisory Board during your time on 3 denied attendance. So I can't say it was only for BIPOC. 3 the board? 4 But that was certainly the people that we were -- those A. It's hard to say because we -- there were so many 5 are certainly the people that we were -- that we wanted to 5 meetings and people were coming and going. There might be 6 center in these meetings. 6 parents of BIPOC students who didn't identify -- they 7 BY MR. RICHES: 7 themselves didn't identify as BIPOC, but they had BIPOC Q. So is it your understanding that if somebody 8 students who attended the meetings. And then there was 9 was -- was not BIPOC and wanted to attend a BIPOC Advisory one meeting that the superintendent attended. So I guess 10 Board meeting they could? the answer is yes, but it wasn't very common. It wasn't A. Yes, I do. I just don't -- I don't feel like it 11 very often. 12 would serve -- the purpose was to create a safe Q. You indicated the super- -- the superintendent of 13 nonjudgmental, you know, space for BIPOC members. So I 13 the school district attended a BIPOC Advisory Board 14 don't know if it would really achieve that if there were 14 meeting? 15 members who weren't BIPOC who are attending these 15 A. She attended a meeting, yes. 16 meetings. Because them the conversations would not be 16 Q. Do you know how that came about? 17 as -- as open, I believe, and as -- and as comfortable. A. I do not know. No. 18 So I don't -- while we didn't exclude -- intentionally 18 Q. Do you know why she attended? 19 exclude people, it would not have created that same A. Just to support, I think, basically. She 20 environment for people, for the members. wasn't -- she was there to listen and that's basically Q. Are you aware of any instances in which somebody what she did. I think it seemed like she was just there 22 asked to attend a BIPOC Advisory Board meeting and was to support us. 23 told they could not? 23 Q. Did any other school officials attend any A. No. I didn't see it and hear it. I wouldn't 24 meetings of the BIPOC Advisory Board? 25 have said that to someone if they had asked me. So no. A. So I'm not sure what her title was, but she Page 31 Page 33 Q. Are you aware that the plaintiff in this case, 1 eventually became the assistant -- in terms -- I'm trying 2 Nicole Solas, asked to attend meetings of the BIPOC 2 to remember her name. So she had someone with her from 3 Advisory Board and was told she couldn't? 3 the school district and who was her -- I guess her A. I only found out about that through the court assistant who attended. They attended one meeting. 5 documents. So I didn't know that ahead of last week when I can find the name if you give me a second. 6 I read the court documents. 6 I --Q. So in this email string, it looks like a man 7 Q. That's okay. 8 named Marc Ladin had reached out to Robin Wildman asking -- can't remember. Okay. 9 about the BIPOC Advisory Board. Do you know who Marc MR. RICHES: All right. Jerry, can we mark 9 10 Ladin is? 10 the next exhibit, SKSD 00169? A. No, I do not. 11 (Deposition Exhibit 3 was marked for Q. And in this email, he looks to see if -- he 12 identification.) 13 asked, "Is there still room on the committee and is there 13 BY MR. RICHES: 14 still time to get involved?" Do you see that? 14 Q. Mr. Gitahi, can you see Exhibit 3 on your screen? A. Yes, I do see that. 15 A. Yes, I can. Q. And it looks like Ms. Cummiskey then forwards 16 Can you tell what this document is by looking at 17 that email to Robin Wildman, and that's when Robin Wildman 17 it?

20 A. Yes, I do see that.

Q. So did you have any knowledge that Marc Ladin was

22 told that he couldn't attend meetings of the BIPOC

18 responds that the advisory board is for BIPOC only. Do

23 Advisory Board because it was for BIPOC only?

A. No. No, I didn't. No. I don't even know who

25 he -- who he is.

19 you see that?

A. It looks like a record of a meeting.

18 19 0. A meeting of the South Kingstown School

20 Committee?

22

25

21 A. Right.

And you're listed as an attendee at that meeting.

23 Do you see that?

A. Yes, I do see that.

Q. And the affiliation they have listed for you is

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1	as BIPCC advisory committee member. Do you also see that?	1	Q. Do you know if those the nature of those
2	A. I do see that.	2	discussions were ever communicated with South Kingstown
3	Q. Do you recall attending this meeting in October	3	school officials?
4	2020 as a member of the BIPOC Advisory Board?	4	A. School officials? They were communicated in the
5	A. I don't know what this meeting was about. But if	5	subcommittee meetings.
6	I did know then, I could try to remember.	6	Q. So the the discussions that the BIPOC Advisory
7	Q. Let's scroll down here.	7	Board had about school curriculum was later communicated
8	Okay. So it looks like item 2 A is a BIPOC	8	to the South Kingstown policy subcommittee. Is that
9	Advisory Board update. Do you see that?	9	correct?
10	A. Yes, I do.	10	A. That's correct.
11	Q. And it looks like Ms. Wildman provided the BIPOC	11	Q. How were they communicated to the subcommittee?
12	Advisory Board update?	12	A. Just in meetings just in subcommittee
13	A. Yes, I do see that.	13	meetings.
14	Q. Do you remember the meeting now?	14	Q. Did members of the BIPOC Advisory Board present
15	A. Yes. Okay, yes. That's the one that the	15	at those meetings?
16	superintendent attended, yes.	16	A. Were they present? Or did they present?
17	Q. Okay. Do you know why Ms. Wildman was providing	17	Q. Did they present? Did they present information
18	an update to the school committee about the activities of	18	to the policy subcommittee?
19	the BIPOC Advisory Board?	19	A. Yes, they yes, they did.
20	 Because she was facilitating the board. 	20	Q. Okay. Also, it says here next that, "Some
21	Q. Okay. Why is it that the school committee was	21	members of the advisory board also participated in a
22	interested in the work of the BIPOC Advisory Board?	22	District policy committee meeting where they participated
23	A. I believe they saw an interest in reviewing	23	in a discipline policy discussion." Do you see that?
24	school policies in the in the climate that we were in	24	A. Yes, I do.

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1 from students in public meetings about what the students 2 were experiencing.

25 and in the -- after the countless stories that they heard

- Q. Looks like Ms. Wildman shared that members of the
- 4 advisory board recently had a meeting to talk about
- 5 curriculum. Do you see that?
- A. Yes, I do see that.
- Q. Do you remember meetings of the advisory board
- 8 where discussions of school curriculum took place?
 - A. Yes, I do.
- 10 Q. Did the BIPOC Advisory Board come up with
- 11 recommendations regarding the curriculum in South
- 12 Kingstown School District?
- 13 A. Recommendations, absolutely, yes.
- 14 What was the nature of those recommendations?
- The nature was to include curriculum that had
- 16 more of a historical context or that spoke more about the
- 17 history of -- the history specific to Indigenous people of
- 18 South Kingstown, Indigenous people of Rhode Island,
- 19 history that was -- that the members of BIPOC -- BIPOC
- 20 members of the community saw as important to -- for
- 21 students to learn, curriculum that was culturally
- 22 sensitive in the sense that it told kind of a complete --
- 23 showed a complete picture of the history of our country
- 24 and our state, and so -- so that was the nature of -- of
- 25 our discussions.

1 advisory board provided recommendations regarding

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Q. Is it your understanding that some members of the

- 2 discipline policies within the district to the policy
- 3 subcommittee?
 - A. That's correct.
- Q. Who were those members?
- Who were the members of -- Can you clarify?
- Which members of the BIPOC Advisory Board was
- 8 providing recommendations on the discipline policy to the
- 9 policy subcommittee?
- A. Usually it was myself and a gentleman by the name
- 11 of Rob Cruz that were the representatives to the school
- 12 district's policy subcommittee from the BIPOC Advisory

16

- 14 Q. You were -- you were also a member of the policy
- 15 subcommittee. Is that correct?
 - That's correct.
 - Q. And Rob Cruz was as well. Is that correct?
 - A. Yes.
- 19 Q. How did you come to be a member of the -- of the
- 20 policy subcommittee?
- From what I remember, the school committee wanted
- 22 to have representation from the BIPOC Advisory Board in
- the policy subcommittee meetings. And so they -- "they"
- meaning the school district -- the school committee that
- 25 is -- decided to create basically a couple seats for us in

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Page 38 Page 40 1 the subcommittee meetings and invite the BIPOC Advisory 1 appointment or that position? How did that happen? 2 Roard to delegate a representative or two to attend these A. They just invited -- Well, I should clarify. 3 meetings and hopefully to -- in a voting capacity. But The -- the BIPOC Advisory Board asked for 4 volunteers and I volunteered. And then I was invited by 4 even if not, just to be a voice in the room. Q. So it's your understanding the school the subcommittee to attend the meetings. That's --6 committee -- the South Kingstown School Committee created Q. So --7 two seats on the policy subcommittee exclusively for A. -- how. Yes. 8 members of the BIPOC Advisory Board. Is that correct? Q. So were you selected as a member of the policy 9 subcommittee by members of the BIPOC Advisory Board? A. Initially it was one seat. It was -- actually, I 10 remember this. It was one seat. But we -- we petitioned A. Not officially, no. It wasn't like we voted. I 10 11 for an additional seat because the -- there were about six just volunteered and no one else was -- volunteered or 12 or seven -- I'm not quite sure, maybe seven members of the felt comfortable or, you know, knew -- knew whether or not 13 subcommittee. And we felt like one out of seven would not they wanted to be involved. And so I -- I was the first 14 give us enough of a voice. Because six people could vote to raise my hand and that's how I ended up on the 15 one way and we'd have one vote and it wouldn't make a subcommittee. 16 difference. So that's why we asked for an additional --16 Q. Was there a discussion at a BIPOC Advisory Board 17 additional seat. 17 meeting about who would be a member of the policy 18 Q. Okay. So it's your understanding that the school subcommittee? 19 committee initially created one seat on the policy --A. Yeah. We did -- we did discuss it, yes. So everybody on the BIPOC Advisory Board was comfortable 20 A. Right.

Page 39

25

21 with -- with it.

Q. And them the school committee later increased 2 that number to two seats on the policy subcommittee that 3 were exclusively available for members of the BIPOC 4 Advisory Board? A. Yeah. I mean, when you say "exclusively" --6 there were -- there were -- yes, the seats were for 7 members of the BIPOC Advisory Board, so yes. It's just --8 veah. Well, when you say "exclusively," I don't --9 10 I don't -- because I wasn't -- like, I wasn't involved in 11 the actual discussions about creating these -- these 12 seats. I just know that we were presented with the 13 opportunity to -- to attend these subcommittee meetings. 14 So that's all I know. Q. Do you know if the school committee later 16 expanded the number of members of the BIPOC Advisory Board 17 on the policy subcommittee to three members? A. Three members. I don't remember three, but -- I

Q. Were you the first member of the BIPOC Advisory

Q. -- that was exclusively available for a BIPOC

Q. -- subcommittee --

24 Advisory Board member. Is that correct?

A. That's my recollection, yes.

A. Right.

21

22

23

25

Q. Was it your understanding that the BIPOC Advisory 2 Board was responsible for identifying a member of the 3 BIPOC Advisory Board to also serve on the policy subcommittee? A. That's -- yes, that's my understanding. Q. While you were a member of the policy 7 subcommittee, were you also a voting member of the subcommittee? A. Not initially. But eventually, yes. Q. When did you become a voting member of the policy 11 subcommittee? A. I don't know the exact dates. But it was maybe 13 after three or four meetings they decided to create -- to create the position as a voting position rather than just someone who was attending the meetings. 16 Q. Who made that decision? A. Again, I -- we -- we asked. I don't -- I don't know. Honestly, I don't know how that -- how that was -who made the decision. I would imagine the superintendent had a say in it. I don't quite remember or know. 21 Q. Was Mr. Cruz also a voting member of the policy 22 subcommittee? 23 A. Yeah. When -- when the second position was created, it was a second voting position. So by then, 25 the -- the BIPOC representation on the subcommittee was a

Q. Was it your understanding that the BIPOC Advisory

23 Board would be the entity that made a recommendation as to

24 who would be a member of the policy subcommittee?

A. Please repeat the question.

19 just remember myself and Rob Cruz being the

22 Board that was also named as a member of the policy

Q. How did you -- how did you receive that

20 rspresentatives.

23 subcommittee?

A. Yes, I was.

24

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- voting representation and they created a second voting
 representation.
- Q. What was your understanding of the -- the
- 4 responsibilities of the policy subcommittee?
- 5 A. My understanding was that the subcommittee was
- ${\bf 6}$ responsible for reviewing all school policies and -- in
- 7 order to update -- update them.
 - Q. Would the policy committee then vote on making
- 9 recommendations to school policies?
- A. Yes, they would.
- 11 Q. As a member of the policy subcommittee, would you
- 12 then vote regarding recommendations on school policies?
- 13 A. Yes, I would.
- 14 Q. And would those recommendations later be
- 15 forwarded to the full school committee?
- 16 A. Yes, they would. That was the process.
- 17 Q. I want to draw your attention to one other item
- 18 om Exhibit 3. Do you see that it says "Discussion/Action:
- 19 Recommitment for the BIPOC Advisory Board"?
- A. Yes, I do.
- Q. And it looks like there is a motion to continue
- 22 the BIPOC Advisory Board, which was unanimously approved.
- 23 Do you see that?
- 24 A. Yes, I do.
- 25 Q. Do you know why the South Kingstown School

- Q. Do you recognize this document?
- 2 A. I don't recognize the document, but I believe it
- 3 was a meeting that I attended. Seems like a meeting \boldsymbol{I}
- 4 was -- I attended.

1

- Q. Does it look to be minutes from the policy
- subcommittee meeting on November 5th, 2020?
- A. Yes, it does.
 - Q. And it appears that you were in attendance at
- 9 this meeting. Is that correct?
 - Yeah, that's correct.
- Q. Okay. I want to draw your attention to the
- 12 agenda item 3, Advisory Board's research on Staff to
- 13 Staff/Student to Student/Student to Staff racism policy.
- 14 Do you see that?
 - A. Yes.

15

19

- 6 Q. And the minutes reflect that the "Advisory board
- 17 will continue this work and bring it back to subcommittee
- 8 at a later meeting." Do you see that?
 - A. Yes, Ido.
 - Q. Do you know what that means?
- 21 A. Yes, I do.
 - Q. What does that -- what does that mean?
- 23 A. It just meant that we were going to continue to
- 24 obtain information from community members about the
- 25 specific topics specifically -- yeah, staff to staff/staff

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- 1 Committee would have a motion to continue the work of the
- 2 BIPOC Advisory Board?
- 3 A. They must have been happy with the results, I
- 4 guess. I mean, I -- I do feel like we were an important
- 5 voice, and I do feel like we -- we brought a perspective
- 6 that the school committee didn't have, especially in South 7 Kingstown. And so I feel like they just felt it was
- 8 valuable.
- 9 Q. Do you know why hearing that voice from the BIPOC
- 10 Advisory Board would require an official vote of the
- 11 school committee?
- 12 A. I don't know why, no.
- 13 Q. What did you understand the relationship to be
- 14 between the BIPOC Advisory Board and the school committee?
- 15 A. It was just a source of information, a source of
- 16 a community perspective that they didn't have anywhere
- 17 else.
- 18 MR. RICHES: All right. Let's see. I'd
- 19 like to mark the next exhibit. That's SKSD 00172 as
- 20 Exhibit 4, I believe.
- 21 (Deposition Exhibit 4 was marked for
- 22 identification.)
- 23 BY MR. RICHES:
- Q. Do you see Exhibit 4 on your screen, Mr. Gitahi?
- 25 A. Yes, I do.

- 1 to student/student to student racism. So it wasn't --
- 2 when it says "research" -- advisory board's research is
- 3 basically researching -- gathering input from the
- 4 community members, not the kind of research you would
- 5 think of, you know, universities do. It was just
- 6 basically gathering feedback from the community.
- 7 Q. It looks like there was also a discussion on
- 8 hiring policy. Do you see that?
 - A. Yes, Ido.
- 10 Q. Do you recall the BIPOC Advisory Board providing
- 11 recommendations regarding the hiring policy in the school
- 12 district?

- A. Yes, Ido.
- Q. Do you remember the nature of those
- 15 recommendations?
- 16 A. Yeah. When it came to hiring, the advisory board
- 17 was interested in having the school district implement a
- 18 more equitable hiring policy which reflected more
- 19 diversity in the staff and more -- a staff that was more
- 20 representative of the student body -- of the demographics
- 21 of the student body. And so we -- we suggested that the
- 22 hiring policy be revised and -- to reflect these
- changes -- to reflect these -- these -- these suggestions.
 Q. So is it correct to say then that the -- the
- 25 recommendations to revise the hiring policy came from the

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Page 50 Page 52 1 Who's -- who's Paula Whitford? 1 BY MR. RICHES: 2 Paula Whitford is the chair of the South Q. Was part of making those suggestions drafting 3 Kingstown School Committee. 3 portions or making revisions to the 4 antiracism/anti-discrimination policies that already O. So it looks like Ms. Wildman emails Emily and 5 Paula, which would be the two school committee members. 5 existed in the district? 6 Is that correct? A. Yeah, revisions and suggestions, yes. A. At the time, I don't think Paula was the chair. Q. And did that include members of the BIPOC 8 But she was a member of the school committee, yes. 8 Advisory Board actually writing and drafting revisions to Q. And Ms. Wildman states, "As you know, the board 9 those policies? 10 is writing an antiracism/anti-discrimination policy that 10 A. No. No. The writing was done in subcommittee. 11 will go before the subcommittee on January 7th." Do you The BIPOC Advisory Board would offer 12 see that? 12 suggestions and then -- and then the -- the 13 A. Yes, I do. representatives of the BIPOC Advisory Board to the Q. It was Ms. Wildman's understanding that the board subcommittee would then incorporate those suggestions into 15 was writing an antiracism/anti-discrimination policy. Is comments in the document itself and then that would go 16 it also your understanding -before the subcommittee for consideration. MR. RICHES: Okay. I'd like to mark the 17 MS. CARRENO: Objection. 17 18 BY MR. RICHES: 10 next exhibit, Defendant's 00863. Q. -- that the BIPOC Advisory Board was writing an 19 19 (Deposition Exhibit 7 was marked for 20 antiracism/anti-discrimination policy? identification.) 21 MS. CARRENO: Objection. 21 BY MR. RICHES: 22 THE WITNESS: I didn't hear your full This is an email from January 27th, 2020 from 23 question. I'm sorry. 23 Robin Wildman to -- looks like various members of the 24 BY MR. RICHES: 24 school committee and the school superintendent. Do you 25 25 see that? Q. Is it your understanding that the BIPOC Advisory Page 53 Page 51 1 Board, at the time this email was sent, was writing an 1 A. Yeah. It says "December," the 27th. 2 antiracism/anti-discrimination policy for the policy Q. I'm sorry, December 27, 2020. 3 subcommittee? A. MS. CARRENO: Objection. And in this, Ms. Wildman states, "Attached is the THE WITNESS: We weren't writing the policy. 5 antiracism/anti-discrimination policy that the BIPOC 6 We were -- again, we were -- we were coming up with 6 Advisory Board created." Do you see that? 7 suggestions for the current policy. And so I think A. Yes, I do. 8 when -- I believe when she says that we were writing the And it says, "They used, as a basis, policies 9 policy, we're not writing it from scratch. We were from other districts, so this reflects what other 10 reviewing the policy and we were making suggestions. And districts are already doing." Do you see that? 11 I think that's just, like, a general way of saying that. A. Yes, I do. 12 But we weren't -- we weren't creating -- we weren't So is it correct to say that as of December 27, 13 creating -- at this point, we weren't creating a -- a 13 2020, the BIPOC Advisory Board had created an 14 brand new policy. 14 antiracism/anti-discrimination policy based on various 15 The antiracism/anti-discrimination policy --15 other districts' district policies? 16 so -- so the umbrella policy I described earlier, which 16 MS. CARRENO: Objection. 17 was called the antiracism, anti-discrimination, and THE WITNESS: It was -- it wasn't a 18 antiharassment policy, that was created from -- basically 18 creation. It was -- it was a rewrite. So it was taking 19 by the subcommittee from -- from scratch using elements of 19 elements of the existing policy and rewording them, 20 earlier policies. But this one, I believe she's referring rewriting them, rephrasing them. We kept certain 21 to the existing antiracism/anti-discrimination policy, 21 elements. We -- so -- so it wasn't a brand new document, 22 which -- which -- which was already an existing policy. 22 that's my point. It was a document that was building upon

25 sense.

23 And so we weren't creating a brand new one. We were

24 making suggestions to the current policy, if that makes

23 the existing antiracism/anti-discrimination policy.

Q. Is it correct to say, then, that the BIPOC

24 BY MR. RICHES:

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1	ultimately approved a hiring policy that was sent to it by	1	meetings. And so I believe she was just trying to get
2	the policy subcommittee?	2	some clarification on the on some things.
3	A. That, I don't remember either.	3	Q. Okay. Do you recall what she was trying to get
4	MR. RICHES: Jerry, if you could mark	4	clarification on?
5	SKSD 00217.	5	A. I don't recall, no.
6	(Deposition Exhibit 16 was marked for	6	Q. Do you recall how she got in touch with you and
7	identification.)	7	Ms. Wildman?
8	BY MR. RICHES:	8	A. Just you mean it was just through email.
9	Q. Mr. Gitahi, can you see Exhibit 16 on your	وا	Q. Did you ever email Ms. Lombardo a copy of the
10	screen?	10	antiracism policy?
11	A. Yes. It looks like attendees of a school	11	A. I don't recall to be homest.
12	committee meeting, executive session meeting.	12	Q. Do you know if Ms. Wildman ever emailed
13	Q. Okay. And see if I can find it.	13	Ms. Lombardo a copy of the antiracism policy?
14	Okay. And it looks like there's a motion	14	A. I also don't recall that. I don't know.
15	here to approve the appointment and hiring policy. Do you	15	Q. Was Ms. Wildman a member of the policy
16	see that?	16	subcommittee?
17	A. Yes, I do.	17	A. No, she was not.
18	Q. Do you have any recollection if that's the same	18	Q. She was a facilitator for the BIPOC Advisory
19	appointment and hiring policy that was sent to the school	19	Board. Is that correct?
20	committee by the policy subcommittee?	20	A. That's correct.
21	A. It would have to be.	21	Q. Okay. So it looks like Ms. Lombardo is saying
22	Q. Do you recall the policy subcommittee making any	22	that, first, she didn't have access to the Google
23	revisions to the appointment or hiring policy that were	23	documents so she copied and pasted a redline policy in
24	requested by the school committee?	24	Word. Okay? Do you see that?
25	A. Can you repeat that question?	25	A. Uh-huh. Yes, I do.
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1	Q. Did the school committee ever send the	1	Q. Do you know if she is referring to the antiracism
2	appointment or hiring policy back to the policy	2	policy here?
3	subcommittee to make recommendations?	3	A. I don't know. She doesn't reference it. I don't
4	A. I see. I don't recall. They that was common	4	know which document she's talking about.
5	practice, but I don't recall if they did that with this	5	Q. Okay. She also states here that she made very
6	policy.	6	few substantive revisions. Do you see that?
7	MR. RICHES: Okay. If we can mark the next	7	A. On the last paragraph, yeah.
8	exhibit, Defendant's 009815.	l ,	Q. Do you know what she meant by that?
9	(Deposition Exhibit 17 was marked for	9	A. No, I do not.
10	identification.)	10	Q. Do you recall what you emailed to Ms. Lombardo
١.	BY MR. RICHES:	11	that she's responding to here?
11 12		12	A. That Google doc, I don't know what Google doc
		13	she's talking about.
13	Wildman, Aubrey Lombardo, and yourself, or at least you're	14	
14	copied here. Do you see that?	15	Q. Do you still have access to the Gmail account where you're cc'd here?
15	A. Yes, I do.	1	·
16	Q. Who's Aubrey Lombardo?	16	A. Yes, I do.
17	A. Aubrey is a lawyer who represented the school	17	Q. And would you still have access to documents from
18	district.	18	this time frame, March of 2021?
19	Q. Okay. I want to scroll down to sort of the	19	A. I imagine so, yeah.
20		20	Q. We'd ask that you preserve any documents that you
21	· · · · · · · · · · · · · · · · · · ·	21	currently have access to for purposes of this litigation.
22	A. Yes, I do.	22	Okay?
23	Q. Do you know why Ms. Lombardo was emailing you and	23	A. Okay.
24	Robin Wildman?	24	Q. All right. So it looks like in the subject it

A. She was -- she was in our policy subcommittee

25 says "Anti-Racism and Anti-Harassment Policy." Do you see

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Page 82 Page 84 1 that? A. I don't know what she means. Because this -- she A. Yes. 2 must be referring to the existing anti-harassment policy. 3 THE WITNESS: Jon, you froze up. 3 I don't -- to answer your question, I don't know. And I (An off-the-record discussion ensued.) 4 don't know which -- which policy -- because they -- they 5 BY MR. RICHES: 5 had similar, I guess, titles. And so it's easy to confuse Q. Mr. Gitahi, I was asking a question -- so the 6 the policies, but -- so I don't -- I don't know exactly 7 subject line says "Anti-Racism and Anti-Harassment Policy 7 which one she's referring to. 8 Suggested Revisions." Do you see that? Q. And then she says, "I know you meet on Wednesday A. I don't anymore. Would you mind sharing your 9 and I will make every effort to get it done before then." 10 screen? 10 Do you see that? 11 Q. Okay. Can you see that now? A. Yes, I do. 11 12 A. Yes, I can see it. Q. Do you know what she's referring to? 13 Q. Okay. Do you recall sending or being copied on A. The BIPOC Advisory Board meetings were on 14 an email where the anti- -- anti-racism/anti-harassment 14 Wednesdays each week, and so I think that's what she's 15 policy was sent to Ms. Lombardo? 15 referring to. A. I'm just trying to remember why we would be 16 Q. So is it your understanding that she's trying to 17 sending her that document. I don't recall why we would be 17 get you the recommendations regarding -- regarding this 18 sending it to her. And I don't recall seeing this email policy prior to a meeting of the BIPOC Advisory Board? 19 either to be honest. 19 A. Again, I don't know for sure. 20 Q. Okay. So you don't have any recollection of 20 Q. Okay. And then it looks like Ms. Wildman 21 sending a draft anti-racism/anti-harassment policy to 21 responds to this email and copies you and says, "Thanks, 22 Ms. Lombardo? [sic] Aubrey. We'll share with the BIFOC Advisory Board A. Again, I don't know why we would as -- as the -on Wednesday." Do you see that? 24 in her capacity. But maybe there was -- maybe there was a 24 A. Yes, I do. 25 valid reason for it. I just don't remember. Q. Does it appear as though she's saying that she Page 85 Page 83 Q. Do you know -- it looks like Ms. Lombardo here 1 will share the -- the recommendations that were made by 2 makes some formatting suggestions and then revised some of 2 Ms. Lombardo on this -- evidently on this policy with 3 the language that had been revised for legal reasons. Do 3 members of the BIPOC Advisory Board? 4 you see that? A. I'm not sure what she means by "will share." I A. It does say that in the document, yes. 5 can only -- I can only assume she means the document that Q. Do you know why Ms. Lombardo would be offering 6 Aubrey sent her which had, you know, slight revisions to 7 legal recommendations to members of the BIPOC Advisory 7 it. 8 Board? Q. Okay. Do you remember sharing with the BIPOC 9 A. I don't. No, I don't. I don't -- I don't know 9 Advisory Board or receiving as a member of the BIPOC 10 why. 10 Advisory Board revisions to this policy that were made by 11 Q. Did you receive other legal advice from 11 Ms. Lombardo? 12 Ms. Lombardo as a member of the BIPOC Advisory Board? 12 A. No, I do not. I do not. A. Oh, no. No. No. 13 MR. RICHES: Okay. Jerry, if we could mark Q. When she says that very few substantive revisions 14 the next exhibit, 09791. 15 were made, do you recall having sent a draft that had 15 (Deposition Exhibit 18 was marked for 16 substantive recommendations from the BIPOC Advisory Board 16 identification.) 17 to Ms. Lombardo? 17 BY MR. RICHES: 18 A. No, I don't. I don't. Q. Okay. Do you see the top of Exhibit 18 here? It Q. And then in the end here, she indicates, "Also 19 looks like it's an email from you to Ms. Lombardo, copying 20 [the] anti-harassment policy is next." Do you see that? Robin Wildman? A. Yes, I do.

21

22

23

A.

Q. Do you recall sending Ms. Lombardo or being

23 copied on an email that was sent to Ms. Lombardo a copy of

24 an anti-haressment policy that was prepared by the BIPOC

A. Yes, I do.

25 Advisory Board?

21

Okay. I want to scroll down, actually, to start

Q. On March 31st, 2021. Do you see that?

25 at the beginning here. It's actually right here.

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Page 104 Page 102 1 you were seeking her -- her legal advice? Q. You testified earlier that it was your 2 understanding that Aubrey Lombardo was the school A. I don't think so. MS. CARRENO: Objection. 3 district's attorney. Is that correct? 3 THE WITNESS: Homestly, I do not think so. A. That's correct. 5 BY MR. RICHES: Was part of the concern in sending Ms. Lombardo Q. I'd like to refer back to Exhibit 18. 6 these documents that she provide them to ensure that they Actually, we'll make it 17. 7 were legally compliant? Okay. This is Ms. Lombardo's email to you A. Can you repeat the question? 9 and Ms. Wildman, apparently when she received a draft of Q. Was one of the reasons the members of the BIPOC the anti-racism/anti-harassment policy. And she indicates 10 Advisory Board sent these policies to Ms. Lombardo was so that she "revised some of the language that had to be 11 that she could review them to ensure that they were revised to legal reasons." Do you see that? 12 legally compliant? A. I do see that. 13 A. I would say that's accurate. 13 Q. So it appears as though she made revisions for Q. So it's accurate to say that members of the BIPOC 14 15 legal reasons. Do you see that? 15 Advisory Board were seeking legal recommendations from A. It appears --16 Ms. Lombardo? 17 MS. CARRENO: Objection. 17 MS. CARRENO: Objection. THE WITNESS: It appears that way. It THE WITNESS: I wouldn't say legal 18 18 19 recommendations. I would just say, in terms of language, 19 appears that way. 20 BY MR. RICHES: 20 we were -- we were seeking some -- we were seeking advice Q. And she was providing those revisions to the 21 on how to write official policies, you know, as opposed to 22 BIPOC Advisory Board. Is that correct? 22 policies that could -- you know, that may not sound like A. She was -- she was providing those revisions to a 23 policies. So -- so that's where she came in. But we 24 document that we shared with the subcommittee. 24 weren't seeking legal -- we didn't retain her as a legal Q. Okay. And then in the last paragraph she said, 25 representative. We weren't seeking legal advice or any of Page 103 Page 105 1 "I made very few substantive revisions, only where I 1 that. 2 thought what was in there may not be allowable by law 2 BY MR. RICHES: 3 without some added language." Do you see that? Q. You testified that you were seeking advice on A. I do see that. 4 language in official policies. Is that correct? Q. So it appears as though she was making other A. Seeking assistance with the language, yes. 6 revisions that she thought might not be allowable by law. Q. You testified earlier that you were seeking 7 Do you see that? 7 advice on the language. Is that your testimony? A. I see what she wrote. I can't really comment to A. That is what I said, yes. 8 9 her intent in this -- in this. I just see what she wrote, Q. And you were seeking that advice from an 10 attorney. Is that correct? 11 Q. So it appears as though, at least based on what A. She was an attorney, yes. Q. And is it your understanding that attorneys, when she wrote, that she was providing legal advice for these 12 polices that were sent to her? 13 individuals seek advice from them, often offer legal 14 advice as that's their profession? 14 A. Yeah, I --15 MS. CARRENO: Objection. MS. CARRENO: Objection. 15 THE WITNESS: -- don't know if that's how I THE WITNESS: That's -- yes. But you're --16 17 would characterize it. 17 I'm not sure I'm explaining myself well. We weren't 18 BY MR. RICHES: 18 seeking legal advice from Aubrey. We were just seeking Q. All right. Let's go back to Exhibit 19. 19 19 her because she had seen school policies. Like, her --The -- the coach hiring policy that was sent 20 her job was to represent school districts. She had seen 21 to Ms. Lombardo, were those revisions to the policy 21 school policies. So we just wanted to know that what we 22 drafted by the BIPOC Advisory Board?

22 were putting forth was policy in strong language.

Q. Do you think when you had sent these policies to

25 Ms. Lombardo she might have been under the impression that

23 BY MR. RICHES:

A. The policy in which we made suggestions, yes.

Q. And when you say "we," you're referring to the

25 BIPOC Advisory Board?

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Reviewer: Maureen D.

Exhibit G

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AFFIDAVIT AND RESPONSE OF ROBIN WILDMAN

- I, Robin Wildman, do hereby depose and say that:
- I was approached then Superintendent Linda Savastano with the idea to form a BIPOC Task Force, now called the Beloved Community Advisory Board of SK.
- The Board is voluntary. I gathered people by word of mouth.
- I facilitate the meetings. I am not a member of the Board.
- 4. None of the current Board members are members of the South Kingstown School Committee.
- The members came together, initially about 15 people, once a week, to share personal stories, and to outline a mission statement and goals.
- Due to the personal nature of the stories that were shared, over time, the members began to call each other "family" and we dropped down to about 7-8 regular members.
- 7. When the woman (Ms. Solas) emailed me to ask what the purpose of the board was, and demanded I release the names, addresses, qualifications, and contact information about each member, the members were alarmed, to say the least. Fearful for their safety was the prevalent feeling. Several said that if their information was made public they would leave the group.
- 8. I promised them that I would never release their names or any other information to anyone. I stand by that promise.
- 9. The Board is a voluntary group. Nonviolent Schools RI ("NSRI") facilitates the meetings. NSRI and members make the agenda, informally (we don't send anything out to them). They have spent the past 10 months reviewing policies to determine whether they are inclusive and equitable.
- 10. If we believe the policies require revision, we have two (2) members of our group that sit on the South Kingstown School Committee Policy Sub-Committee and they bring our suggestions to the public meetings.
- 11. The Board simply reviews policies as written and brings suggestions to the Policy Sub-Committee. My Board has no decision -making authority whatsoever. In fact, the Policy Sub-Committee has no obligation to consider our suggestions at all.

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12. The Board does not and has not reviewed "employment contracts" and "all school guidance" as alleged.

Robin Wildman

State of Rhede Island County of Washington

In the Town of South Kanglaron the 30th day of June, 2021, before me personally appeared Robin Wildman, to me known and known by me to be the party executing the foregoing instrument and she acknowledged said instrument so executed, to be her own free act and deed.

Notary Public

My Commission Expires:

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Exhibit H

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> Nicole Solas vs. South Kingstown School Committee Sarah Markey August 18, 2023

PC-2022-04727

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STATE OF RHODE ISLAND,
 1
                                                  SUPERIOR COURT
    PROVIDENCE, SC.
 2
 3
     Nicole Solas,
 4
               Plaintiff,
 5
                                               C.A. No.
     vs.
                                               PC-2022-04727
     SOUTH KINGSTOWN SCHOOL COMMITTEE,
 6
 7
               Defendants.
 8
 9
               VIDEOTAPED DEPOSITION OF SARAH MARKEY
10
11
12
                      Wakefield, Rhode Island
13
                          August 18, 2023
14
15
16
17
18
19
20
21
22
23
    Prepared by:
24
    Gerard T. Coash, RPR, RMR
    Certified Reporter
                                              TRANSCRIPT
    Certification No. 50503
25
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Nicole Solas vs. South Kingstown School Committee Sarah Markey August 18, 2023

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1	A. Well, I think it was an idea in a number of
2	ideas. You can see from I think it's this agenda where
3	you just showed me where we were making all these motions
4	to research and study different issues. I think it was an
5	idea amongst many ideas to try and really ensure that we
6	were providing a high-quality education for every student
7	regardless of race, class, gender identity, all of those
8	things. And we were focused here on on race and racial
9	equity. And so it was one of many motions and ideas that
10	we had, if I remember correctly.

- Q. During your time on the school committee, did 11 12 various organizations and groups in the community reach 13 out to the school committee with ideas regarding policies?
- A. Can you -- can you clarify? Because I don't --15 I'm not really sure what you mean.
- Q. Sure. Did different community groups reach out 17 to you in your capacity as a school committee member with 18 ideas about school district policies?
- A. Yes. People would reach out to us, sometimes 19 20 community groups, sometimes individuals, sometimes
- 21 businesses. And I say "us," but I'm just really saying
- 22 me. Because sometimes we were all getting email, but
- 23 sometimes -- I can speak mostly for myself, and I would
- 24 get emails certainly from different stakeholders,
- 25 including community groups, yes.

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- 1 example, the special education group. I don't know what 2 our, like, official -- how our official relationship would
- 3 have been identified. But that is an example of, like, a
- 4 group that we would rely on for ideas on, like, special
- 5 education issues and special education students. So SELAC
- 6 might be another example.
 - Q. What is SELAC?
- A. I forget what it stand for exactly. It's
- 9 S-E-L-A-C, and it's basically a group of special ed
- parents -- parents and community members who have special
- education students that meet. I was never, like -- the
- 12 school committee at the time had someone who was, like, a
- 13 liaison. I was never that so I don't know specifics about
- the relationship. But yes, there was -- there was some
- sort of, like, relationship. And I don't know the
- 16 history, if, like, we created it or it already existed,
- 17 but there is another group, SELAC, around education needs.
 - Was it your understanding that the school
- 19 committee appointed SELAC as an entity charged with
- providing recommendations to the school committee?
- A. I have no idea.
 - So you can't testify one way or the other whether
- 23 the school committee, in fact, appointed SELAC as an
 - advisory committee?
 - A. Yeah. The only thing I know for sure is that we

Page 47

18

25

10

17

25

Page 46

- Q. When you received emails from various community 2 groups, did you also receive as part of those
- 3 communications recommendations on various policies within
- 4 the school committee?
- A. I can't recall specifically if I would get
- 6 recommendations or ideas on policies or -- I'm sure at
- 7 same point I got same of those -- or if it was just people
- 8 pointing out a specific issue. I would imagine that yes,
- 9 at some point I did get specific policy ideas emailed to
- 10 me.

15

- 11 Q. During your time as a member of the South 12 Kingstown School Committee, do you recall the school
- 13 committee ever creating and approving another community
- 14 group as an advisory board for the school committee? A. I don't recall that we did. I don't remember.
- 16 O. Okay.
- 17 (Video was played and transcribed as
- 18 follows:
- 19 MS. CANTER: Sarah?
- 20 MS. MARKEY: So I --)
- 21 BY MR. RICHES:
- Q. I'm sorry, that's -- that's you speaking,
- 23 correct?
- A. Yes. I wasn't finished, though. Sorry. I -- I
- 25 sounded like I was. But I can think of SKLAC, for

- 1 did, as part of the bylaws, appoint a liaison from the school committee to SELAC.
- Q. Understood.
- Okay. Do you see the square around --
- 5 around your picture there?
- A.
 - ٥. And that's you, correct?
- 8 A. 9
 - (Video was played and transcribed as follows:
- 11 MS. MARKEY: Just wanted to check some 12
- things. Like, we had in previous, like, 13 conversation about this idea, like -- I just
- 14 want to know, like, who's on this committee.
- 15 I'm assuming it's members of the BIPOC community
- 16 that, like, we're centering those voices, but I

want to check. And I also want to check where

- 18 students fit into this or is that, like, a
- 19 further step down the road? And -- and, like, 20 what steps can we take to really center what
- 21 this advisory group does in the, you know,
- 22
- day-to-day, month-to-month work of the school committee?) 23
- 24 BY MR. RICHES:
 - Okay. Do you recall making that -- the -- a

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Nicole Solas vs. South Kingstown School Committee

PC-2022-04727

	ole Solas vs. South Kingstown School Committee ah Markey	18.	PC-2022-04727 2023 5457
	Page 54	,	Page 56
,		١,	
_	correctly like, I remember even seeing, like, a flyer at one point, like I think it was a pretty open invite is	2	keep the committee informed about the work of the BIFOC Advisory Board?
2	my recollection. So I think, if I remember correctly, in	3	A. I I don't believe so.
3	like a general planning about the mutual aid efforts, I	4	
4	I probably mentioned to Karen that she should let folks	-	Q. And do you recall opening the document that's referenced there, the minutes of the advisory board
5	know about this and invite them to join.	6	meeting?
7	Q. And Karen, in her advisory, as what you	7	A. I don't recall opening the document or reading
, B	characterized as a school social worker, she was an	8	the minutes.
9	employee of the district. Is that correct?	9	MR. RICHES: Jerry, if you could mark the
10	A. Yes.	10	
11	Q. And is it your testimony then that you asked	11	(Deposition Exhibit 10 was marked for
12	Ms. Buetens, who was an employee of the district, to see	12	identification.)
13	if she could identify families to serve on the BIPOC	13	BY MR. RICHES:
	Advisory Board?	14	
14	-	15	 Q. Okay. Do you see Exhibit 10 on your screen? A. The "the invite to our next advisory board
15 16	A. Yeah, I don't		
16	MS. CARRENO: Objection.	16	meeting"?
17	THE WITNESS: I don't recall I specifically	17	Q. Correct.
18	said, "Karen, can you do this?" I I more likely	18	A. Okay, yes. Sorry, I just got confused because I
19	mentioned that this was something that she should invite	19	noticed it said something else on the exhibit, the top.
20	people to if she wanted to. Like, I wouldn't have	20	Q. No problem.
21	directed her.	21	This appears to be a email, again, from
22	MR. RICHES: All right. Jerry, could you	22	Robin Wildman to school committee members. Do you see
23	mark the next exhibit, Defendant's 04667?	23	that?
24	(Deposition Exhibit 9 was marked for	24	A. Yes.
25	identification.)	25	Q. And it appears as though she's inviting the
	Page 55		Page 5
1	BY MR. RICHES:	1	school committee members to the next advisory board
2	Q. Do you see Exhibit 9 on your screen, Ms. Markey?	2	meeting. Do you see that?
3	A. Yes.	3	A. No, that's not what this says.
4	Q. This appears to be an email from Robin Wildman to	4	Q. Oh, can you do you remember what this is?
5	various school committee members and the superintendent.	5	A. It says, "Here is the invite to our next Advisory
6	Do you see that?	6	Board meeting. Feel free to share with BIFOC community
7	A. Yes.	7	members/students/staff and [sic] families."
8	Q. And she appears to be sending "minutes from our	8	So she's appears to be asking us how I
9	first meeting." Do you see that?	9	read it is to share it with people that we know who are
10	A. Yes.	10	BIPOC community members, students, staff, and families.
11	Q. Do you know if she's referring to the meeting of	11	Q. Do you remember receiving this email?
12	the BIPOC Advisory Board?	12	A. I don't recall. But I recall it now that I see
13	A. I mean, that's what I I quessed when I saw,	13	
14	like, how she describes it, it meant the advisory board.	14	Q. And it's your understanding that she was asking
15	I would assume, yeah, that's the BIPOC Advisory Board.	15	school committee members to share an invitation to the
16	Q. And the individuals she's sending this email to,	16	BIPOC Advisory Board meetings. Is that correct?
17	are those all the school committee members and various	17	
18	district officials?	10	Q. And do you remember who you were supposed to
		19	g. And do you remember who you were supposed to share that invitation with?
19		1	
20	administrators.	20	1. 3.1
2 1	Q. Do you know why Ms. Wildman was sending the	21	Q. No problem.

24

A. I'm not sure.

23 officials?

24

22 minutes of the BIPOC Advisory Board to these school

Q. Do you know if Ms. Wildman had any obligation to

Do you know who she was asking you to share

23 the invitation to advisory board meetings with?

25 community members/students/staff/families."

A. It says here, "Feel free to share with BIPOC

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	Page 58		Page 60
1	Q. What does that mean to you?	1	South Kingstown School Committee members. Is that
2	A. That if we know folks who identify as part of tha	2	correct?
3	BIPOC community, whether students, families, et cetera,	3	A. Yes.
4	feel free to pass the invite on.	4	Q. Do you recall if Ms. Wildman forwarded all of the
5	Q. So would that be an invitation to any member of	5	minutes from each BIPOC Advisory Board meeting to you and
6	the community that identified as BIPOC?	6	the other school committee members?
7	A. Yes, I think so.	7	A. I don't recall.
8	Q. Did you share this invitation to members of the	8	Q. In this email, Ms. Wildman states that "We will
9	community?	9	be meeting virtually next week and then in-person again
10	A. I I have no idea.	10	the following week." Do you see that?
11	Q. Did you ever attend an advisory board a BIPOC	111	A. Yes.
12	Advisory Board meeting?	12	Q. Do you recall if at this time the BIPOC Advisory
13	A. No.	13	Board was meeting on a weekly basis?
14	Q. Did you ever review the minutes of the BIPOC	14	A. I don't know.
15	Advisory Board meetings?	15	Q. What was your understanding of the frequency of
16	A. I don't think so.	16	the advisory board's meetings?
17	Q. All right.	17	A. I don't believe anyone ever told us what the
18	THE WITNESS: Sorry, can we take, like, a	18	frequency would be or what dates were. But I could just
19	quick two-minute break because my husband has to leave?	19	
20	MR. RICHES: That was actually going to be	20	MR. RICHES: Jerry, if we can mark
21		1	Defendant's 06836 as the next exhibit.
22	break until 11:20. Your time, what is that, 2:20?	22	
23	THE WITNESS: So I can just sign off and	23	identification.)
24		24	MR. RICHES: Okay. Actually, I think I
25	MR. RICHES: No. You can just you can		might have I'm sorry, Jerry. I gave you the wrong
	· · · · · · · · · · · · · · · · · · ·		
ı	Page 59		Page 61
1	-	1	the first page is Defendant's 06835.
2	THE WITNESS: Just stay on, okay. Okay.		BY MR. RICHES:
3		3	Q. All right. This is an email from Emily Cummiskey
4	THE VIDEOGRAPHER: We're off the record.	4	to Robin Wildman. Do you see that?
5	Time on the video momitor is 2:11 p.m.	5	A. Yes.
6	(A recess ensued.)	6	Q. Who's Emily Cummiskey?
7	THE VIDEOGRAPHER: We are on the record.	7	A. She's a school committee member or was a
8	Time on the video monitor is 2:22 p.m.	8	school committee member.
9	BY MR. RICHES:	9	Q. I want to draw your attention to the highlighted
10	Q. Okay. I'm going to share my screen again.	10	
11	Okay. There we go.	11	A. Yes. Yes.
12	Ms. Markey, do you see the email on your	12	Q. This appears to be an email from Robin Wildman
13	screen?	13	from October 8, 2020 where she indicates that the advisory
14		14	board is for BIPOC only. Do you see that?
15	MR. RICHES: Jerry, could we mark	15	A. Yes.
16	Defendant's 07138?	16	Q. What does BIPOC stand for?
17	(Deposition Exhibit 11 was marked for	17	A. Black, Indigenous, and people of color.
18	identification.)	18	Q. Do you know what Ms. Wildman meant when she said
19	BY MR. RICHES:	19	the advisory board is for BIPOC only?
20	Q. This appears to be an email from Robin Wildman,	20	A. I think she's saying I don't know what she
21	again to the South Kingstown School Committee board	21	meant. I I don't know the whole email so I'm not sure
22	members. Do you see that?	22	what she's responding to. But I think that's she's saying
23	A. Yes.	23	that this is an advisory board for BIPOC people.
24	Q. And it appears that Ms. Wildman is once again	24	Q. Was it your understanding that the BIPOC Advisory
1		100	

25 forwarding minutes from that meeting to you and the other

25 Board was only open to people who were Black, Indigenous

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Nicole Solas vs. South Kingstown School Committee Sarah Markey August 1 August 18, 2023

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	August — August	,	2023 0009
	Page 66		Page 68
1	A. Yes.	1	BY MR. RICHES:
2	Q. And it appears that at this meeting, Ms. Wildman	2	Q. The speaker there is Robin Wildman. Is that
3	provided an update on the BIPOC Advisory Board meetings.	3	correct.
4	Is that correct?	4	A. Yes.
5	A. That's yes, that's what this says.	5	(Video was played and transcribed as
6	Q. Do you recall this meeting?	6	follows:
7	 I don't recall it specifically, no. 	7	A VOICE: Okay. So that would really make a
8	Q. It appears from the minutes that Ms. Wildman	8	lot of sense anyhow to continue to expand that
9	stated that the advisory board recently had a meeting to	9	connection.
10	talk about curriculum and that the advisory board would	10	MS. WILLEMAN: Thank you so much,
11	like an opportunity to provide knowledge, expertise, and	11	The last thing I wanted to just say in the
12	experience when new curriculum are being developed. Do	12	report is tomorrow is our Zoom meeting. We're
13	you see that?	13	going to be looking at antiracist policies from
14	A. Yup, I see it. Uh-huh.	14	other school districts and making some
15	Q. Was it your understanding that the BIPOC Advisory	15	recommendations to Linda about what we've come
16	Board at this time was providing recommendations to the	16	up with.)
17	school committee regarding curriculum within the school	17	BY MR. RICHES:
18	district?	18	
19	A. I don't I don't recall that they were I	19	Q. Okay. Do you recall Ms. Wildman stating that?
20	don't recall that, no.	20	A. I do just now, yes.
21	•		Q. When she references Linda, is she referring to
	Q. You don't recall the BIPOC Advisory Board	21	Linda Savastano?
22	providing recommendations to the school committee on on curriculum items?	22	A. Yes, I think so.
23	,	23	Q. And is it your understanding that Linda Savastano
24	A. I den't, no.	24	is the superintendent of the school district at that time?
25	Q. I'm going to pull up the video.	25	A. Yup.
	Page 67		Page 69
1	Okay. Can you see on your screen the video?	1	Q. Ms. Wildman stated that the advisory board would
2	A. Yes.	2	be looking at antiracist policies and "making some
3	Q. This is a video of the October 27, 2020 school	3	recommendations to Linda about what we have come up with."
4	committee meeting that you indicated you were in	4	Do you know what she means by that?
5	attendance to you were in attendance at. Is that	5	A. I don't know the specifics, no.
6	correct?	6	Q. Do you know if the BIPOC Advisory Board was
7	A. Yes.	7	looking at antiracist policies and coming up with
8	Q. Why was it that the BIPOC Advisory Board was	8	recommendations based on those policies to the South
9	providing updates at this school committee meeting to the		Kingstown School Committee?
10		10	A. I culy know what Robin just said, which was
11	A. Can you say that one more time?	11	that I don't know the specifics, no.
12	Q. Why was the BIPOC Advisory Board providing	12	Q. Do you recall the BIPOC Advisory Board coming up
13	updates to the school committee at this meeting?	13	with recommendations regarding antiracist policies in
14	A. I don't recall the specific reason.	14	South Kingstown?
15	Q. Do you know why the BIPOC Advisory Board would be	15	_
16			A. Yeah, at some point during policy subcommittee
17	providing updates to the school committee?	16	meetings. I don't remember the specifics, but there were
	A. I don't I don't know I don't know that the	17	folks from BIPOC Advisory Board who joined us in the
18	BIPOC Advisory Board is or if Robin is reporting in on	18	conversation, yes.
	her work as facilitator. Like, I don't know why.	19	Q. Let's actually take a look at that.
19		20	(Video was played and transcribed as
20	(Video was played and transcribed as	١.	
20 21	follows:	21	follows:
20 21 22	follows: MS. WILDMAN: A team of their teachers come	22	follows: MS. WILDMAN: So so that's that's our
20 21 22 23	follows:		
20 21 22	follows: MS. WILDMAN: A team of their teachers come	22	MS. WILDMAN: So so that's that's our

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Nicole Solas vs. South Kingstown School Committee Sarah Markey August 18, 2023

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- 1 like, a contract or something with them for like a
- 2 short-term facilitation and support on the antiracism
- 3 work. But I actually -- just it was a general idea that I
- 4 think that I thought that was going to happen or was
- 5 happening. Because certainly a non- -- just because,
- 6 like, I know a nomprofit, like, needs to be able to be
- 7 funded to do the work. So I think I thought we were
- 8 entering some kind of relationship with Nonviolent
- 9 Schools.
- 10 Q. It was part of that relationship for Ms. Wildman
- 11 to facilitate the BIFOC Advisory Board?
- 12 A. That was my assumption, yes.
 - Q. And it was, in fact, your recommendation that
- 14 Ms. Wildman be paid for those services. Isn't that
- 5 correct?
- 16 A. Well, I -- I -- I don't know if I was the only
- 17 one who thought that or I recommended it, but I certainly
- 18 thought that yes, she should be paid for her services,
- 19 yes.
- 20 Q. Okay. In this RFP, Ms. Wildman indicates that
- 21 "Since September, Jonathan Lewis and Robin Wildman have
- 22 been facilitating the weekly meetings of the South
- 23 Kingstown BIPOC Advisory Board." Do you see that?
- 24 A. I do, yes.
- 25 Q. This RFP was submitted in January of 2021. So is

- 1 curriculum to discuss curriculum within the South
- 2 Kingstown School District?
- 3 A. I don't recall that, no. I don't -- I don't
- 4 recall, and I don't see that's what she's saying here.
- 5 Q. What's your understanding of what she's saying 6 here?
- 7 A. That she's met with the superintendent, so Linda,
- 8 and Gina, the director of curriculum, to just sort of talk
- 9 about the work that's happening now and to plan for the
- 10 future. But I think they're talking process, not specific
- 11 changes to the curriculum. That's what I was reading
- 12 here.

13

- Q. Do you know what she means by "current work"?
- 14 A. No.
- 5 Q. In this section of the RFP, Ms. Wildman describes
- 16 what the BIPOC Advisory Board is and the work it's been
- 17 conducting. And she indicates here that "Board members
- 18 are dedicated to developing an antiracist school
- 19 district . . ." Do you know what she means by that?
 - A. I mean, I -- I don't know. I can't speak for the
- 21 other school committee members at the time. But I know
- 22 that I was committed to doing what we could to address
- 23 systemic racism in our schools.
- 24 Q. To what -- to what extent was Nonviolent Schools
- 25 Rhode Island participating in that objective?

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- 1 it your understanding that by the time this RFP was
- 2 submitted, Ms. Wildman had been facilitating BIPOC
- 3 Advisory Board meetings for five months?
- 4 A. Well, if this -- I think I just saw that the date
- 5 was the end of January 2021. So yes, that's what she's
- 6 saying, yes.
- 7 Q. Do you know what she means by "facilitating the
- 8 weekly meetings"?
- 9 A. I mean, I can only assume it's what I think of
- 10 when I think of facilitation, which is putting together a
- 11 meeting, helping to get the agenda together, making sure
- 12 that everyone gets to speak in the meeting, all of those
- 13 sort of like facilitation skills that are really important
 14 to something like this. So I assume that's what she's
- 15 talking about. But I also assume she's going to lay it
- 16 out if this is an RFP.
- 17 Q. The third paragraph on this page, it says, "To
- 18 support the work that Nonviolent Schools Rhode Island has
- 19 already conducted, Lewis and Wildman have met several
- 20 times with the superintendent and the director of
- 21 curriculum to debrief the current work and to plan for the
- 22 future." Do you see that?
- 23 A. Yes.
- 24 Q. Was it your understanding that Ms. Wildman was
- 25 meeting with Linda Savastano and the director of

- Page 113
 A. I don't recall them doing more than -- what I
- 2 recall is them facilitating BIPOC Advisory Board meetings.
- 3 And I know at least once there was -- and that might have
- 4 even happened on June 23rd -- like, a workshop with school
- 5 committee, but I'm not sure if there was anything else
- 6 they were doing, or I don't remember.
- 7 Q. You testified a moment ago that it was in your
- 8 reading of the RFP that Nonviolent Schools Rhode Island
- 9 would participate in the actual crafting of curriculum.
- 10 I'd like to draw your attention to the last
- 11 paragraph here where it says, "The advisory board will
- 12 assist and advise in rewriting [the] curriculum to uplift
- 13 BIPOC throughout South Kingstown . . . " Do you see that?
 - A. Yes.
- 15 Q. It's your understanding then that the BIPOC
- 16 Advisory Board assisted the district in rewriting its
- 17 curriculum?

14

- 18 A. No, I don't think so. I don't think that ever 19 happened.
- 20 Q. So it'd be your -- it'd be your understanding
- 21 that the Norwiolent Schools Rhode Island did not fulfill
- 22 what it had requested to do in the RFP?
- 23 A. I don't know -- I don't know enough about the RFP 24 to answer that accurately.
 - MR. RICHES: All right. Jerry, could we

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Reviewer: Maureen D.

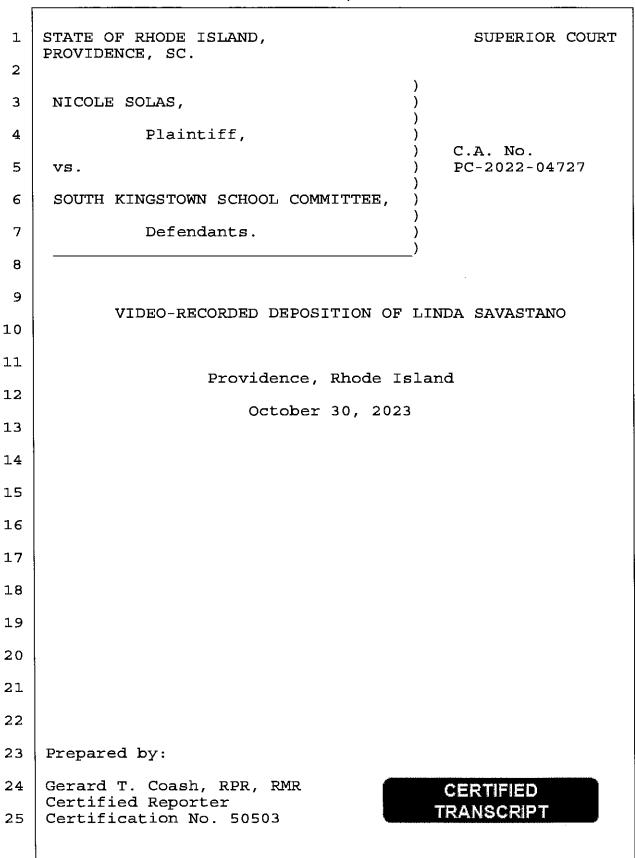
Exhibit I

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> Nicole Solas vs. South Kingstown School Committee Linda Savastano October 30, 2023

PC-2022-04727



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Linda Savastano October 30, 2023 Page 20 Page 18 1 I can read that in the motion. They said "to create an 1 committee? 2 equity and antiracist advisory board." My -- when I say that, it's in terms of how they Q. Okay. I'm asking what you recollect. 3 feel about certain aspects of the curriculum. But again, Is it your recollection that one of the 4 there's not much authority in Rhode Island around 5 purposes of the BIPOC Advisory Board was to make curriculum selection or recommendation. 6 recommendations to the school committee regarding various Okay. I want to be real clear. I'm not asking 7 you how you -- or what you think the BIPOC Advisory Board 7 antiracism issues? A. I don't know if that's exactly what I would have 8 thought or felt. 9 thought in that -- at that time. I'm asking when the school committee 10 Q. Tell me what you would have thought, your established the BIPOC Advisory Board, was one of the 11 understanding -- tell me what your understanding was as to purposes in doing so so that was -- so that the BIPOC 12 the purpose of the BIPOC Advisory Board when the school 12 Advisory Board could provide recommendations regarding 13 committee created it here. 13 curriculum? A. I -- my understanding was there was still a lot A. I couldn't answer that to know for sure. I'm 14 15 to be developed at that moment. They -- and just as much 15 sorry. 16 as we can read here. It was just still being figured out. Q. When the school committee established the BIPOC 17 I don't recall what I would have been thinking at that 17 Advisory Board, was one of the purposes in doing so so 18 time though, homestly. that the BIPOC Advisory Board could provide recommendations regarding school policies? 19 Q. Okay. Was one of the purposes of the creation of 20 the BIPOC Advisory Board to make recommendations regarding A. I don't know. I don't recall if that's exactly 21 school curriculum? 21 why they established them. A. Not -- not to my understanding, no. Q. During your tenure as the superintendent, did the Q. So when you testified earlier that the BIPOC 23 school committee, to your knowledge, vote on establishing 24 Advisory Board provided advice on issues of school 24 any other community groups that would provide advice to 25 curriculum, what did you mean by that? 25 the school committee? Page 21 Page 19 A. At a high level, to consider -- curriculum is, I don't recall. 2 you know, really what we do in schools. And so to Q. Do you recall the school committee establishing 3 consider at a high-level curriculum, but to select 3 any other such group? 4 curriculum. I believe that's the word you used before. MS. CARRENO: Objection. 5 It's very different. 5 MR. RICHES: You can go ahead and answer. 6

Q. Why don't you explain what you mean when you say 7 that the BIPOC Advisory Board was at a high level

8 making -- providing advice on curriculum? What do you 9 mean by that?

A. If I can explain it this way, just that 10

11 curriculum in Rhode Island is determined the State. We

12 have lists of curriculum materials that we must select

13 from. So there is no one that is going to tell us in

14 schools what we have to teach. We have to pick from a

15 preapproved list.

22

23

16 A group can share how -- what their feelings 17 are about that curriculum -- in this case the BIPOC group.

18 But it doesn't mean that we would even have the ability to

19 change the curriculum because the State determines the

20 list of curriculum that we can use.

Does that make sense? 21

Q. That does. And thank you for the clarification.

So was it your understanding that one of the

24 functions of the BIPOC Advisory Board was to provide

25 recommendations regarding curriculum to the school

THE WITNESS: I don't recall.

7 BY MR. RICHES:

Q. I'm sorry. You don't recall the school committee

9 having established another community group to provide

10 advice to the school committee?

A. I'm sorry. I don't recall at this time.

In the minutes, it looks like the school

13 committee charged Robin Wildman and Jonathan Lewis with

creating -- or being -- I'm sorry.

It looks like Robin Wildman and Jonathan

16 Lewis were to oversee or be charged with overseeing the

17 BIPOC Advisory Board. Do you see that?

A. I do.

19 Who is Robin Wildman?

Robin Wildman is the executive director of

21 Kingiam Nonviolence.

22 Q. What's Kingian Nonviolence?

A. An organization that provides professional

24 development.

23

25

Q. Professional development to whom?

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1	O. Correct.	1	families. Do you see that?
2	A. I don't recall. I'm sure I did. I'm looking at	2	A. Yes. I don't see the actual invite, but I see
3	it, but I don't remember, August 27, receiving it.	3	the sentence that says that it's there.
4	Q. It appears as though Ms. Wildman is sending the	4	Q. Do you recall receiving this email?
5	school committee members, and then you and Ms. Masiello,	5	A. I don't remember receiving this specific email,
6	minutes from the first meeting of the BIPOC Advisory	6	по.
7	Board. Is that also your understanding?	7	Q. Do you know why Ms. Wildman would be asking
8	A. It's my understanding that's what it says, yes.	В	school committee members to invite members of the BIPOC
9	Q. Do you know why Ms. Wildman would be sending	9	community to meetings of the BIPOC Advisory Board?
10	minutes of the first meeting of the BIPOC Advisory Board	10	MS. CARRENO: Objection.
11	to the school committee members and yourself?	11	THE WITNESS: I don't I don't recall this
12	A. I believe she would be sending them to provide an	12	specific I don't recall. I would be guessing if I
13	update of what happened, but I don't know.	13	answered.
14	Q. Why is it why is it that Ms. Wildman would	14	MR. RICHES: Go ahead and guess if you can.
15	feel the need to update the school committee and yourself	15	MS. CARRENO: Objection.
16	on the meetings of the BIPOC Advisory Board?	16	
17	MS. CARRENO: Objection.	17	Q. Do you need me to rephrase?
18	MR. ADAMS: Object.	18	A. Yes, that would be great.
19	THE WITNESS: I don't know the answer. I'm	19	Q. Do you know why Ms. Wildman would be sharing an
20	sorry.	20	invite with you and the school committee members to invite
21	BY MR. RICHES:	21	members of the BIPOC community to meetings of the BIPOC
22	Q. Did the did you ever ask Ms. Wildman to send	22	Advisory Board?
23	meeting minutes of the BIPOC Advisory Board?	23	MS. CARRENO: Objection.
24	A. Not that I recall.	24	THE WITNESS: I don't I don't know the
25	Q. Do you know if any school department officials	25	answer to that.
	Page 27	\vdash	Page 29
1	ever asked Ms. Wildman to send minutes of the meetings of	1	BY MR. RICHES:
2	the BIPOC Advisory Board?	2	Q. As of August 28, 2020, was it your understanding
3	A. I don't recall.	3	
4	Q. Was there an expectation on the part of you or	4	of the BIPOC Advisory Board?
5	any school officials that Ms. Wildman would keep the	5	A. I don't recall.
6	school department apprised of the activities of the BIPOC	6	Q. Do you know if meetings of the BIPOC Advisory
7	Advisory Board?	7	Board were ever open to members of the public?
8	MS. CARRENO: Objection.	8	A. I don't I don't recall.
9	THE WITNESS: I don't recall if there was an	9	Q. When you received this invitation to invite
10	expectation.	10	members of the BIPOC community to advisory board meetings,
11	MR. RICHES: Jerry, if we can mark the next	11	did you in fact invite any members of the BIPOC community
12	exhibit, Defendant's 04665.	12	to those meetings?
13	(Deposition Exhibit 3 was marked for	13	A. There I don't recall. I don't I don't want
14	identification.)	14	to I want to be homest. I don't recall. There may
15	BY MR. RICHES:	15	have been. I don't recall.
16	Q. Do you see Exhibit 3 on your screen?	16	MR. RICHES: All right. Jerry, if we can
17	A, Yes.	17	mark the next exhibit, Defendant's 07138.
18	Q. And this appears to be another email from	18	(Deposition Exhibit 4 was marked for
19	Ms. Wildman from August 28, 2020, in which you're a	19	identification.)
20	recipient. Is that correct?	20	BY MR. RICHES:
21	A. Yes.	21	. Q. Do you see Exhibit 4 on your screen,
22	Q. And here Ms. Wildman appears to be sharing an	22	Ms. Savastano?
23	"invite to our next advisory board meeting," where she	23	A. Yes. Yes.
24	asks you and the other recipients to feel free to share	24	Q. And this appears to be an email from Ms. Wildman,
ا م	proofin	1 20	nearly to impressly and the other reheal description members

25 with the BIPOC community members, students, staff, and

25 again, to yourself and the other school committee members.

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Page 30 1 Is that correct? 1 Black, Indigenous, or people of color? A. Yes. It looks like the same list as before, A. I remember that there was conversation about that 3 at the school committee meeting. I don't remember which Q. And here it appears as though Ms. Wildman is 4 sharing minutes of the second meeting of the BIPOC 4 one. I don't recall the details. But I know it was -- it 5 Advisory Board. Do you see that? came up at a school committee meeting. A. Ido. I see a link, yes. Q. What's your recollection of what came up? Q. She also indicated that the BIPOC Advisory Board A. Just this kind of sentence exactly. That's it. 8 would be meeting virtually next week and then in person Q. Is it your understanding that if somebody was not 9 again the following week. Do you see that? 9 BIPOC they could not serve on the BIPOC Advisory Board? 10 A. Ido. A. I -- I don't know the answer to that. I don't 11 Q. Do you know how often the BIPOC Advisory Board 11 recall kind of what the long-term or short-term plan was. 12 was meeting during this time? 12 But in that moment, that was the discussion I remember. 13 A. I don't. Q. What was the discussion that you remember? Q. Was it your understanding that they were meeting A. That -- this sentence, that the advisory board is 15 on a weekly basis? 15 for BIPOC only. 16 I don't recall. 16 Q. So is it your understanding that the -- as of 17 Q. And do you know -- again, was there any 17 October 8, 2020, the BIPOC Advisory Board was only open to 18 expectation on your behalf as to why Ms. Wildman would be 18 membership to BIPOC individuals? 19 sharing those meeting minutes with you and the other A. I don't know that I can tell you the time, the 20 school committee members? 20 calendar date of when. I just know that there was --21 A. I don't -- I don't know. 21 there was an understanding in a moment that that is --MR. RICHES: Okay. Jerry, if we can mark 22 22 was, you know, the understanding and the purpose and that 23 the next, Defendant's 06835. 23 it was discussed during a school committee meeting. But I (Deposition Exhibit 5 was marked for 24 can't tell you the date. Yes, I can read it here with 24 25 identification.) 25 this exhibit in front of me, though, and see that on this Page 31 1 BY MR. RICHES: 1 date, you know, it was understanding. Q. All right. Ms. Wildman, do you see Exhibit 5 --Q. So is it your understanding that at some moment 3 I'm sorry. Ms. Savastano, do you see Exhibit 5 cm your 3 in time the BIPOC Advisory Board was only open for 4 screen? 4 membership to BIPOC individuals? 5 A. Yes. A. I do. Q. And this appears to be an email from Emily Q. And is it also your understanding that that means 7 Cummiskey to Robin Wildman from October 8, 2020. Do you 7 that white or Caucasian people would not be permitted to 8 see that? 8 serve on the BIPOC Advisory Board during this period of 9 A. Yes. 9 time? Q. And you testified earlier that Emily Cummiskey A. Yes. 11 was at this time a school committee member. Is that Q. Do you know if white or Caucasian people were 12 correct? 12 allowed to attend meetings of the BIPOC Advisory Board? A. I attended a meeting. A. Yes. I want to draw your attention to a response from Were meetings of the BIPOC Advisory Board open to 15 Ms. Wildman on this email string where she indicates that 15 individuals other than yourself or other school officials 16 the advisory board is for BIPOC only. Do you see that? 16 to attend meetings if those individuals were white or 17 A. Ido.

A. That only BIPOC -- only members of the -- members

20 want to be able to answer you honestly. Q. Okay. Is it your understanding that at this time

19 manage this group or the details around it. And I -- I

A. I didn't -- I didn't -- I don't recall. I didn't

22 it's your understanding, whatever your recollection is, 23 that white or Caucasian people were permitted to attend

24 meetings of the BIPOC Advisory Board?

A. I don't -- I don't recall. I will just share

21 that would be BIPOC only. I'm not . . .

Q. What does BIPOC stand for?

A. Black, Indigenous, people of color.

25 Board was only open for membership to people who were

Q. Do you know what she meant by "the advisory board

Q. Is it your understanding that the BIPOC Advisory

18

22

23

19 is for BIPOC only"?

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Page 36 Page 34 1 that I did attend a meeting and I am white. A. Thank you. Q. Did you attend that meeting in your capacity as MR. RICHES: Jerry, can you mark the next 3 the superintendent of the school department? 3 exhibit? It's captioned at the top "South Kingstown A. I did. 4 School Committee Bylaws." Q. Do you know if meetings of the BIPOC Advisory (Deposition Exhibit 6 was marked for 6 Board were open to members of the public that were not 6 identification.) 7 BY MR. RICHES: 7 school officials? A. I don't -- I can't answer that. I don't recall. Q. Do you see Exhibit 6, Ms. Savastano? 9 And I'm not sure -- I can't -- I can't -- I don't want to A. Ido. 10 speculate. I'm sorry. 10 Do you recognize this document? A. I'll just share bylaws are updated. So I don't Q. You were superintendent of the school department 12 know if this is the bylaws that were -- the school 12 on October 8, 2020. Is that correct? A. Yes. 13 committee bylaws when I was in South Kingstown. They've 13 made changes to them. So I do see the document. I'm just 14 Q. As of that date, were you aware of the 15 restriction that white or Caucasian people could not be 15 sharing they are updated and often by school committees, and I'm not sure what this reflects. But . . . 16 members of the BIPOC Advisory Board? A. I don't recall. As I shared previously, it was Q. What are the purpose of school committee bylaws? 18 discussed at a school committee meeting, and I do not 18 A. They set the parameters that a school committee 19 recall if the discussion happened before or after this 19 will function by. Q. Is the school committee bound by the bylaws? Q. Did you have any objections at this time or any 21 MR. ADAMS: Objection. 22 other time that the BIPOC Advisory Board and its THE WITNESS: I -- I'm not comfortable 23 answering that. I don't know how to answer that. 23 membership would be restricted based on race? A. I don't -- I don't recall reflecting on it or 24 BY MR. RICHES: Q. Does the school committee have to follow bylaws 25 discussing it. Page 37 Page 35 Q. If you were aware that that BIPOC Advisory Board 1 that are in place? 2 was restricted based on race, as the superintendent of the A. They follow them. Q. Do you know if the school committee has authority 3 school department, would you have an objection to that 4 restriction? 4 to establish subcommittees? 5 MS. CARRENO: Objection. 5 MS. CARRENO: Objection. THE WITNESS: Can I ask you a clarifying THE WITNESS: I'm not -- I'm not sure how 6 6 7 to -- I don't --7 question? MR. ADAMS: It's getting into a bit of a 8 MR. RICHES: Sure. THE WITNESS: So you're asking if the South 9 hypothetical question. I think we can stick to the facts. 10 Kingstown School Committee has the authority to establish 10 BY MR. RICHES: Q. Let me ask you, if the school committee wanted to subcommittees? MR. RICHES: Correct. And anytime I refer 12 establish a group to provide advice, as you characterized 13 to the school committee, I'll be referring to the South 13 it, to the school committee, could the school committee 14 restrict that group based on race? 14 Kingstown School Committee unless I specify otherwise. THE WITNESS: Thank you. Sorry. Okay. MS. CARRENO: Objection. 15 15 They did establish subcommittees while I was 16 THE WITNESS: I -- I'm not -- I'm not sure 16 17 in South Kingstown. 17 how to answer that. Again . . . 18 BY MR. RICHES: 18 BY MR. RICHES: 19 Q. I'm sorry, were you going to add something? Q. What is a subcommittee? A. It just -- I don't -- I'm not sure how to answer A. A subcommittee is a group that -- they vote on 20 21 and appoint members. Normally I -- and I'd have to read 21 that. I'm happy to go through and answer things, you 22 the bylaws again. So X number, I'll say, of school 22 know, hased upon my recollection. But I just -- I feel 23 committee members on the subcommittee. And when someone 23 like this is me hypothesizing and speculating, and I'm

Q. Let's see if we can get a little more concrete.

24 just not comfortable with that.

can no longer serve on the subcommittee, then other --

25 they appoint someone else to serve on it. And then that

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1	subcommittee does the work to support the school committee	1	A. I don't I don't recall if that's what I would
2	and then bring back recommendations, opinions, with	2	have thought. You know, reading this document, fine,
3	respect to whatever the subcommittee may be, policy,	3	but
4	budget.	4	Q. Was it your understanding as superintendent of
5	Q. Okay. I want to draw your attention to section	5	the school department that one of the purposes of a school
6	4.5. Do you see that on your screen?	6	subcommittee was to make recommendations to the full
7	A. I do.	7	committee?
В	Q. And it indicates that the school committee can	В	A. Yes.
9	establish subcommittees to assist in the completion of its	و	Q. And is it your understanding that meetings of
10	business. Do you see that?	10	
11	A. I do.	11	
12	Q. Is it your understanding, then, that one of the	12	A. Yes.
13	purposes of establishing the subcommittee is to assist the	13	Q. If the BIPOC Advisory Board had been established
14	school committee in the completion of its business?	14	as a school subcommittee, is it your understanding that
15	A. Yes.	15	its meetings would be open to the public?
16	Q. This also indicates that the chair shall appoint	16	MS. CARRENO: Objection.
17	up to three members of the school committee to each	17	THE WITNESS: My understanding is that they
18	subcommittee. Do you see that?	18	· · · · · · · · · · · · · · · · · · ·
19	A. I do.	19	follow that we had, did follow Rhode Island general
20	Q. Is it your understanding that the chair had	20	law.
21	authority to appoint subcommittee members from the school	21	BY MR. RICHES;
22	committee?	22	Q. I'm sorry, did follow what?
23	A. According to this, yes. I don't again, I	23	A. Rhode Island general law with respect to open
24	don't know if this currently, you know, what they have	24	meetings.
25	there. But based upon this document, that's what it says.	25	Q. Could the school committee establish a
	Page 39	 	Page 41
1	-	١,	Page 41
2	Q. Okay. Is it your understanding that one of the purposes of establishing a subcommittee is for	1	subcommittee for purposes of providing recommendations to
3	fact-finding?	1 ,	the school committee and then restrict membership of the
4	A. I don't know.	3	subcommittee based on race?
5		4	MS. CARRENO: Objection.
6	1 3 1	5	MR. ADAMS: Objection.
7	on the exhibit in front of you, the second sentence. Do you see the sentence that says, "Subcommittees will be	6	THE WITNESS: I I can't answer that. BY MR. RICHES:
	charged by the full committee for a specific purpose such	's	
9	as fact-finding, studying issues, and/or making	9	Q. I'm sorry. You don't know or you can't answer it?
10	recommendations to the full committee"?	10	A. I'm not the school committee.
11	A. Yes, I see that.	11	Q. Was it your understanding as superintendent of
12	Q. Is it your understanding that one of the purposes	12	the school department that the school committee could
13	of a subcommittee could be to engage in fact-finding?	13	establish a subcommittee and then restrict its membership
14	A. According to this, yes.	14	based on race or not?
15	Q. Is it I'm asking what your understanding is as	15	MS. CARRENO: Objection.
16	superintendent.	16	THE WITNESS: I can't speak for the school
17	Is it your understanding, when you're	17	committee. I'm sorry. Even when I was superintendent.
18	superintendent of the school department, that one of the	18	BY MR. RICHES:
19	purposes of a subcommittee was to engage in fact-finding?	19	Q. As superintendent while you were
20	A. You're asking if can you ask that again? I'm	20	superintendent, would you have concerns if the school
21	sorry.	21	committee established a subcommittee and then restricted
22	Q. Is it your understanding that while serving as	22	its membership based on race?
23	the superintendent of the school department, one of the	23	MS. CARRENO: Objection.
24	· _ ·	24	THE WITNESS: I can't answer that.
	5	l	

25

25 fact-finding for the full school committee?

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- 1 to provide knowledge, expertise, and experiences when new 2 curriculum are being developed." Do you see that?
- A. Yes.
- Do you recall the advisory board discussing 5 providing its knowledge, expertise, and experience
- 6 regarding curriculum within the school department?
- A. I don't remember it at that meeting, honestly.
- 8 Before I read this, I could not have even told you the
- 9 topics of what was discussed at that particular meeting.
- Q. Do you recall the advisory board wanting to
- 11 provide its knowledge, expertise, and experience at any
- 12 other point regarding school curriculum within the school
- 13 department?
- I -- again, I know it was discussed. I don't
- 15 remember the -- I don't -- yes, I remember it was
- 16 discussed at some point. I don't remember the details of
- 17 it. I couldn't even tell you in terms of what curriculum.
- Okay. Do you see subsection B here where it says
- 19 "Discussion/Action: Recommitment for the BIPOC Advisory
- 20 Board"?
- 21 A. Yes.
- 22 Q. Do you know what "Recommitment for the BIPOC
- 23 Advisory Board" means?
- A. I believe it was -- they were voting again on the
- 25 establishment of it, but I don't remember specifics.

- Q. Do you recall the BIFOC Advisory Board being 2 active in discussions regarding the school suspension
- A. I don't remember the details. I remember that --
- what we -- I know we had a policy subcommittee that met
- 6 regularly. And I know that, you know, it was -- there
- were many people there and we often had lively discussion.
- 8 I -- I don't remember details about the suspension policy
- at all. I'm sorry.

10

- What's a policy subcommittee?
- As we looked earlier at the bylaws, there are
- 12 committees established by the school committee. They --
- and so -- we did have -- the South Kingstown School
- Committee did have a policy subcommittee, and they met --
- not necessarily like in any kind of cycle, but, you know,
- 16 depending upon what work was in front of us.
 - But they had -- for example, we would have
- three members of the school committee on there and
- different policies would come forward and be discussed and
- then go forward to the school committee for discussion and
- 21 then go back to the policy subcommittee for more
- 22 discussion and then go back to school committee for more
- discussion and then back to the policy subcommittee. So
- 24 kind of -- and we often had maybe, like, three or four
- 25 policies at any given time that were being reviewed and

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- Q. Why would the school committee need to vote on
- 2 the establishment of the BIPOC Advisory Board?
- A. I don't know other -- I don't know other than the
- 4 end of October -- I -- I don't know. I would be
- 5 speculating. I'm sorry.
- Q. And is it also your testimony that you don't know
- 7 or you don't remember the school committee ever voting to
- 8 establish any other advisory board in the community? 9
- A. I don't recall. It doesn't mean it didn't
- 10 happen.
- 11 Q. Is it your testimony that you don't recall the --
- A. I don't -- I do not recall if they established
- 13 another group. They have -- I do know that they
- 14 established subcommittees while I was there. And usually
- 15 when -- after an election you kind of do that as part of
- 16 the process of am election time. But I do not recall
- 17 other groups by them. It may have happened. It may not
- 18 have. I'm sorry.
- 19 Q. I want to draw your attention to item 2. It
- 20 looks like a motion to approve the suspension policy. And
- 21 the highlighted portion saye that "Sarah Markey explained
- 22 that members [of] the BIPOC Advisory Board were active in
- 23 the suspension policy discussion at the last policy
- 24 subcommittee meeting." Do you see that?
- 25 A. I do.

- 1 discussed by that subcommittee.
 - Q. Were you a member of the school policy
- 3 subcommittee?
 - A. I was.
- Q. And it sounds like one of the purposes of the
- 6 policy subcommittee was to provide recommendations
- regarding school policies to the full school committee.
 - Is that correct?
- g
 - A. Yes.

14

- Q. How did the policy subcommittee present its 11 recommendations to the school committee?
- 12 A. They would be presented at a school committee 13 meeting, on the agenda.
 - Q. Who would make the presentation?
- 15 A. It would depend upon the policy that was being
- 16 discussed and kind of the reason for the changes, right?
- So if you have, you know, a policy around 17
- 18 athletics, then you might have your athletic director
- there. If you have a policy on high school graduation,
- then you might have your principal there. So it would
- just -- and in fact, those people would come to the policy subcommittee meetings, as well as the policy subcommittee
- would work on the policies. And then ultimately, really,
- the discussion would be led by the school committee member
- 25 that was attending the policy sub- -- you know, the

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1	liaison, if you will, that was on the policy subcommittee.	1	policy subcommittee the BIPOC Advisory Board drafting an
2	During the school committee meeting, they would be like		antiracism policy for the school committee?
3	leading the conversation on that policy that they were the	3	A. If they would have brought information to the
4	point on. Does that make sense?		policy subcommittee. So to this group. If I'm just going
5	MR. RICHES: All right. Jerry, could we		back to kind of how we functioned. So they would not
6	mark the next exhibit SKSD.00172?	1	bring a if someone was working on a recommendation for
7	(Deposition Exhibit 8 was marked for	7	a policy, they would have brought it to the policy
8	identification.)	8	subcommittee.
و	BY MR. RICHES:	9	Q. Right. Do you remember the BIPOC Advisory Board
10	Q. Do you see Exhibit 8 on your screen?	10	working on an antiracism policy for the school department
11	A. I do.	11	that was brought to the policy subcommittee?
12	Q. What's this document?	12	A. Seeing this here, I remember that it was
13	A. This is minutes from the policy subcommittee.	13	discussed during meetings at the policy subcommittee and
14	Q. I'm sorry. Does it appear to be minutes from the	14	at school committee meetings, but I don't remember details
15	November 5th, 2020 meeting?	15	or extent.
16	A. Yes.	16	Q. Do you know what it means when the minutes say
17	Q. And it appears you were in attendance at that	17	"continue this work and bring it back to the subcommittee
18	meeting. Is that correct?	18	at a later meeting"? Do you know what work that is
19	A. I don't recall, but I'm sure I was if that's what	19	referring to?
20	it says.	20	A. It appears that it would mean the policy right
21	Q. Do you see where it says "In attendance," and	21	above it. And it would also be an indicator that when we
22	your name appears as	22	were building a policy subcommittee agenda in the future,
23	A. Ido. Ido, yes.	23	that we would, you know, kind of leave that as something
24	Q. Okay. I want to draw your attention to agenda	24	that was still open and being in development.
25	item 3. It says, "Discussion:" regarding "Advisory	25	Q. In development by the BIPOC Advisory Board?
-		┼—	
	Page 55	1	Page 57
1	Page 55 Board's research on staff to staff/staff to	1	Page 57 A Well in development by the policy subcommittee
1 2	Board's research on staff to staff/staff to	1 2	A. Well, in development by the policy subcommittee.
1 _	Board's research on staff to staff/staff to student/student to student/student to staff racism	1 2 3	A. Well, in development by the policy subcommittee. Like, so from this perspective, we're
2	Board's research on staff to staff/staff to	2	A. Well, in development by the policy subcommittee. Like, so from this perspective, we're looking at it it's minutes from the policy
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2 3 4 5 6	Board's research on staff to staff/staff to student/student to student/student to staff racism policy." Do you see that? A. Yes. Q. Do you know what's referenced by this racism policy?	2 3 4 5 6 7	A. Well, in development by the policy subcommittee. Like, so from this perspective, we're looking at it it's minutes from the policy subcommittee. And so these minutes would be something you would go back to to look at what work is still outstanding.
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Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

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1	Q. Was it your recollection that the BIPOC Advisory	1	policy, and so we would look at what other high schools
2	Board created a draft of an antiracism/anti-discrimination	2	did. Like I shared before, a high school principal and a
3	policy?	3	director of guidance may bring that forward. So it just
4	A. What do you at the time when I received this	4	depends you know, the topic depending upon what the
5	email	5	policy is about.
6	Q. Correct.	6	Q. Is it fair to say that a school official would
7	A are you asking?	7	typically draft a policy for consideration by the policy
8	That's how I would have read this.	8	subcommittee?
9	Q. Do you have a recollection of the BIPOC Advisory	9	A. I wouldn't say that. I've had many
10	Board drafting an antiracism/anti-discrimination policy	10	health-related policies that were developed by health
11	that was later considered by the policy subcommittee?	11	officials in the state. I guess you could say health
12	A. Seeing this here now, I do. But if you	12	but not necessarily, like, school department staff, if
13	without this, I don't know that I would recall this.	13	that's what you're asking.
14	Q. What do you recall about the extent to which the	14	Q. Would it be fair to say them that policies
15	BIPOC Advisory Board was involved in the creation of the	15	initially or are typically initially drafted by either
16	draft of the antiracism/anti-discrimination policy?	16	government officials or school department staff?
17	A. I don't I don't recall the specifics of any of	17	A. No. I no. I mean, a policy we would
18	that. Sorry.	18	have even during school committee meetings we would
19	Q. Do you recall the policy subcommittee considering	19	have community opportunity for feedback and change things
20	an antiracism/anti-discrimination policy?	20	in the policies based upon the general public standing and
21	A. I I recall discussing it at a policy	21	giving a great amount of feedback to us about what they
22	subcommittee. I couldn't or multiple. I couldn't tell	22	want to see in policies.
23	you the dates of those, but I know it was discussed. And	23	Q. I'm not asking about I'm not asking about
24	I just I can't tell you exactly when or the details.	24	general feedback. I'm asking you is there a situation
25	Q. Do you recall who created the draft of the	25	that you remember as superintendent where a member of the
	Page 59		Page 61
1	antivaciom or anti-discrimination policy that was later	۱,	mublic initially drafted a policy that was then considered

1 antiracism or anti-discrimination policy that was later 2 discussed at a policy subcommittee? A. I don't. And I don't know -- you know, those 4 meetings were public, live streamed, available to anybody 5 to attend, and they probably are still available. And so 6 we can -- you know, when I think about any policy, not 7 just this one, being drafted by someone, they would come 8 to those -- people could come to those meetings and 9 policies would be torn up by the group sitting at the 10 table. That's thair job, the policy subcommittee. You 11 know, that's that policy subcommittee's job. 12 So I can't say, like, anybody ever brought a 13 policy to the -- forward and it would sit there as is 14 without that policy subcommittee doing their job to pick 16 Q. Who within the school dapartment typically would 17 be responsible for drafting policies that were considered 18 by the policy subcommittee? A. It would depend upon the policy. 19 20 Q. Can you give me some examples?

A. Like, if it's based upon new legislation from the

22 State of Rhode Island, then we would lean heavily on our

23 legal representing -- you know, our legal counsel to help 24 us, what other LEAs, other districts have done. If

25 it's -- sometimes someone says there's a new graduation

- 1 public initially drafted a policy that was then considered
- 2 by the policy subcommittee? A. I -- I don't recall right now. I -- I don't
- 4 recall.
- Q. So as you sit here today, you have no
- 6 recollection of another example of a member of the public
- 7 initially drafting a policy that was later considered by
- 8 the policy subcommittee. Is that correct?
- A. There could have been. I don't recall.
- 10 Q. Let me ask it one more time.
 - As you sit here today, you have no
- 12 recollection of another example of a member of the public
- 13 initially drafting a policy that was later considered by
- 14 the policy subcommittee. Is that correct?
- 15 A. I don't recall.
- 16 MR. RICHES: All right. Jerry, if you could 17 mark Defendant's 00833.
- (Deposition Exhibit 10 was marked for
- identification.)
- 20 BY MR. RICHES:

21

- Q. Do you see Exhibit 10 on your screen?
- 22
- Q. And this appears to be an email from Ginamarie 24 Masiello to Robin Wildman, from January 4th, 2021. Is
- 25 that correct?

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- 2 just -- again, it's not an RFP. It's the response to.
- Q. What was the RFP that the school department
- 4 published to which this was responding?
- 5 A. For the specifics, I'd need to see it. It would
- 6 be available still publicly. It would have been something
- 7 the school committee would have discussed and voted on.
- 8 But it would have been an RFP with respect to continuing
- 9 conflict reconciliation and equity and belonging and
- 10 inclusion --
- 11 Q. Do you remember the school committee publishing
- 12 an RFP along those lines?
 - A. I -- I do. I don't remember the date.
- 14 Q. Do you know who created that RFP?
- 15 A. I -- I would have helped with that. I think the
- 16 purchasing department really would have had the oversight
- 17 on it.
- 18 Q. Would you have reviewed any RFP that the
- 19 purchasing department created?
- 20 A. Yes.
- Q. Do you remember reviewing an RFP for nonviolent
- 22 conflict reconciliation or equity and those other items
- 23 that you described?
- 24 A. I don't remember specifically. I would have
- 25 reviewed it. And I believe -- like, I -- I know that we

1 BIPOC Advisory Board?

- A. Am I thinking this is in response to an RFP? Is
- 3 that your question?
- Q. That one of the services that is offered in this
- 5 response to the RFP is for Ms. Wildman and Nonviolent
- ${\tt 6}$ Schools Rhode Island to continue facilitating the work of
- 7 the BIPOC Advisory Board?
 8 A. Yes. Well, I'm looking at pages 21 and 22, and
- 9 it's listed on there.
- 10 Q. Okay. So it looks like here the response
- 11 indicates that since September, Jonathan Lewis and Robin
- 12 Wildman have been facilitating the weekly meetings of the
- 13 South Kingstown BIPOC Advisory Board. Do you see that?
- 14 A. Yes, I see that.
 - Q. And this document is dated January 21st. So is
- 16 it your understanding that the -- that Ms. Wildman and
- 17 Mr. Lewis had been facilitating meetings of the BIPOC
- 18 Advisory Board for several months prior to this response
- 19 being submitted?

15

20

- A. Yes. I don't understand your question, though.
- 21 Q. My question is, is it unusual for somebody
- 22 responding to an RFF to already be providing the services
- 23 that they're offering in the response to the RFP?
- 24 A. No. But in, you know, late spring or the summer,
- 25 I think where we started on one of the first exhibits, we

Page 71

- 1 posted an RFP, and the school committee, you know, would
- 2 have discussed it --
- 3 Q. So you were --
- 4 A. -- at some point. I just don't remember when --
- 5 the details.
- 6 Q. So you do remember posting the RFP that this
- 7 document is in response to. Is that correct?
- 8 A. Again, I don't know the time frame. And I would
- 9 not have been the one to post it, that would have been
- 10 done through the purchasing agent and the CFO. But I know
- 11 that we did do that. I just don't know the time frame.
- 12 And I imagine that this document would have been in
- 13 response to it.
- 14 Q. Do you remember if you received other responses
- 15 to that RFP?
- 16 A. I -- I don't recall. I don't -- I don't recall.
- 17 I don't recall.
- 18 Q. I want to draw your attention to -- let's see if
- 19 we can find it first here.
- 20 This is dated January 28, 2021. Do you see
- 21 that?
- 22 A. I do.
- $\,$ Q. $\,$ Is it your understanding that one of the purposes
- 24 of this response was for Nonviolent Schools Rhode Island
- 25 and Robin Wildman to continue facilitating the work of the

- 1 looked at school committee minutes where a school
- 2 committee had, you know, recognized that they wanted
- 3 particular people to do a specific job. Didn't really
- 4 have very many details at that point around what that
- 5 would be. And as this work continued, then we did put out
- 6 an RFP because it was getting to the point that it -- you
- 7 know, it was not going to meet the requirements of the
- 8 district in terms of, like, purchasing. So under the
- 9 purchasing department, then we did put out an RFP. But
- 10 that initial school committee meeting or meetings, they
- 11 discussed and they identified who they wanted and that
- 12 they authorized payment of those folks. And then when
- 13 they wanted the work to expand, it made much more sense $\,$
- 14 now at that point to put out an RFP and then have folks
- 15 respond to it.
- 16 Q. So is it your understanding that the school 17 committee had a desire to have Robin Wildman and Jonathan
- 18 Lewis as individuals who are responsible for facilitating,
- 19 among other things, the work of the BIPOC Advisory Board?
- 20 A. So initially, again, in the spring and the
- 21 summer, they -- the school committee -- I'm referencing
- 22 the school committee minutes and agendas and meetings that
- 23 took place -- did specifically identify that they wanted
- 4 Jonathan Lewis and Robin Wildman to do the work, yes.
 - Moving forward then, when we put out an RFP,

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Page 74 Page 76 1 again, those details managed by a department, and then 1 BY MR. RICHES: 2 gather the responses based on that RFP. So initially, Q. You indicated -- you testified that the school 3 yes. And then after, you know, like, you have to go out 3 committee had identified Ms. Wildman and Mr. Lewis as 4 to bid and kind of see how that all lands. 4 people that would provide services to the school Q. Is one of the purposes of an RFP to identify the 5 committee, including facilitating the BIPOC Advisory 6 highest and best bidder? 6 Board. Is that correct? A. What do you mean by "highest and best"? A. Yes. Yes. In the spring -- in the late spring Q. Is the purpose -- is one of the purposes of the 8 and the summer -- and you can see on the minutes -- they 9 RFP to receive bids that would provide the school identified who they wanted to do this, you know, kind of 10 department the services sought at under the best terms for initial work, yes. 11 the district? Q. We then see that in January, so several months A. Yes. I -- normally -- and I'm not just speaking 12 later, the school department published an RFP for those 13 in terms of South Kingstown, but most, you know, RFPs then very same services. Is that correct? 14 would have some type of rubric or criteria that they would A. No. I don't believe it is for the very same 15 identify what would determine that best -- you know, what 15 services. I believe it's for an expansion of those 16 the best would mean. 16 services. Q. Is one of the purposes of the school department 17 Q. Okay. Is it your understanding that the school 18 would put out an RFP to identify qualified vendors to committee wanted Ms. Wildman and Mr. Lewis to perform 19 provide services to the school department? 19 those expanded services? A. Is that a process that we followed in South A. No. I think they -- no. We put out an RFP. It 21 Kingstown, do you mean? To do like an RFO? 21 is what it is. I mean, it's -- you put out an RFP, and Q. Is one of the purposes of publishing an RFP in 22 you go through the process. And sometimes it -- it 23 the school department to identify vendors to provide the 23 just -- it lands where it needs to land. Like, it's --24 service that's sought in the RFP? 24 you have a rubric or a criteria or a scale that you use, A. To identify the vendors and the services that 25 and you score accordingly. That's the process. Page 75 Page 77 1 they'll provide. I have experience where there's RFIs, Q. Did that happen in this -- did that happen in 2 RFQs, RFPs, depending upon what the need is. 2 this case? Was there a rubric and a score and a scale? Q. You testified earlier that the school committee A. I can't remember the exact RFP on this. 4 had specific people in mind for purposes of providing the Normally -- I normally had them when I've 5 work of the BIPOC Advisory Board, and those specific 5 done them. But again, it was a purchasing department. So 6 people were Jonathan Lewis and Robin Wildman. Is that 6 I would have kind of fallen in step with, you know, the 7 correct? 7 practices of the district. A. Are you referring to, you know, in terms of like Q. This response indicates that Ms. Wildman had been 9 the summer -- the late spring and summer? 9 facilitating the BIPOC Advisory Board meetings for several 10 O. Correct. 10 months before the response was submitted. Do you see A. Yes, they did. 11 11 that? 12 Q. Wouldn't it be improper to have specific vendors 12 A. Yes. Yes. 13 in mind when the school department is creating an RFP? Q. Do you recall any other circumstance during your MS. CARRENO: Objection. 14 14 time as superintendent where a vendor was already

15 MR. ADAMS: I'm going to object to that. 16 Go ahead. 17 MR. RICHES: I'm sorry. What's the -- I 18 didn't hear -- was there an objection? 19 MR. ADAMS: I just said I'm going to object 20 to that. That's all I said. 21 MR. RICHES: Okay, 22 Okay. Go ahead, Ms. Savastano. You can 23 answer. 24 THE WITNESS: I'm a little confused by the

that?

A. Yes. Yes.

Q. Do you recall any other circumstance during your time as superintendent where a vendor was already providing services and then submitted a response to an RFP to provide those same services?

A. I can't give you specifics right now. As you can probably tell, I like to have documentation and reference in front of me before I answer something and I'm 100 percent sure, which is the only way I'll answer you.

But I know in my experience, many, many years as -- in a leadership role in school districts, that there are many times that an RFP response is awarded to someone that you've worked with previously.

Q. That's not what I'm asking. I'm asking a more

25 guestion.

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Nicole Solas vs. South Kingstown School Committee

PC-2022-04727

106..109 Linda Savastano October 30, 2023 Page 106 Page 108 1 maintained. If we did, we would have maintained them the 1 recognize Exhibit 24 appears to be an email from Nicole 2 same way -- for example, looking at the policy 2 Solas dated May 20th, 2021? 3 subcommittee, those are all -- those documents that you A. Yes. I don't -- I don't remember it per se, but 4 see available there were maintained that way because it 4 I -- but I can read it and it appears to be an email. 5 was a public body, and so we managed it differently. But Q. And you're a recipient of this email. Is that 6 there's a lot of meetings of a lot of groups that go on 6 correct? 7 all day long in schools and the minutes and all that go A. Yes. One of them. 8 with it are not maintained just the way it -- it's how Q. Okay. It appears here that on May 15th, 2021, 9 every workplace manages, I think. 9 Ms. Solas requested to be present at future BIPOC advisory 10 BY MR. RICHES: 10 committee meetings. Do you see that? Q. Is it your understanding that Nonviolent Schools 11 A. Yes. 11 12 Rhode Island is a public entity or a private entity? Is it your understanding that then as of at least A. I -- I don't know. I don't know how to answer 13 May 15th, 2021, Ms. Solas asked to attend meetings of the 14 that. 14 BIPOC Advisory Board? 15 O. You dan't know whether Nonviolent Schools Rhode A. Yes. It looks like she asked in May, yes. 15 16 Island is a public or a private entity? 16 And in response, on May 18, Ms. Wildman responds A. I -- I don't -- I don't know. that "As a private vendor, hired by SK school district, 17 18 Q. Is it your understanding that the BIPOC Advisory Nonviolent Schools Rhode Island is permitted to have 19 Board was a public entity or a private entity? 19 closed meetings." Do you see that? A. Neither. A committee, group. 20 A. I do. 20 21 Q. Is it your testimony that the BIPOC Advisory 21 Were you aware then, as of May 18, Ms. Solas was 22 Board was neither public nor private? 22 told that she could not attend meetings of the BIPOC 23 A. It was a group of people meeting. 23 Advisory Board? Q. Is it your understanding that as a group of A. I don't recall. I was on the email. I 25 people meeting, the BIPOC Advisory Board was a public 25 imagine -- I don't recall. Page 107 Page 109 Q. Did you have any conversations with Ms. Wildman 1 entity subject to the control and direction of the school 2 about Ms. Solas's attendance at meetings of the BIPOC 2 committee? 3 Advisory Board? A. No. 3 Q. During your time as the superintendent, did you A. I -- I don't recall. 5 respond to a number of public records requests? Q. Did you ever express an opinion to Ms. Wildman 6 about whether meetings of the BIPOC Advisory Board should be open to members of the public? 7 Q. In any of those -- well, can you estimate, 8 ballpark, how many public records requests you responded A. We didn't talk about it. 9 to when you were the superintendent? O. You did not talk about it? A. No, I don't remember talking about it with her. 10 A. Hundreds. 10 Q. In responding to any of those hundreds of public 11 Q. When you saw this email in which Ms. Wildman said 12 that meetings of the BIPOC Advisory Board were closed to 12 records requests, did you ever direct a requester to a 13 private entity to seek records? 13 the public, were you concerned that those meetings should 14 A. I -- I don't know. I don't recall. 14 be open to the public? 15 Q. You don't recall any other examples of directing A. No. I wouldn't -- I don't remember, but I -- I 16 a public records requester to a private entity in response 16 don't -- I wouldn't have been. 17 to a request for public records? Q. Why wouldn't you have been? A. Because all of the work they were doing was A. I don't -- I don't want to -- I don't want to say 19 something that's wrong. I'm sorry. I don't recall. 19 coming out to public meetings anyway where people could MR. RICHES: Jerry, if we could mark the 20 give their thoughts, like, the policy subcommittee, for

22

25 looked at, yes.

identification.)

(Deposition Exhibit 24 was marked for

Q. Okay. There's no Bates here. But do you

21 next exhibit.

24 BY MR. RICHES:

22

23

Q. And you also testified that the BIPOC Advisory

A. That's what it looked like in our email that we

21 example, or school committee meetings, for example.

23 Board drafted an antiracism policy, correct?

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Reviewer: Maureen D.

Exhibit J

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Submitted: 7/16/2024 3:50 PM

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AGREEMENT BETWEEN NONVIOLENT SCHOOLS RI AND THE SOUTH KINGSTOWN SCHOOL DEPARTMENT

This is an Independent Contractor Agreement (the Agreement) dated February 1. 2021 and ending August 31, 2021.

The South Kingstown School Department (the Client) believes that the group entitled NONVIOLENT SCHOOLS RI (NSRI) has the ability, qualifications and experience to provide the services listed below.

The Contractor is agreeable to providing such services according to the terms and conditions set down in this Agreement.

In consideration of the matters designated above and to their mutual benefit, the Contractor and Client agree to the following:

1. SERVICES PROVIDED

- 20 hours of Kingian Nonviolence training to administrators, teachers and staff of the South Kingstown School Department during the NSRI Summer Institute, August 2021
- 3 Kingian Nonviolence workshops for the superintendent and school committee members, 90 minutes per workshop, during the months of March-June, 2021
- Kingian Youth Leadership Training for South Kingstown high school students-Spring 2021 (Phase 1-engagement)
- Facilitation of the BIPOC Advisory Board, February-August 2021, for 25 meetings
- Antiracism book club for South Kingstown school employees-Spring 2021
- Consultation with the Superintendent and Director of Curriculum, ad hoc to be paid hourly

The School Department will compensate the trainers and mentors according to the budget provided as an addendum to this Agreement. They will also provide adequate space and audio-visual/computer equipment for these training sessions (when in-person meetings are allowed).

Reimbursement to Contractor will be received not more than one month from the completion of each service that is provided.

2. TERM

- The term of this Agreement is from February 2021-August 31, 2021
- This agreement may be extended by mutual consent.

3. OWNERSHIP and INTELLECTUAL PROPERTY

Any related work in the development of products during this Agreement is
the property of the Contractor. The Client is granted a non-taxable limited
use license of Intellectual Property. The distribution of Intellectual Property
remains solely with the Contractor. For example, all materials are

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> copyrighted and should only be reproduced with permission from the authors.

4. INDEPENDENT CONTRACTOR

 In the provision of services under this Agreement, it is expressly agreed that the Contractor is an Independent Contractor and not an employee of the School Department. This Agreement does not create a partnership or joint venture, but is exclusively for the services stated herein.

5, INDEMNIFICATION

 Each party agrees to indemnify and hold harmless the other and all their respective associates in any matter that may result from or arise out of any act of omission of one of the parties. This indemnification will survive the term of this agreement.

MODIFICATION 6.

 Modification of this Agreement or any additional obligations assumed will be binding only if there is evidence in writing, signed and authorized by each party. IN WITNESS THEREOF, THE PARTIES HAVE DULY AFFIXED THEIR SIGNATURES UNDER HAND ON THIS DAY AND DATE:

NAME Robin Wildman

Robn IN

DATE March 24,2021

FOR NONVIOLENT SCHOOLS RI

NAME WITH SMENTEN DATE
For South Kingstown School Dept.

Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877

Reviewer: Maureen D.

Pricing for February 15-August 31, 2021

Name of Project	Timeframe February 15-August 31, 2021	Unit Price	Total
School Committee Kingian workshops 2 Facilitators	February-June 2021 (3 workshops)	\$250/workshop	\$750
20-hour Summer Institute- Kingian Nonviolence Training 2 Trainers	August 2021 (Cohort 1)	\$250/person Team of 3 staff + 1 administrator from the same school = \$200/person	TBD by the number of people the district will financially support
Kingian High School Youth Leadership Training- (Phase 1: Student Engagement)	Spring, 2021 (engage, inform, and sign up student members)	\$500	\$500
BIROC Advisory Board (2 facilitators, includes planning)	February- August 2021 25 meetings	\$200/90 minute meeting	\$5,000
Antiracism Book Club (three 90 minute sessions/book)	Spring 2021	\$35/person (10 person minimum) Cost includes a book	\$35 x 10 person = \$350/book club (add \$35/person for additional participants)

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> Consultation with district leadership, Jonathan Lewis and Robin Wildman

February-August 2021 \$100/hour

TBD

AGREEMENT BETWEEN NONVIOLENT SCHOOLS RI AND THE SOUTH KINGSTOWN SCHOOL DEPARTMENT

This is an Independent Contractor Agreement (the Agreement) dated September 1, 2021 and ending August 31, 2022.

The South Kingstown School Department (the Client) believes that the group entitled NONVIOLENT SCHOOLS RI (NSRI) has the ability, qualifications and experience to provide the services listed below.

The Contractor is agreeable to providing such services according to the terms and conditions set down in this Agreement.

In consideration of the matters designated above and to their mutual benefit, the Contractor and Client agree to the following:

1. SERVICES PROVIDED

- Kingian Nonviolence Training for staff and leadership, offered September-December 2021 and also January-March 2022
- Mentoring/Post-Kingian training September-June 2022
- 3 Kingian Nonviolence workshops for the superintendent and school committee members, 90 minutes per workshop, September 2021-June 2022
- Eacilitation of the BIROG Advisory Board; September 2021-August 2022; for 40 heetings
- Antiracism book clubs for South Kingstown school employees-Fall 2021 and Spring 2022
- Consultation with the Superintendent and Director of Curriculum, ad hoe to be paid hourly

The School Department will compensate the trainers and mentors according to the budget provided as an addendum to this Agreement. They will also provide adequate space and audio-visual/computer equipment for these training sessions (when in-person meetings are allowed).

Reimbursement to Contractor will be received not more than one month from the completion of each service that is provided.

2. TERM

- The term of this Agreement is from September 1, 2021-August 31, 2022
- This agreement may be extended by mutual consent.

3. OWNERSHIP and INTELLECTUAL PROPERTY

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Any related work in the development of products during this Agreement is
the property of the Contractor. The Client is granted a non-taxable limited
use license of Intellectual Property. The distribution of Intellectual Property
remains solely with the Contractor. For example, all materials are
copyrighted and should only be reproduced with permission from the
authors.

4. INDEPENDENT CONTRACTOR

In the provision of services under this Agreement, it is expressly agreed that
the Contractor is an Independent Contractor and not an employee of the
School Department. This Agreement does not create a partnership or joint
venture, but is exclusively for the services stated herein.

5. INDEMNIFICATION

 Each party agrees to indemnify and hold harmless the other and all their respective associates in any matter that may result from or arise out of any act of omission of one of the parties. This indemnification will survive the term of this agreement.

6. MODIFICATION

 Modification of this Agreement or any additional obligations assumed will be binding only if there is evidence in writing, signed and authorized by each party. IN WITNESS THEREOF, THE PARTIES HAVE DULY AFFIXED THEIR SIGNATURES UNDER HAND ON THIS DAY AND DATE:

DATE

FOR THE SOUTH KINGSTOWN SCHOOL DEPARTMENT

NAME LIMAL DATE

FOR NONVIOLENT SCHOOLS RI

NAME DATE

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877 Reviewer: Maureen D.

Proposed Budget for Option Year 2

September 1, 2021-August 31, 2022

Name of Project	Timeframe September 2021-August 2022	Unit Price	Total
School Committee Kingian workshops	September-June 2021-2022 (3 workshops)	\$250/workshop	\$750
20-hour Kingian Nonviolence Training for staff and leadership Includes: curriculum manual and supplemental materials 2 Trainers	September- December 2021 (Cohort 2) January-March 2022 (Cohort 3)	\$4,000 for each 20 hour training	\$8,000
Post training mentoring (in-school or virtual)	Mentoring done in schools with a minimum of 1 trained administrator and 15 staff members	Mentoring: \$50/hour × 20 hours	\$1,000 per school
40-hour High School Kingian Youth Leadership Training (Phase 2), includes materials	Fall 2021-Spring 2022 (training and mentoring)	\$8,000/40 hours	\$8,000
BIPOC Advisory Board (2 facilitators)	September 2021-August 2022	\$200/90 minute meeting	\$8,000

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Antiracism Book Clubs (three 90 minute sessions/book)	January 2022 March 2022	\$35/person (10 person minimum) Cost includes a book	\$35 x 10 person = \$350/book club (add \$35/person for additional participants)
Consultation with district leadership, Jonathan Lewis and Robin Wildman	September 2021-August 2022	\$100/hour	TBD

Case Number: PC-2022-04727
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Reviewer: Maureen D.

Exhibit K

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South Kingstown School Committee Bylaws



Article 1

MISSION

The role of the South Kingstown School Committee ("Committee") is to govern the school system with integrity and vision to benefit our entire student population.

Key Questions

- What do our students need to know and be able to do?
- How will we know when they have learned it?
- What will we do when they haven't?
- What will we do when they have?

Committee Mission: To provide leadership and oversight of community supported goals, policies, and resources to make certain the South Kingstown public schools deliver a high quality education for all students.

The school committee is accountable to:

- Ensure a clear focus on the district mission, goals and priorities for student achievement in all deliberations and communications
- Ensure a safe, caring, nurturing, and orderly learning environment
- Ensure our schools have positive cultures and are housed in high quality facilities
- Direct and shape district goals and priorities through policy, planning, and accountability
- Monitor, measure, and communicate effectiveness and efficiency of teaching and learning programs to ensure continuous improvement toward achieving district goals and priorities
- Advocate for the district goals and priorities through communication with students, staff, parents, community, business, and public officials
- Work in collaboration with the superintendent to provide team leadership for the school district

ARTICLE 2

SCOPE of BY-LAWS

These bylaws set forth the responsibilities and authority of the Committee. The bylaws also set the standards of conduct expected from each member. Rhode Island General Laws ("RIGL") are cited where applicable. (http://www.rilin.state.ri.us/Statutes/Statutes.html)

ARTICLE 3 GENERAL POWERS and DUTIES

Under Rhode Island law, and the South Kingstown Home Rule Charter, the entire care, control, and management of the South Kingstown public schools is vested in the Committee. In addition to those specific duties enumerated elsewhere in <u>Title 16</u>, the Committee has the following powers and duties:

- 1. To identify educational needs in the Community;
- 2. To develop education policies to meet the needs of the Community;
- 3. To provide for and assure the implementation of federal and state laws, the regulations of the Board of Education for the State of Rhode Island, and of local school policies, programs, and directives;
- 4. To provide for the evaluation of the performance of the school system;
- 5. To have responsibility for the care and control of the schools;

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South Kingstown School Committee Bylaws

- 6. To have overall policy responsibility for the employment and discipline of school department personnel;
- 7. To approve a master plan defining goals and objectives of the school system. These goals and objectives shall be expressed in terms of what men and women should know and be able to do as a result of their educational experience. The Committee shall periodically evaluate the efforts and results of education in light of these objectives;
- 8. To provide for the location, care, control, and management of school facilities and equipment;
- 9. To adopt a school budget to submit to the Town Council in consultation with the Superintendent;
- To adopt any changes in the school budget during the course of the school year;
- 11. To approve expenditures in the absence of a budget, consistent with state law;
- 12. To supervise and be responsible for the purchase, lease, storage, distribution, and maintenance of such supplies, equipment, materials, or services as are required by the schools. Purchases will be subject to same rules and regulations for competitive bidding as are applicable to the town.
- 13. To employ a Superintendent and assign any compensation and other terms and conditions as the Committee and Superintendent shall agree, provided that in no event shall the term of employment of the Superintendent exceed three (3) years;
- 14. To give advice and consent on the appointment by the Superintendent of all school department personnel, and to remove all school department personnel;
- 15. To establish minimum standards for personnel, to adopt personnel policies, and to approve a table of organization;
- To establish standards for the evaluation of personnel;
- 17. To establish standards for conduct in the schools and for disciplinary actions;
- 18. To hear appeals from disciplinary actions;
- 19. To enter into contracts, including collective bargaining agreements;
- 20. To authorize, with approval of the Town Council, the performance of any functions or services not directly connected with education by any officer or department of the town under the control of the Committee.
- 21. To publish policy manuals which shall include all Committee policies;
- 22. To establish policies governing curriculum, courses of instruction and text books;
- 23. To provide for transportation services which meet or exceed standards of the Board of Regents for elementary and secondary education;
- 24. To make any reports to the Department of Education as are required by the Board of Regents for elementary and secondary education; and
- 25. To delegate, consistent with law, any responsibilities to the Superintendent as the Committee may deem appropriate.

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South Kingstown School Committee Bylaws

- 26. To authorize the town manager to direct the department of public works to maintain and care for school buildings, grounds, and other property as needed, provided that the costs are charged against the appropriation for the public schools
- 27. To address the health and wellness of the students and employees;

ORGANIZATION

- 28. To establish a sub-committee of the Committee to decrease obesity and address school health and wellness policies for students and employees consistent with § 16-21-28;
- 29. To undertake annually a minimum of six (6) hours of professional development as set forth and described in § 16-2-5.1.

ARTICLE 4

Section 4.1 Organization Meeting and Election of Officers

The name of the school district is the South Kingstown School Department. By December of each municipal election year, the Committee shall hold its organizational meeting when it shall elect its officers of Chair and Clerk - Vice Chair.

Section 4.2 Filling Vacancies

If the office of Chair becomes vacant, the Clerk - Vice Chair shall assume the duties of the Chair until a new Chair is elected at a special election.

If the Clerk - Vice Chair is unable to serve, the Chair shall appoint a Clerk - Vice Chair until a new Clerk - Vice Chair is elected at a special election, which shall occur within thirty days of the vacancy occurring.

4.3 Removal of Elected Officers

The Chair and Clerk - Vice Chair shall serve at the pleasure of the Committee and may be removed from office by a majority vote of the full Committee.

Section 4.4 Appointments

At the Organizational Meeting, the Chair shall appoint members as liaisons to such organizations as: Special Education Local Advisory Committee, Wellness Committee, Chariho Career and Technical School, and the Rhode Island State Legislature. Liaisons are expected to provide regular reports to the full Committee about their assigned organizations to share knowledge and communicate with the community. At the annual review, at the discretion of the Chair, liaisons can be appointed to other groups/committees of interest.

Section 4.5 5ub-Committees

The Committee may establish sub-committees to assist in the completion of its business. The Chair shall appoint up to three members of the Committee to each sub-committee.

Community members serving on sub-committees shall be appointed by the Committee on the recommendation of the Chair and serve until the Committee's next organizational meeting or until the Committee declares the seat vacant, whichever comes first.

Sub-committees shall post and conduct their meetings in accordance with RIGL 42-46. Sub-committees will be charged by the full Committee for a specific purpose such as fact-finding, studying issues and/or making recommendations to the full Committee.

Other Committee members may attend sub-committee meetings as community members.

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South Kingstown School Committee Bylaws

Section 4.6 Changes to Bylaws

Amendments to these Bylaws may be proposed by any Committee member during the biennial review. The review process shall start in January of every election year with formal adoption to be completed by September of the same year. All revisions or additions shall be approved by the Committee after two readings.

ARTICLE 5

DUTIES OF MEMBERS

Section 5.1 Chair and Clerk- Vice Chair

The Chair shall preside at all meetings of the Committee and seek to engage Committee members to take ownership for the work of the Committee.

The duties of the Chair shall include the following:

- Prepare meeting agendas with input from the Superintendent
- Maintain order in meetings and facilitate discussion relevant to the issue
- Unless otherwise restricted by these bylaws or other Committee established regulations, the Chair shall have the authority to appoint members to sub-committees
- Retains the right to engage in discussions, offer solutions, questions, entertain and propose motions and to vote on all matters before the Committee
- Serve as an authorized signatory to all legal documents
- The Chair may call for a special meeting of the Committee
- Serve as the spokesperson for official Committee positions
- Oversee the Superintendent's evaluation process

The duties of the Clerk - Vice Chair shall include the following:

- Perform the duties of the Chair when the Chair is absent
- Serve as an authorized signatory to all legal documents
- Participate in the preparation of meeting agendas with the Chair and Superintendent
- Oversee the Committee annual self-assessment

Section 5.3 Individual Members

Committee members have legal authority to act only during meetings convened in accordance with these bylaws and Rhode Island law. Members fulfill their obligations by participating in meetings. Participation is through discussion, with deliberation, debate and voting to follow.

Expectations for member conduct, both individually and collectively, are consistent with RIGL § 16-2-9.1, the code of basic management principles, ethical standards and other provisions of state law, including but not limited to:

- 1. Formulate written policy for the administration of schools, to be reviewed regularly and revised as necessary.
- 2. Exercise legislative, policy making, planning, and appraising functions, and delegate administrative functions.
- 3. Recognize critical responsibility for selecting the Superintendent, defining his or her role, and evaluating his or her performance.
- Accept and encourage a variety of opinions from and communicate with the community.
- 5. Make public relevant information to promote communication and understanding between the Department and the community.

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South Kingstown School Committee Bylaws

- 6. Act on matters only after reviewing pertinent information and the Superintendent's recommendations.
- Conduct meetings with planned and published agendas.
- 8. Encourage and promote professional development of Department staff.
- 9. Establish and maintain procedural steps for resolving complaints and criticisms of Department affairs.
- Act only through public meetings.
- 11. Recognize that the first and foremost concern must be the educational welfare of the students.
- 12. Work with other Committee members to establish effective Committee policies.
- 13. Avoid being placed in a position of conflict of interest, and refrain from using Committee positions for personal gain.
- 14. Attend all regularly scheduled Committee meetings, and become informed on issues to be considered.
- 15. Regularly participate in professional development opportunities.

The Committee may convene a duly posted meeting, under the provisions of RIGL §§ 42-46-2 (a) and 42-46-5 (a) (1), to sanction a member who does not comply with the individual limits, responsibilities and ethical standards set forth in this article.

Section 5.4 Ethics and Conflicts of Interest

Committee members are expected to understand and comply with the language and spirit of the Rhode Island Code of Ethics in Government Act and disclose in writing to both the ethics commission and the Committee chair any personal interests or ties prior to acting or voting on any matter before the Committee. Committee members are also required to disclose to the Committee itself any actual or potential conflict of interest prior to discussion of the matter by the Committee.

Pursuant to the state Code of Ethics, a Committee member has an interest which is in substantial conflict with the proper discharge of his or her duties or employment in the public interest and of his or her responsibilities as prescribed in the laws of this state, if he or she has reason to believe or expect that he or she or any person within his or her family or any business associate, or any business by which the person is employed or which the person represents will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity.

Committee members must at all times be aware of any official acts or decisions that can reasonably be expected to directly result in an economic benefit to the Committee member, his or her spouse, any dependent children, business associates, or business interests. Specific attention should be paid to items involving personnel, purchasing, or votes requiring expenditure of funds. Committee members are expected to recuse themselves from all real or potential conflicts, as required under law.

Committee members are expected to avoid being placed in a position of conflict of interest, and refrain from using the Committee position for personal gain. Information acquired by the Committee member in the course of his or her official duties is, therefore, to be treated as confidential and is not to be used for personal gain, pecuniary or otherwise, or to benefit family members, business associates, or personal business interests. If the Committee member is in doubt about a possible conflict, an advisory opinion may be requested from the Ethics Commission. For a full enumeration of prohibited activities, Committee members should consult RIGL § 36-14-5.

Section 5.5 Remuneration

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South Kingstown School Committee Bylaws

Each Committee member shall receive a stipend set as follows: 5 members at \$2,000 each, the Vice-Chair at \$2,500, and the Chair at \$3,000 per year.

Members of the Committee are not reimbursed for additional expenditures incurred except for beginning in the 2007-2008 school year, a total of \$8,000 will be available for professional development. Each reimbursement shall be approved by the Committee in accordance with the Committee's professional development plan.

ARTICLE 6 MEETINGS

The Committee meets publicly in open session, as required by law, and in executive session, as permitted by law. Committee meetings consist of discussion among its members and administrative staff or invited individuals. Meetings provide the vehicle for all Committee decision-making. All meetings must be in held in compliance with RIGL § 42-46-1 et seq. (http://www.rilin.state.ri.us/Statutes/TITLE42/42-46/42-46-2.HTM).

The Committee, in accordance with <u>RIGL § 42-46-6</u>, recognizes and welcomes its responsibility to receive input from the public. At the same time, responsiveness to community input must be balanced with the Committee's responsibility to fulfill its mission and to ensure the integrity of its meetings so they are both orderly and efficient. This requires an understanding that Committee meetings are meetings held before the public but are not meetings with the public.

All Committee meetings shall be posted and conducted in accordance with applicable sections of the state's open meetings act, <u>RIGL Title 42</u>, <u>Chapter 46</u>. Unless otherwise specified in these bylaws, all meetings will be conducted in accordance with the current edition of Robert's Rules of Order (revised).

Section 6.1 Quorum

A majority of the entire Committee shall constitute a quorum. In the event that the Chair determines that a quorum will not be present, the Chair shall have the responsibility to postpone the meeting.

Section 6.2 Posting of Meetings

The Superintendent shall be responsible for posting all Committee meetings in accordance with RIGL § 42-46-6 and these bylaws. Written notice of dates, times and places of regularly scheduled meetings shall be provided at the beginning of each calendar year on the Department's website, to public members upon request and electronically transmitted to the R. I. Secretary of State. Every regular meeting agenda shall be posted on the Department website, 5ecretary of State website, the Department's web-based management system, at the town hall and at the district administrative building.

Section 6.3 Adjournment

Meetings shall be adjourned upon a motion when seconded and approved by the members present.

Section 6.4 Types of Meetings

Section 6.4.1 Regular Meetings

The regular business meeting of the Committee shall generally be held on the second Tuesday of each month at 7:00 PM in the high school cafeteria or a location determined by the School Committee.

Section 6.4.2 Work Sessions

Work sessions shall generally be scheduled for the fourth Tuesday of the month and shall be posted and advertised in the same manner as regular meetings.

Work sessions shall be held to provide Committee members with opportunities for discussion, knowledge sharing and planning without formal action requiring a vote. Schools may be asked to serve as host sites for a work session.

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Business items may be included on the agenda as needed to allow the Committee to conduct district business. The posting shall include the workshop topics for discussion, any business items, and only those topics shall be discussed in accordance with RIGL § 42-46

Section 6.4.3 Special Meetings

A special meeting shall be called whenever the Chair considers such a meeting necessary or at the request of four members. The notice shall state the special matter or matters to be considered, and be posted in the manner that regular meetings are posted. At such meetings only the business for which the meeting was called will be in order. All special meetings will be posted and advertised.

Section 6.4.4 Public Hearings

The Committee may convene a meeting to conduct a public hearing to solicit opinions and information from the community on a specific topic. All Committee public hearings will be posted as would a regular meeting, in accordance with law.

Section 6.4.5 Executive Sessions

An Executive Session (closed meeting) may be called by the Chair provided that such is listed on the posted agenda for one or more of the following purposes in compliance with state law:

- 1. Any discussions of the job performance, character, or physical or mental health of a person or persons provided that such person or persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting.
 - Failure to provide such notification shall render any action taken against the person or persons affected
 null and void. Before going into a closed meeting pursuant to this subsection, the Committee shall state
 for the record that any persons to be discussed have been so notified and this statement shall be noted in
 the minutes of the meeting.
- 2. Sessions pertaining to collective bargaining or litigation, or work sessions pertaining to collective bargaining or litigation.
- Discussion regarding the matter of security including but not limited to the deployment of security personnel or devices.
- 4. Any investigative proceedings regarding allegations of misconduct, either civil or criminal.
- 5. Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.
- 6. Any discussions related to or concerning a prospective business or industry locating in the state of Rhode Island when an open meeting would have a detrimental effect on the interest of the public.
- 7. A matter related to the question of the investment of public funds where the premature disclosure would adversely affect the public interest. Public funds shall include any investment plan or matter related thereto, including but not limited to state lottery plans for new promotions.
- 8. Any executive sessions exclusively for the purposes (a) of conducting student disciplinary hearings or (b) of reviewing other matters which relate to the privacy of students and their records, provided, however, that any affected student shall have been notified in advance in writing and advised that he or she may require that the discussion be held in an open meeting;

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- Failure to provide such notification shall render any action taken against the student or students affected
 null and void. Before going into a closed meeting pursuant to this subsection, the public body shall state
 for the record that any students to be discussed have been so notified and this statement shall be noted
 in the minutes of the meeting:
- 9. Any hearings on, or discussions of, a grievance filed pursuant to a collective bargaining agreement.

The motion shall include the reason (s) to hold the Executive Session and the Chair shall cite the applicable subsection of RIGL 42-46-5 (http://www.rilin.state.ri.us/Statutes/TITLE 42/42-46/42-46.5.HTM) which authorizes the exception to open session.

There shall be a majority vote by members to convene in Executive Session and the vote of each member shall be recorded in the open meeting minutes. All discussions shall be considered confidential, except when the Committee as a whole has agreed to publication of the matters discussed. Any action taken at this meeting will be reported in open session, subject to certain exceptions. All executive sessions will be posted and advertised. Final action shall be taken only in open meeting (Town Charter).

Section 6.4.6 Emergency Meetings

The Chair may call an emergency meeting on less than 48 hours' notice to address an unexpected occurrence that requires immediate action to protect the public.

Reasonable effort shall be made to notify all members of the Committee. In accordance with RIGL § 42-46-6 (c), the holding of such meeting shall be approved by a majority vote of the members at the time and place that the Committee assembles to meet, provided there is a quorum present. The vote of each member and the reason for holding the meeting in less than 48 hours shall be recorded in the minutes. As soon as practical, the meeting notice and agenda shall be posted in the manner that regular meetings are posted and shall be electronically filed with the secretary of state.

Section 6.4.7 Sub-committee Meetings

Sub-committee meetings may be held to conduct the work charged to them by the full Committee. All such meetings shall be posted.

Section 6.S Minutes

The Committee shall keep written minutes of its meetings. The purpose of minutes is to record what gets done at meetings not what gets said per Robert's Rules of Order. In accordance with § RIGL 42-46-7, minutes shall include but not be limited to:

- The type of meeting, time and place, members present, approval of the minutes of any preceding meeting(s).
- A record of all actions taken to include motion, names of the members making the motion and seconding it;
 and a record of the vote, with the vote of each member recorded.
- A record of all business that comes before the Committee through reports of the superintendent.
- A record that an executive session was held and the reason for the session.
- The record of adjournment.
- Committee members may request to have their reasons for particular votes recorded in the minutes "for the record."

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 Committee members may request substantive discussion points likely to inform future decision-making and/or concepts that require follow-up by staff be included in the minutes "for the record."

The Committee delegates to the Superintendent, as its chief administrative officer, the duty of keeping record of all meetings in accordance with RIGL § 42-46-7.

Article 7 AGENDA

Section 7.1 Agenda Development

The Chair and the Clerk-Vice Chair, with input from the Superintendent, shall prepare the agenda for all meetings of the Committee. The agenda shall specify all items to be discussed. In developing the agenda, determinations of what items to include, including those requested by members of the Committee, shall be based on the following criteria:

- Items requiring action by the Committee (per RIGL or other requirement)
- Data updates requested by the Committee to support Committee goals and decision making
- Items reflected in the Committee's strategic planning calendar
- Information updates brought to the Committee by the Superintendent as needed
- Resolution of issues that could not be resolved through other appropriate District channels

Section 7.2 Agenda

The order of business at regular meetings may include:

- Call to Order
- Delegations
- Superintendent's Report
- Consent Agenda
- Community Comments
- Committee Business
- Comments from Committee Members
- Adjournment

The order of business for any meeting may be altered with the consent of the members present. Under provisions of RIGL § 42-46, items may be added to a published agenda up to 48 hours before the meeting.

In accordance with the Open Meeting Act, RIGL § 42-46, the Committee is prohibited from discussing items that are not listed on the published agenda. It is the responsibility of the Chair to focus discussion on posted agenda topics, clarify issues, keep discussion relevant, and maintain reasonable time limitations.

- Each agenda item shall include a reference to related policies, if applicable.
- Any action item shall include a resolution which may be accepted, rejected or amended by the Committee.
- Data updates shall include a narrative interpretation and context as well as providing reference to the Committee's goals.

Section 7.2.1 Delegations and Presentations

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Delegations shall appear before to the Committee to recognize and commend faculty and staff and highlight accomplishments/interests of the District.

Section 7.2.2 Superintendent's Report

The Superintendent's Report shall provide district news and informational updates.

Section 7.2.3 Consent Agenda

The Consent Agenda shall consist of routine items which require action by the Committee and may include:

- Committee Minutes
- Personnel Actions
- Bid Awards
- Expenditures Greater Than (\$10,000) or current policy
- Field Trips
- Exchange Students
- Home Schooling
- Other Routine Business

Members may ask for clarification of items on the consent agenda, or they may ask to have an item removed from the consent agenda for discussion at a later part of the meeting. Approval of the Consent Agenda shall be fully equivalent to approval of each item within the Consent Agenda as if they had been acted upon individually.

Section 7.2.4 Business Meeting Community Comment Protocol

Each regular business meeting of the Committee shall include a public comment period of up to 30 minutes. The purpose of community comments is to provide an opportunity for members of the public to make a statement regarding agenda items or matters of general policy for which the Committee has responsibility or jurisdiction.

During regular business meetings, members of the public shall be invited to address the Committee during Comments from the Community given the following protocol:

- Speakers shall introduce themselves
- Speakers shall limit individual comments to 3 minutes
- Speaker comments shall be brief and focused on the issue(s)
- · Speakers are encouraged to write down their thoughts before approaching the Committee
- Community comments is not a time to engage in a question and answer dialogue
- Groups/organizations are encouraged to appoint a spokesperson
- Individuals are welcome to submit and/or add comments in writing
- Individuals may address the Committee once during community comments

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At the Committee's discretion, a time clock shall be available to cue a member of the public on their speaking time.

At the Committee's discretion, the comment period may be extended beyond 30 minutes or continued at a latter portion of the meeting.

The Chair may respond to matters proposed by a member of the public and is responsible for directing Committee and superintendent interactions at his/her discretion.

Additional public comments may be elicited by the Chair prior to action on any item.

Section 7.2.5 Committee Business

Each regular meeting of the Committee shall include a period for Committee Business. Committee business shall include but not be limited to:

- Items requiring action by the Committee
- Data updates requested by the Committee to support Committee goals
- Planning and monitoring activities of the Committee

Section 7.2.6 Comments from Committee Members

Comments from Committee members provide an opportunity for Committee members to recognize accomplishments of members of the school community, bring forward announcements of interest to the school community, assess meeting expectations and process, and request information to bring back to the Committee for future discussion. Comments shall be limited to 3 minutes per School Committee member.

ARTICLE 8 SCHOOL COMMITTEE PROFESSIONAL DEVELOPMENT

The purpose of professional development is to ensure that Committee members develop and improve their knowledge, skills, and abilities to enhance their leadership role in the district.

Section 8.1 Expectations

All members of the Committee are expected to engage in continuous professional development to provide the greatest service to the community. Professional development shall include:

- Orientation Sessions
- Team Building
- Annual School Committee Retreat
- Continuing Education in RIASC and NSBA
- Chair Leadership
- Committee Self-Evaluation

Section 8.2 Professional Development Opportunities

Section 8.2.1 Orientation

Access to orientation sessions shall be available within the first 30 days of service for all newly elected members. The initial orientation shall include:

- Overview of District Goals and Priorities
- Overview of Committee By-laws and Policies
- · Overview of RIGL and Legal Obligations, including:
 - o Title 16 Education Code
 - o Title 42, Chapter 46 Open Meetings Act
 - o Title 36, Chapter 14 Rhode Island Code of Ethics in Government Act

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Overview of Parliamentary Procedures

Just-in-time training shall be provided as needs are identified during the first year and subsequent years of service.

Section 8.2.2 School Committee Annual Retreat

In May of each year, the Committee shall determine the date, or dates, of its annual retreat for all members and the superintendent. The annual retreat work session shall include team building, goal setting as well as the development and review of the Committee strategic planning calendar.

A mid-year check-in on status of goals and the strategic planning calendar shall be scheduled during the following February to adjust or modify as needed.

Section 8.2.3 Continuing Education

Professional development for members shall be provided through an array of continuing education opportunities such as:

- District Work Sessions
- Regional, State, and National Training Sessions
- College/University or Online Courses
- Coaching and Mentoring Opportunities

Committee members are required to annually undertake a minimum of six (6) hours of professional development as set forth and described in RIGL Title 16-2-9.

At the end of June each year, each School Committee member will complete a report detailing the Professional Development completed for the preceding year.

Continuing education shall also be scheduled in conjunction with the regular business meeting. Committee members are encouraged to attend regional, state, and national workshops, conventions, and conferences. Any discussion of public business shall be merely incidental to the convention or workshop.

Section 8.3 Chair Leadership

The Committee Chair and Clerk - Vice Chair shall engage in continuing education specifically related to the leadership duties of the Committee.

Section 8.4 Recognition and Commendation

The Committee shall annually recognize its members and the superintendent for engagement in leadership training. Special commendation shall be provided to members who design and/or lead training for local, regional, state, and/or national professional development.

ARTICLE 9 POLICY PROCESS

Among the powers and duties of Committees is the responsibility to develop education policies to meet the needs of the community. The goal of such policy is to ensure that each learner receives an education of the highest quality in a positive environment with caring, dedicated, and effective teaching and administrative staff.

Policies are principles adopted by the Committee to chart a course of action. Written policy is the means by which the Committee informs the community of these principles.

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Adopted policies serve as a guide for the administration and help to promote common understanding and uniformity in the basic procedures and operations for all district personnel. Within the context of current law, the School Department shall be guided by the adopted, written policies that are available and accessible online to staff members, parents, students, and community residents.

Effective policies:

- Clarify the operation of the school system
- Create understanding and good will
- Give clear and coherent direction
- Facilitate control and efficiency

Section 9.1 Policy Development and Analysis

A new policy or policy amendment may be proposed by Committee members or the superintendent.

All policy development shall require an analysis that includes:

- Clear identification of the problem, issue, or need for new policy or policy amendment
- Relevant data to support new policy or policy amendment as appropriate
- Information and input from multiple sources within the school district and community at-large
- Statement of financial implications (if appropriate)
- Alignment with district's stated philosophy, mission, and goals
- Coherence with state and federal law, local and district policies and regulations

Public comment shall be invited on all new policy and policy amendments via oral, written, and electronic formats.

Section 9.2 Policy Review

The policy review process shall be based on guiding questions:

- Did we do what we said we would do?
- -Did it work?
- -How do we know?
- What is the evidence?
- If it did not work, what should be changed?

A policy review shall be considered with the introduction of new programs and/or revisions to established programs. All new and revised policies shall include a monitoring schedule and evaluation criteria as appropriate for policy review.

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Section 9.3 Policy Adoption

A new policy or a policy amendment shall be considered at two separate meetings before adoption. Official Committee action may be taken at the second meeting.

Unless otherwise specified, a new policy or policy amendment will be effective upon the date of adoption by the Committee and will supersede all previous policies in that area. Unless otherwise specified, the repeal of a policy will be effective on the date the Committee takes such action.

The Committee shall make exceptions to the above requirements when the immediate adoption, amendment or repeal of a policy is in the best interest of the district.

The Committee shall suspend its rules by a vote of four members and bring up a proposal for immediate action.

Section 9.4 Policy Distribution

All policies shall be accessible online for district staff and all members of the public. A hard copy record of all policies shall be maintained in the superintendent's office.

ARTICLE 10 ACCOUNTABILITY

The Committee shall provide oversight of the district to guarantee the integrity of management processes and systems informed by three key questions:

- 1. How well are students in the school system doing?
- 2. How well is the school district supporting learning and achievement?
- 3. How well is the school district managed?

The Committee shall hold itself accountable to engage in effective governance practices.

A. Annual Practices

- · Superintendent Evaluation
- · Committee Self-Assessment
- Retreat Planning

B. Biennial Practices

- New Committee Member Orientation
- Committee Bylaw Review

Adopted: September 13, 2005 Updated: November 2006 Updated: September 23, 2008 Updated: September 4, 2012 Updated: October 14, 2014 Updated: May 10, 2016

Relevant Laws

R.I. Gen. Laws § 36-14-1 et seq. - The Rhode Island Code of Ethics in Government Act

R.I. Gen. Laws § 42-46-1 et seq. - The Rhode Island Open Meetings Act

R.I. Gen. Laws § 16-2-1 et seq. – Rhode Island Education Laws concerning Committees and Superintendents

R.I. Gen. Laws § 16-2-9 — General Powers and Duties of School Committees

R.I. Gen. Laws § 16-2-9.1 – Code of Basic Management Principles and Ethical School Standards.

South Kingstown Home Rule Charter § 4810 et seq. – Public Schools and the School Committee

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Reviewer: Maureen D.

Exhibit L

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SOUTH KINGSTOWN SCHOOL POLICY SUB COMMITTEE MEETING MINUTES

Thursday, January 7.2021 2:00 PM - 3:30 PM VIRTUAL MEETING

Virtual Meeting: Pursuant to Executive Order No. 20-34 issued by the Governor of the State of Rhode Island, this meeting will be conducted by electronic communication only.

Name	Title	Voting Member	In Attendance
Linda Savastano	Superintendent	Yes	Present
Ginamarie Masiello	Director of Curriculum and Learning	Yes	Present
Raquel Pellerin	Chief Financial Officer	Yes	Present
Charity Shea	Director of Pupil Personnel Services	Yes	Present
Jodi Anthony	DLI/EL Coordinator	Yes	Present
Melissa Boyd	School Committee	Yes	Present
Sarah Markey	School Committee	Yes	Present
Paula Whitford	School Committee	Yes	Present
Aubrey Lombardo	District Attorney	No	Present
Rob Cruz	BIPOC Advisory Board Member	Yes	Present
Maghnee Gomes	BIPOC Advisory Board Member	Yes	Present
	Parent	Yes	

Guests: Robin Wildman

Agenda

- 1. Welcome & Introductions (2:00-2:05)
 Ginamarie Masiello opened the meeting at 2PM . Each present member introduced themselves
- Discussion/Action: Accept Meeting Minutes 12/3/2020 12/17/20 (2:05 2:10)
 Meeting minutes of 12/3/2020 were tabled.
 Meeting minute approval process was discussed.
 Sarah Markey made a motion to approve the minutes of 12/17/2021
 Gina Masiello seconded the motion.
 Roll Call:

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> Gina Masiello-Yes Raquel Pellerin- Yes Melissa Boyd- Yes Sarah Markey-Yes

3. Discussion/Action: Prepare for Second Reading

a. Coach Hiring Policy - Terry Lynch (2:10 - 2:25)

Discussion ensued regarding the timeline for the enactment of the policy and the effect on current and future coaches.

The goal of the policy is to guide us towards equity. BIPOC representation in our coaching positions.

Sarah Markey made a motion to move the Coach Hiring Policy to School Committee for second reading. Melissa Boyd seconded the motion.

Motion passed

b. Suspension Policy - John Rapport (2:25 - 2:55)

Discussion ensued regarding components of the policy.

Recommendation was made for all building principals to meet with BIPOC to address questions still outstanding.

Discussion ensued regarding intervention support and use of behavior plans that have been implemented this year.

Melissa Boyd recommended that this policy be align with budgeting as many references were made to professional learning.

4. Discussion/Action: Prepare for First Reading

Staff to Staff/Staff to Student/Student to Student/ Student to Staff Racism
 Policy-BIPOC Advisory Board -BIPOC Advisory Board Representative (2:55 - 3:20)

Maghnee Gomes, Rob Cruz and Robin Wildman shared the draft policy and rationale behind it.

Policy Communication Section

Aubrey Lombardo gave feed back on #5 regarding "teacher contract" language.

Rob Cruz shared the rationale for #3 for middle school.

Recommendation was made for this committee to review other policies to see where else this language could go.

This policy will come back to the subcommittee on February 25. 2021

- 5. Discussion: Policies currently under review in subcommittee
 - a. <u>Title IX</u>

 Aubrey Lombardo shared the presentation was given to SKSD administration on January 5, 2021.
- 6. Discussion: Discussion of policies under consideration
- 7. Next Steps/Next Meeting

Committee members will review all policies for opportunities to include anti-racism language.

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Jenna O will send all committee members a link to the policies on board docs.

Gina Each member of the committee will individually review the and send all feedback to in a template.

Place on the next agenda a placeholder for new school committee members to add to the list of policies that are pressing.

Next meeting January 21, 2021

Sarah Markey made a motion to adjourn and Linda Savastano seconded the motion. Motion passed 10 : 0
Meeting adjourned at 3:49pm

To view the meeting please click the link below:
Share recording with viewers:
https://skschools.zoom.us/rec/share/3NIDEFwKrWA5 -YLYOrtgAJR2C6SARC8Mt-j4UAEJ6PJd

v2bDipBOrUhal8BRcaY.H9I emRVBwChz6z0

Passcode: L!+VQ+4b

Minutes approved: 1/21/2021

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Exhibit M

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SOUTH KINGSTOWN SCHOOL POLICY SUB COMMITTEE MEETING MINUTES

Thursday, February 25 ,2021 2:00 PM - 3:30 PM VIRTUAL MEETING

Virtual Meeting: Pursuant to Executive Order No. 20-34 issued by the Governor of the State of Rhode Island, this meeting will be conducted by electronic communication only.

Name	Title	Voting Member	In Attendance
Linda Savastano	Superintendent	Yes	present
Ginamarie Masiello	Director of Curriculum and Learning	Yes	absent
Raquel Pellerin	Chief Financial Officer	Yes	present
Charity Shea	Director of Pupil Personnel Services	Yes	present
Jodi Anthony	DLI/EL Coordinator	Yes	present
Melissa Boyd	School Committee	Yes	present
Sarah Markey	School Committee	Yes	present
Paula Whitford	School Committee	Yes	present
Aubrey Lombardo	SKSD Attorney	No	present
Mwangi Gitahi	BIPOC Advisory Board Member	Yes	present
Rob Cruz	BIPOC Advisory Board Member	Yes	present
	Parent	Yes	

Guests: Robin Wildman

1. Welcome & Introductions

Sarah Markey called the meeting to order at 2:00PM and reviewed the meeting agenda.

2. Discussion/Action: Accept Meeting Minutes of 2/4/21

Motion to accept the meeting minutes of 2/4/21 Motion made by Jodi Anthony Seconded by Paula Whitford Minutes of 2/4/2021 passed unanimously.

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court

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3. Discussion/Action: Community Position Description

Ms. Markey reviewed the process of adding a community position and shared a draft posting.

Mr. Gitahi suggested that dates and time be added

Motion to advertise the community volunteer position as posted, but with the addition of adding the anticipated meeting schedule..

Motion made by Jodi Anthony

Motion seconded by Mwangi Gitahi

Motion passed;

9 in favor, 1 abstain- Melissa Boyd abstained due to arriving late to the conversation.

4. Review compiled feedback on Anti-Racism Policy

Sarah shared the anti-racism policy feedback form that contained collective feedback from the committee.

The committee reviewed the feedback that was received.

Discussion followed regarding other policies that may potentially need revisions to include antiracism language, the definition of racism, and how incidents should be handled and reported to the School Committee (i.e. a spreadsheet of incidents v. posting them on the website)

Attorney Lombardo suggested removing the term 'expulsion' from the policy.

The BIPOC Advisory Board will revisit the policy and will bring the suggested edits back to this committee.

5. Review of policies to determine if Anti-Racism language needs to be added

Mr. Gitahi suggested that any policies that are revised to include antidiscrimination language will be sent to the BIPOC Advisory Board for review.

Ms. Markey suggested finalizing the antiracism policy first, before revisions are made to existing policies.

6. Review results of day/time survey

Sarah shared a graph of the meeting survey results. Discussion ensued.

A more targeted survey will be sent out to the committee for additional feedback.

7. Discussion: Policies currently under review in subcommittee

The process of policy review/revision was clarified. New or revised policies will come before this committee first. Once approved, this committee will vote to move them forward to the school committee for a first reading. If feedback is received the policy will come back to this committee for revision, otherwise, it will be moved for a second read by the school committee.

8. Discussion: Discussion of Policies under consideration

The committee discussed prioritization of different policies.

9. Next Steps/Next Meetings - Policies in queue

The next meeting will be on March 4, 2021 at 2PM

10. Adjourn

Motion made to adjourn the meeting at 3:36PM Motion made by Paula Whitford Motion seconded by Mwangi Gitahi

To view this meeting, click the link below:

https://skschools.zoom.us/rec/share/9EsYMLLETtTTrNcr1DrS2j0k748AGsWXacEDyBnxjspA6PiBRiSUNc9f-tHpdabp.KtSTPQBIJBUpLnlq

Case Number: PC-2022-04727
Filed in Providence/Bristol County Superior Court
Submitted: 7/16/2024 3:50 PM
Envelope: 4715877
Reviewer: Maureen D.

Passcode: n@4mB7=x

Minutes Approved: 3/4/2021 Minutes Posted: 3/9/2021

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

SOUTH KINGSTOWN SCHOOL POLICY SUB COMMITTEE MEETING MINUTES

Thursday, March 4 ,2021 2:00 PM - 3:30 PM VIRTUAL MEETING

Virtual Meeting: Pursuant to Executive Order No. 20-34 issued by the Governor of the State of Rhode Island, this meeting will be conducted by electronic communication only.

Name	Title	Voting Member	In Attendance
Linda Savastano	Superintendent	Yes	present
Ginamarie Masiello	Director of Curriculum and Learning	Yes	present
Raquel Pellerin	Chief Financial Officer	Yes	present
Charity Shea	Director of Pupil Personnel Services	Yes	present
Jodi Anthony	DLI/EL Coordinator	Yes	present
Melissa Boyd	School Committee	Yes	present
Sarah Markey	School Committee	Yes	present
Paula Whitford	School Committee	Yes	present
Aubrey Lombardo	SKSD Attorney	No	present
Mwangi Gitahi	BIPOC Advisory Board Member	Yes	present
Rob Cruz	BIPOC Advisory Board Member	Yes	present
	Parent	Yes	

Guests:

Robin Wildman Maria Parrillo

1. Welcome & Introductions

Sarah Markey called the meeting to order at 2PM

2. Discussion/Action: Accept Meeting Minutes of 2/25/21 Motion made to accept the minutes of 2/25/2021

Motion made by : Paula Whitford Motion seconded by: Mwangi Gitahi

3. Discussion/Action: Future Meeting Dates

Ms. Markey presented the meeting poll results.

Discussion ensued regarding the future meeting schedule.

The current schedule of every other Thursday from 2-3:30PM was the most popular option based on the most recent survey results.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Mr. Gitahi suggested that the most popular first choice survey option of Thursdays from

2-3:330PM be rotated with the second most popular option of Wednesdays from 6-7:30PM.

Mr. Gitahi added that an evening meeting time would allow for more participation from members of the BIPOC Advisory Board.

Ms. Masiello expressed a conflict with Wednesday evenings and Ms. Anthony indicated that the School Building Committee often meets on Wednesday evenings.

Ms. Boyd expressed support of the Wednesday 6-7:30PM meeting time.

Ms. Markey suggested that the committee pilot the rotating Thur/Wed schedule starting after May 1st. The Committee will continue to meet every other Thur from 2-3:30 until then.

Motion was made to change the meeting schedule to the time and dates as specified

Motion made by: Melissa Boyd
Motion seconded by: Paula Whitford

Vote:

Motion passed unanimously

4. Discussion/Action: Review Procurement Policy

Ms. Pellerin spoke to the draft procurement policy and explained that Attorney Lombardo is reviewing the policy to be sure it meets federal regulations. Ms. Pellerin suggested that the policy be aligned with the town ordinance. The procedure manual will be revised to align with a new policy once established. Ms. Pellerin further explained the current policy, which has not been revised since 2003.

Motion made to table the procurement policy to the next meeting.

Motion made by: Raquel Pellerin Motion seconded by: Paula Whitford

Vote:

Motion passed unanimously

5. Discussion/Action: Review Anti Racism Policy

Mr. Gitahi presented revisions proposed by the BIPOC Advisory Board to the draft SK Antiracist/Anti Discrimination Policy.

Discussion regarding the proposed revisions.

Discussion ensued regarding how complaints would be handled, reporting procedures, and confidentiality.

Attorney Lombardo will add legal revisions.

The policy will be further revised by Legal/BIPOC Advisory Committee and will be brought back to the policy committee on March 18, 2021.

6. Discussion: Policies Currently Under Review in Subcommittee

See Item #7

7. Discussion: Discussion of Policies Under Consideration

Ms. Markey suggested that the Bus Discipline Policy be reviewed.

Gina will discuss the bus discipline policy with the leadership team and will bring a draft to the 3/18 meeting.

The BIPOC Advisory Board will begin to review the Non-Discrimination and Anti-Harrasment Policy and will bring suggested revisions to the next Policy meeting.

The following policies will be discussed at the March 18, 2021 meeting: Antiracism Policy, Non-Discrimination and Anti-Harrasment Policy, Procurement Policy, Bus Discipline, Attendance Policy (the Attendance Policy has already been reviewed by this committee and needs a motion to move the policy for first reading by the School Committee)

8. Next Steps/Next Meetings - Policies in Queue

The next Policy Subcommittee meeting will be held March 18, 2021 at 2PM

9. Adjourn

Motion was made to adjourn
Motion made by: Melissa Boyd

Motion seconded by: Ginamarie Masiello

Vote:

Motion passed unanimously

Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Meeting adjourned at 3:18PM

Please click the link below to view this meeting: https://skschools.zoom.us/rec/share/LIT2L8J3n2digGFwX7MguRL0tLvtvVDU_x96rghZt1H fleHU6Up3z-phFkfoKcL2.uqss_6RWZb2t7wGm

Passcode: CGF@0#*G

Minutes Approved: 3/18/2021 Minutes Posted: 4/27/2021

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.





SOUTH KINGSTOWN SCHOOL POLICY SUB COMMITTEE MEETING MINUTES

Thursday, March 18 ,2021 2:00 PM - 3:30 PM VIRTUAL MEETING

Virtual Meeting: Pursuant to Executive Order No. 20-34 issued by the Governor of the State of Rhode Island, this meeting will be conducted by electronic communication only.

Name	Title	Voting Member	in Attendance
Linda Savastano	Superintendent	Yes	present
Ginamarie Masiello	Director of Curriculum and Learning	Yes	present
Raquel Pellerin	Chief Financial Officer	Yes	present
Charity Shea	Director of Pupil Personnel Services	Yes	present
Jodi Anthony	DLI/EL Coordinator	Yes	present
Melissa Boyd	School Committee	Yes	present
Sarah Markey	School Committee	Yes	present
Paula Whitford	School Committee	Yes	present
Andrew Henneous	SKSD Attorney	No	present
Mwangi Gitahi	BIPOC Advisory Board Member	Yes	present
Rob Cruz	BIPOC Advisory Board Member	Yes	present
	Parent	Yes	

Guests:

1. Welcome & Introductions

Sarah Markey called the meeting to order at 2:06PM. Each member present introduced themselves.

2. Discussion/Action: Accept Meeting Minutes of 3/4/2021

Motion was made to accept the 3/4/21 meeting minutes Motion was made by : Jodi Anthony

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Seconded by: Linda Savastano

Meeting minutes of 3/4/21 unanimously approved.

3. Discussion/Action: Review Procurement Policy

Raquel Pellerin shared that there are three procurement policies under revision. One specific to school lunch, one specific to federal funds, and one specific to local fund purchases.

The focus today will be the procurement process for school lunch due to an audit. Andrew Henneous shared that SKSD is under corrective action and this policy should get it passed as soon as possible, and then work can begin on the other procurement policies. Ms. Whitford made a motion to move the school lunch procurement policy to the school committee.

Ms. Pellerin seconded the motion.

Motion passed unanimously

4. Discussion/Action: Review for First Reading- Attendance Policy

Ms. Masiello is working with the elementary/middle school teams to review the attendance policy for feedback.

This policy had been initially revised under the high school lens and will now be reviewed by the k-8 teams.

Ms. Masiello made a motion to table this policy to a future meeting

Ms. Whitford seconded

Motion passed unanimously

5. Discussion/Action: Review Anti Racism and Anti Discrimination Policy

Mr. Gitahi shared the Policy as reviewed by the BIPOC Advisory Board and explained their recommended revisions focused heavily on the policy enforcement and complaint procedure sections. Discussion ensued regarding investigation timelines. Attorney Henneous proposed that a separate policy specific to investigations be developed, which would serve as a guide in the future. Recommendation made is to replace "department" and "district" with Superintendent or their designee.

Recommendation is made to include a mediator to assist with informal resolutions. Discussion ensued regarding final editing to bring a final draft to the committee at the April meeting Attorney Henneous will work with Attorney Lombardo to update format and wording. Ms. Masiello made a motion to table the Anti Racism and Anti Discrimination Policy to the April 1, 2021 meeting.

Ms. Whitford seconded the motion. Motion passed unanimously

6. Discussion/Action: Review Non-Discrimination and Anti-Harrassment Policy

Ms. Markey shared the #1211 policy and discussion ensued regarding next steps once the antiracism policy is passed and aligning other policies. The AntiRacism Policy would serve as the umbrella to the other policies.

Ms. Markey spoke to the importance of clarity of the process right now as we work through the revisions.

Attorney Henneous will work with Attorney Lombardo on aligning the process and procedures of the Non-Discrimination and Anti-Harrassment Policy with the Anti-Racism and Anti- Discrimination Policy. Discussion ensued regarding combining the two policies v keeping them separate. Attorney Henneous suggests, at least for now, keeping the policies separate for purposes of clarity,

Attorney Henneous suggests, at least for now, keeping the policies separate for purposes of clarit but aligning procedures to mirror each other to the extent possible.

Ms. Whitford made a motion to table this

policy Mr. Gitahi seconded the motion

Motion passed with 1 abstain (M Boyd abstained)

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

7. Discussion/Action: Review Bus Discipline Policy

Ms. Markey indicated that this policy is being reviewed due to concerns that she and others have received with the current policy.

Superintendent Savastano Indicated that we have a transportation RFP out right now, making it a great time to have this discussion. Some level of discipline sits with the bus company, and some with the district.

Ms. Pellerin will reach out to the vendor for policy and training manuals.

Ms. Whitford stressed the importance of proper training of bus staff.

Ms. Masiello indicated that, from her experience, Principals de-escalate issues before they would get to the point of a suspension.

Ms. Boyd indicated that timely notification of incidents is sometimes an issue, and that a policy could be helpful to address that.

Ms. Savastano and Ms. Shea indicated that in some districts, the school department provides training to bus staff.

Discussion ensued regarding bus discipline as it relates to policy and

procedures. Attorney Henneous will obtain sample policies from other districts.

Ms. Masiello made a motion to table the bus discipline policy to a future

meeting. Motion seconded by Melissa Boyd.

Motion passed unanimously.

8. Discussion/Action: Policies Currently Under Review in Subcommittee

Ms. Markey indicated the following policies will be addressed at the next meeting:

Attendance, Anti-Racism and Anti-Discrimination, Anti-Harrassment

Ms. Masiello indicated that the Wellness Subcommittee recently voted to move a wellness policy forward to this committee.

9. Discussion/Action: Discussion of Policies Under Consideration

Ms. Masiello recommends that a student teacher policy be put in the queue for future discussion.

10. Discussion/Action:Next Steps/Next Meetings - Policies in Queue

Next meeting will be April 1, 2021 at 2PM.

Agenda should include: Attendance Policy Anti Racism and Anti Discrimination Policy, Non Discrimination and Anti Harrassment Policy, and Wellness Policy.

11. Adjourn

A motion to adjourn the meeting was made by Paula Whitford Seconded by Mwangi Gitahi Motion passed unanimously.

Meeting adjourned at 3:40PM

Please click the link below to view this meeting:

https://skschools.zoom.us/rec/share/J75kZT0W7tGB_wBgieR-P4eTT2jEl-dL6d4e1PUer-4 X fkK9rk Z2EU8ljFWgN5g.WDIAnnNngBeSD9i8

Passcode: Zls+0lbh

Minutes Approved:4/15/2021 Minutes Posted: 4/27/2021

Case Number: PC-2022-04727
Filed in Providence/Bristol County Superior Court
Submitted: 7/16/2024 3:50 PM
Envelope: 4715877

Reviewer: Maureen D.

Exhibit N

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.





SOUTH KINGSTOWN SCHOOL POLICY SUB COMMITTEE MEETING MINUTES

Thursday, April 15 ,2021 2:00 PM - 3:30 PM VIRTUAL MEETING

Virtual Meeting: Pursuant to Executive Order No. 20-34 issued by the Governor of the State of Rhode Island, this meeting will be conducted by electronic communication only.

Name	Title	Voting Member	In Attendance
Linda Savastano	Superintendent	Yes	present
Ginamarle Masiello	Director of Curriculum and Learning	Yes	present
Raquel Pellerin	Chief Financial Officer	Yes	present
Charity Shea	Director of Pupil Personnel Services	Yes	present
Jodi Anthony	DLI/EL Coordinator	Yes	present
Melissa Boyd	School Committee	Yes	present
Sarah Markey	School Committee	Yes	present
Paula Whitford	School Committee	Yes	present
Aubrey Lombardo	SKSD Attorney	No	present
Mwangi Gitahi	BIPOC Advisory Board Member	Yes	present
Rob Cruz	BIPOC Advisory Board Member	Yes	present
	Parent	Yes	

Guests:

1. Welcome & Introductions

Sarah Markey called the meeting to order at 2:08PM.

2. Discussion/Action: Accept Meeting Minutes of 3/18/2021

A motion was made to accept the minutes of March 18, 2021 Motion made by Raquel Pellerin Seconded by Jodi Anthony Meeting minutes were unanimously approved.

3. Discussion/Action: Attendance Policy

A motion was made to table the attendance policy to the next meeting.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Motion was made by Paula Whitford Motion seconded by Melissa Boyd

4. Discussion/Action: Wellness Policy

A motion was made to table the wellness policy to the next meeting. Motion made by Melissa Boyd Motion seconded by Paula Whitford

5. Discussion/Action:Anti Racism

The committee reviewed the draft policy as presented by Mwangi.

Mwangi asks who will be in charge of checking to see if any complaints have been filed? Paula Whitford comments on the importance of these policies being put in place for all involved and that the correct language is used so that it is not interpreted in a negative way. Ms. Boyd comments that clarification is important so that the policy is not misinterpreted. Discussion ensued regarding the policy as it relates to education and beyond, such as hiring, training, and discipline.

Mr. Gitahi and Ms. Boyd emphasized the importance of the reporting piece of the policy. Discussion regarding the role of the school committee in the complaint/appeal process. A motion was made to recommend the Anti Racism, Anti Discrimination, and Anti Harrassment Policy to the School Committee.

Motion made by Mwangi Gitahi
Motion seconded by Rob Cruz
All were in favor

6. Discussion/Action: Anti Discrimination, and Anti Harrassment Policy

Attorney Lombardo explained that the Anti-Discrimination and Anti Harrassment Policy was combined with the Anti Racism policy and is now the Anti Racism, Anti Discrimination, and Anti Harrassment policy as reviewed in the previous agenda item.

A motion was made to recommend deleting the Anti Discrimination and Anti Harrassment Policy as a stand-alone policy to the School Committee .

Motion made by Paula Whitford Motion seconded by Mwangi Gitahi All were in favor

7. Discussion/Action: Upcoming Policies for Agenda

Wellness Policy, Attendance Policy, Grading Policy, Student Teacher Policy, Bus Discipline Policy update, rubric for adding additional committee members

Aubrey will send a sample rubric to Linda/Gina.

8. Adjourn

A motion to adjourn the meeting was made by Paula Whitford Seconded by Mwangi Gitahi Motion passed unanimously.

Meeting adjourned at 2:56PM

Please click the link below to view this meeting:

https://skschools.zoom.us/rec/share/B3YvQ6WlkJ9oo6DmqSVpjsUDxfpLykSgYKabop9hulGwdJgY6CjU4-EBTe6eUcMo.ABGbrKvPth1NdxHI Passcode: @?O1=YkN

Minutes Approved: 4/29/2021 Minutes Posted: 5/21/2021

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

South Kingstown School Committee Business and Executive Session Meeting Agenda

Tuesday, November 23, 2021

South Kingstown High School Cafeteria 215 Columbia Street Wakefield, RI 02879

Attendees:

Paula Whitford
Michelle Brousseau
Michael Marran
Melissa Boyd
Kate Mancinanti
Christie Fish

Other Attendees:

Carol Vetter

Andrew Henneous
Dr. Frank Pallotta
Gina Masiello
Raquel Pellerin
Chip McGair
Tammy McNeiece
Patti Aull

Liz McGuire

Kimberly Komocar

Coleen Smith

Jennifer Enck

1. 6:00 PM - Executive Session

A. Convene Open Session and Recess to Executive Session

Ms. Whitford called meeting to order at 6:01 pm in which the School Committee recessed to Executive Session.

MSV (1) motion to convene in executive session

Motion made by Michelle Brousseau

Motion Seconded by Kate Mancinanti

Motion approved 6-1, Michael Marran was not present at the time of the vote

- B. Discussion: Central administration personnel (RIGL 42-46-5(a)(1)
- C. Adjourn Executive Session and Reconvene Open Session

Ms. Whitford reconvened the meeting. Ms. Whitford sealed the minutes from Executive Session and disclosed not votes were taken in Executive Session.

MSV (2) motion made to seal Executive Session minutes

Motion made by Michelle Brousseau

Motion seconded by Melissa Boyd

Motion passes

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

2. 7:00 PM - Call to Order

A. Call to Order

Ms. Whitford called meeting to order and proceeded with roll call.

B. Pledge of Allegiance to the Flag

Pledge of Allegiance to the Flag was led by Ms. Whitford.

MSV (3) motion to move the Discussion/Action: Anti-racist/Anti-discrimination Policy - Second Reading up to the front of the meeting before the work session.

Motion made by Kate Mancinanti

Motion seconded by Michelle Brousseau

Vote passed unanimously

MSV(4) motion to approve the Anti-racist/Anti-discrimination Policy

Motion made by Kate Mancinanti

Motion seconded by Christie Fish

(not voted)

Ms. Mancinanti discussed she would like the policy to be taken back to the Policy Subcommittee for revision. Ms. Boyd provided context regarding the updated policy and would like the policy to be approved given that previous policy was retired and there is not policy currently in place at the present moment. School Committee members echoed Ms. Mancinanti's support as well as the need for the policy to be reviewed by the policy subcommittee. Ms. Fish acknowledged presence of community as well as communication received via written form and expressed it would be beneficial to include community in the revision of the policy. Ms. Boyd explained that she had the policy set on the November 29 Policy Subcommittee agenda to be able to review the outcome of the School Committee's decision and/or should it be approved.

MSV (5) motion to send the Anti-racist/Anti-discrimination Policy 29 Policy Subcommittee for revision

Motion made by Michelle Brousseau

Motion seconded by Michael Marran

Vote passes 5-2 (Melissa Boyd and Christie Fish)

3. Worksession

A. Discussion/Action: Organizational Chart (Review Recommended Changes)

Dr. Pallotta led discussion stating that he provided the school committee with the chart and reviewed the changes. School Committee addressed the community regarding the community comments and it would take place later during the meeting. Dr. Pallotta continued with details regarding the organizational chart. School Committee members inquired about cost savings and whether the organizational chart was a temporary change until a permanent Superintendent was hired. Dr. Pallotta concluded that the Organizational Chart was created with the guidance of other organizational charts used in other districts as well as the intent to be a permanent change that the new Superintendent would also use. Ms. Vetter voiced concern over the amount that the Assistant Superintendent has on her plate and suggested that Principals report directly to the Superintendent. Dr. Pallotta explained the reasoning behind the Principals reporting to the Assistant Superintendent. Questions regarding the Director of Facilities and Transportation position

MSV (6) to approve the Organizational Chart

Motion made by Melissa Boyd

Motion seconded by Kate Mancinanti

Vote passes unanimously

B. Discussion/Action: South Kingstown Communication Chart for Closings

Dr. Pallotta explained the South Kingstown Communication Chart for Closings as a protocol of how the closing would be determined. School Committee members inquired about would this protocol follow if the call to close schools the night before. Dr. Pallota explained this would not apply to making the call the night before. If the closing could be made the night before the district will.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

> MSV (7) to approve Motion made by Kate Mancinanti Motion seconded by Christie Fish

Vote passed unanimously

C. Discussion/Action: Budget Amendments

Ms. Pellerin led discussion regarding the Budget Amendments with the detailed review of the attachments provided to School Committee via Board Docs. Explained that the Budget Policy is being reviewed in the budget subcommittee. She explained the amendments presented reflect the General Fund.

MSV (8) motion to approve the budget amendments as presented

Motion made by Micheile Brousseau

Motion seconded by Christie Fish

Vote passes unanimously

D. State Assessment Data Report District and School Presentations

Ms. Masiello led the presentation state assessment results overview, district level data. Data included COVID impact. Highlighted math data decrease and principal response. Other data presented consisted of RICAS-ELA, PSAT-ELA, and SAT-ELA. School Committee member requested clarification on accelerated learning. Ms. Masiello explained, looking at subject grade standards and being strategic in instructional minutes, focusing on a more personalized learning for the student.

School Principals presented brief overview data at the school level compared to the state. Principals highlighted strengths and the areas improvement teams will focus on.

4. Consent Agenda

Dr. Pallotta requested the removal of number two in the item c attachment of the consent agenda

MSV (9) motion to approve the consent agenda without item B purchases over \$4000 and the change in item C recommended by Dr. Pallotta

Motion made by Michelle Brousseau

Motion seconded by Melissa Boyd

Motion passes unanimously

- A. Approval of Open Session Minutes Meetings of 11/9/21
- B. Purchases Over \$4000
- C. Personnel Actions

5. Comments from the Community

A. Comments from the Community

Ms. Whitford reviewed the protocol for Comments from the Community, allowing a 30-minute time limit, and that they will be timing for three-minute intervals.

Peter Nightingale- URI professor, spoke regarding injustices and spoke about RI poor low income population. He commented on anti-racist/anti-discrimination policy and how the policy could go further into addressing issues he presented.

Julie Erickson- voiced concern on policy getting resolved. Shared opinion regarding the anti-racist/anti-discrimination policy.

Susan Rubinoff- teacher, made comments regarding who is on the subcommittee, offered suggestions of having town council be a part.

Steven Neufold- Professor, spoke regarding racism in society.

Dirk Peters- Former Educator and parent, spoke regarding social emotional learning and support for the antiracist/anti-discrimination policy.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Michelle Manning- teacher and parent, thanked beloved community and stated approval with drafted anti-racist/anti-discrimination policy presented. Made comments on the strategic plan. Shared experience with the school system. Spoke about supports and disparities among groups.

Martin Lepkowski- resident, spoke about his hopes for an inclusive education for his grandson regarding race.

John Kotula- resident, spoke in favor of the anti-racist/anti-discrimination policy and feelings of disappointment regarding the policy being sent back to the subcommittee.

Ms. Brousseau chimed in that there was 5 minutes left in the allotted 30 minutes for community comments and would take the next two speakers and encouraged all other to communicate via email.

Ms. Fish expressed that she felt that people came to the meeting to speak to the policy

Ms. Whitford expressed that there is a process to follow and reiterated that they want to hear from everyone and encouraged if groups had a spokesperson to condence the amount of time.

MSV (10) motion to extend community comments for 30 additional minutes Motion made by Christie Fish Motion seconded by Michael Marran Vote passes

Johnette Rodgriguez- Pointed out in May there was the same discussion and the legal review by SK legal team. Expressed concern regarding lack of anti-racist/anti-discrimination policy.

Elizabeth Quincy- parent, reread a paragraph in presented policy and shared personal experience in relation to her son.

Penny Hall- parent, shared professional experience surrounding anti-racist/anti-discrimination efforts and urged School Committee to pass the policy.

Eli Nixon- former resident, encouraged School Committee to pass the policy and shared personal experience.

Taylor Ellis- resident, expressed disappointment in School Committee not moving forward with anti-racist/anti-discrimination policy. Encouraged School Committee to take action.

Lindsay Paiva- teacher, thanked School Committee for work and shared sentiments regarding the adoption of the anti-racist/anti-discrimination policy. Focused on specifics found in the policy.

Jonathan Sigman- SKSD social worker and resident, expressed urgency regarding the need of the anti-racist/anti-discrimination policy. Shared feelings once anti-racist/anti-discrimination policy is adopted.

Brunilda Velez- parent, voiced support for anti-racist/anti-discrimination policy and shared reasoning on support.

Pam Santos- resident and parent, expressed education she wants for her children. Shared personal experience with teacher in the district.

Kateri Collins- resident, read a section of the policy and shared that the anti-racist/anti-discrimination policy is needed. Urged School Committee to expedite on passing the policy.

Martha Badigan- librarian and resident, offered support for the anti-racist/anti-discrimination policy.

Sarah LeClaire- former student, expressed disappointment that the anti-racist/anti-discrimination policy was not passed. Expressed that policy and revisions should be more accessible to the public.

Autumn Franchesca- commented on School Committee making a vote prior to hearing on what the community comments.

Becci Davis- Beloved Community Advisory Board member, expressed support of the anti-racist/anti-discrimination policy and urged the School Committee to adopt the policy.

Ms. Brousseau notified community that comments were coming to an end and encouraged community

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Wayne Everett- resident, shared approval of anti-racist/anti-discrimination and explained importance. Made a comment/suggestion for curriculum topic.

Dorald Beasley- resident, commented in support of all comments made from the community. Expressed feelings on the Principal presentations. Commented on Curtis Corner data presented.

Ms. Fish commented on hearing more community members.

Ms. Whitford proceeded with additional community members to comment.

Ginger Mambelly- Beloved Community Advisory Board member and former student, shared personal experience.

Fil Eden- resident, expressed disappointment that the anti-racist/anti-discrimination policy was not passed. Also suggested that the School Committee provide feedback to the Policy Subcommittee so that revisions can be made.

Harold Smith- resident, made a comment supporting comment regarding amending the policy and approving it.

Elana Rose- Beloved Community Advisory Board member, expressed concern that policy was not voted on.

Laurie Gaddis Barrett- made comments of School Committee not adopting the Gloucester resolution.

Valerie Speredelozzi- made a comment on the withdrawal process and questioned data on the withdrawal, made suggestions on how to obtain the withdrawal data.

Ms. Whitford closed community comments.

6. School Committee Business

School Committee addressed Purchases over \$4000

MSV (11) motion to approve purchases over \$4000 as presented on the agenda Motion made by Michelle Brousseau Motion seconded by Christie Fish

not voted on

Mr. Marran explained that he asked to move the Purchases over \$4000 because of the Solution Tree contract. Mr. Marran asked clarifying questions regarding cost, regarding who was receiving the training, how training was being administered, and why it was considered sole source. Ms. Masiello provided clarification. Mr. Marran also disclosed that Solution Tree isn't listed with Secretary of State. Mr. Henneous offered to follow up in this matter. Ms. Mancinanti asked clarification on whether or not the company is authorized. Mr. Marran provided explanation. Mr. Henneous offered further information. Ms. Whitford shared her concern surrounding contract. Ms. Masiello expressed concern as previous contracts have been approved.

MSV (12) amend motion to add the contingency that the company registers to do business in Rhode Island **Motion made by** Carol Vetter

Motion seconded by Michelle Brousseau

Motion passes unanimously

A. Discussion/Action: Student Teaching Policy - Second Reading

MSV (13) motion to approve Student Teaching Policy

Motion made by Christie Fish

Motion seconded by Kate Mancinanti

Motion passes unamiously

Ms. Boyd stated that this is a second read and there were no comments previous and the policy subcommittee is requesting a vote. Ms. Whitford questioned when first reading took place. Mr. Henneous addressed the question.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

B. Discussion/Action: Anti-racist/Anti-discrimination Policy - Second Reading

This item was addressed earlier

C. Discussion/Action: Supplemental Athletic Transportation (Bid)

MSV (14) motion to approve the supplemental athletic transportation (bid) **Motion made by** Kate Mancinanti

Motion seconded by Christie Fish

Motion passes unanimously

D. Discussion/Action: East Providence/Portsmouth School Committee Resolution Change to RIGL 16-7-40(c) and (d)

Ms. Mancinanti asked for clarification regarding the East Providence/Portsmouth School Committee Resolutions Change to RIGL 16-7-40(c) and (d). Mr. Marran provided some insight.

MSV (15) motion to approve write a South Kingstown School District Resolution

Motion made by Kate Mancinanti

Motion seconded by Michael Marran

Motion passes unanimously

E. Discussion/Action: SKSD Withdrawal Process

Ms. Masiello addressed process and answered comments made during the community comments. Ms. Mancinanti clarified that withdrawal survey is optional. Ms. Masiello said she would follow up with the registrar to start the data collection process.

MSV (16) motion to accept the SKSD Withdrawal Process
Motion made by Christie Fish
Motion seconded by Kate Mancinanti
Motion passes unanimously

7. Adjournment

A. Adjourn

MSV (17) motion to adjourn meeting at 10:00 PM Motion made by Michelle Brousseau Motion seconded by Kate Mancinanti Motion passes unanimously

Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877

Reviewer: Maureen D.

Exhibit O

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

South Kingstown School Committee Executive Session & Business Meeting Tuesday, May 20, 2021

Curtis Corner Middle School Cafeteria 301 Curtis Corner Road Wakefield, RI 02879

Attendees - voting members

Emily Cummiskey – Chair Christie Fish – Vice Chair Michelle Brousseau Kate Macinanti Melissa Boyd Paula Whitford

Absent Members:

Sarah Markey

Attendees - other

Linda Savastano – Superintendent
Raquel Pellerin – CFO
Charity Shea – Director of Pupil Personnel Services
Gina Masiello – Director of Curriculum, Learning & Innovation
Jodi Anthony – DLI/EL Coordinator
Tammy McNeiece – Broad Rock Middle School Principal
Andrew Henneous - Attorney

1. 6:30PM Executive Session

- A. Convene Open Session and Recess to Executive Session
- B. The School Committee may seek to convene in executive session in accordance with R.I. Gen. Laws for the purpose(s) of: Discussion / Action: Lucia v. South Kingstown, C.A. No. 1:19-cv-00507 RIGL 42-46-5(a)(2)
- C. Adjourn Executive Session and Reconvene Open Session

2. 7:00 PM - Call to Order

A. Call to Order

Ms. Cummiskey called the May 20, 2021School Committee meeting to order at 7:16 PM.

B. Pledge of Allegiance to the Flag

The Committee led in the Pledge of Allegiance to the Flag.

C. Roll Call

Ms. Cummiskey completed the roll call; and advised that Ms. Markey is out on medical leave. She extended best wishes for a speedy recovery.

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

D. School Committee Agreements (norms)

Ms. Cummiskey reviewed the School Committee Agreements.

E. Reporting of Votes Taken in Executive Session

Ms. Cummiskey advised that there were no votes taken in Executive Session.

F. Seal the Minutes of Executive Session

MSV (2) move to seal the minutes of the Executive Session.

Motion made by: Michelle Brousseau Motion seconded by: Christie Fish Vote: Unanimously Approved

G. Chair - Agenda review

Ms. Cummiskey advised that items A & B under School Committee Business will be tabled until the School Committee's May 25th meeting.

Ms. Macinanti asked that item "S" under School Committee Business be tabled due time; as the agenda is quite lengthy this evening.

3. Superintendent's Report

A. Meeting Calendar

Ms. Savastano shared the School Committee meeting calendar, noting the work session scheduled for May 25, 2021. She also advised that she will share what the leadership team has been working on.

B. Update: COVID-19 & Every Child, Every Day

Ms. Savastano shared the update, highlights, and feedback on COVID-19. She advised that we have stopped temperature checks and that teachers are changing rooms. Ms. Savastano stated that those committed to in-person learning would come into the building every day unless they are ill or in quarantine; and that we would like to transition back to in-person learning, as students learn better in person.

Discussion followed as Committee members expressed concern when students who are supposed to be in-person learners, decide not to come to school as the weather is good, or decide to leave school after a couple of classes to finish at home virtually. Ms. Savastano noted that daily attendance is taken, as well as during each period.

Ms. Savastano advised that the district is hosting the school vaccine clinics for ages 12 and up at CCMS from 4:00 PM to 7:00 PM on May 24th with the second clinic on June 14th. Ms. Savastano stated that she would send a message out to find out about transportation needs for families who need assistance.

C. Update: Curriculum, Program & Assessment Updates

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

• Summer Learning:

Ms. Masiello and Ms. Shea provided an update regarding summer learning. Ms. Masiello advised that they are working on the accelerated learning academy that will be held Monday through Thursday from 8:30 AM to 11:30 AM starting July 6th through August 5th. She noted that they are working with community partners to help with wrap around programs. Ms. Shea advised that ESY is part of the program where students will receive their OT and SPL services and students will be pulled out when they need that work. Ms. Shea noted that it is inclusive, not separate.

Discussion followed with Committee members asking if lunch will be served and how a student who does not have an IEP or goals could be a part of the program. Ms. Masiello advised that they are checking with Chartwells about providing a snack; and Ms. Shea advised that since federal funds are being used, we would have to have goals that the student would require intervention for.

• 6th Grade DLI Program:

Ms. Anthony and Ms. McNeiece provided an updated on the 6th grade DLI program. Ms. McNeiece Shared information that was shared two weeks ago with parents; and an in-person meeting was held to discuss the information that was shared. Ms. McNeiece shared that the State of Utah (whom we partner with) taught two periods (out of six) in full Spanish (language arts and science). Ms. Anthony shared information about questions parents have asked; and she talked about the Apple Test that all DLI students will take the first week in June.

Discussion followed with Committee members asking who the grade 5 DLI team is; how we could have a DLI team that includes parents; what feedback was received by parents at the meeting; and a request to come back to the School Committee when all of the data is collected.

D. Update: Mailer

Attorney Henneous provided an update regarding the mailer. He shared that we have answered all of the Town's questions; and that we are waiting on one last component about Skyward.

Ms. Savastano advised that we are working on policy updates; required training for all staff; overview of laws; looking at security; centralizing registration overseeing student data.

E. Update: RFP/RFQ (1) Equity & Strategic Planning & (2) Efficiency Audit

Ms. Savastano advised that when the RFP/RFQ was posted, we received about 17 responses but ended up with only one. She shared that we will take the RFP and break them into mini RFPs and hope to have a better response.

F. Update: Financial Update

Ms. Pellerin provided a financial update that included information about RIDE Child Nutrition USDA waiver guidance for FY 22; RIDE Funding Formula FY 22 core instruction per pupil; RIDE Funding Formula FY 22 State share ration; RIDE Funding Formula guide with flow charts; RIDE FY 22 Formula calculator for web; CRRSSA RIASBO ESSER presentation; May School Committee meeting financial status report; MUNIS budget YTD all funds 4-30-21; South Kingstown year-to-date revenues as of April 30th; and South Kingstown year-to-date expenditures as of April 30th.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

G. Questions from the School Committee About the Superintendent's Report

Ms. Boyd asked about the reduction of staff numbers. Ms. Brousseau encouraged members to look at the Hassenfeld Institute slides about the funding formula. Ms. Macinanti asked about the mailer; and if our personnel have been asked if anyone handed out addresses to outside agencies. Ms. Boyd asked about the questions the Town Council asked, and when we will get information from the Town Council. Ms. Whitford expressed that she would like to have the Town Council investigation results from their legal to our legal.

H. Accept the Superintendent's Report

MSV (3) move to accept and place on file the Superintendent's report.

Motion made by: Christie Fish

Motion seconded by: Michelle Brousseau

Vote: Unanimously Approved

4. Consent Agenda

- A. Approval of Open Session Minutes Meetings of 4/13/2021, 4/14/2021, 4/15/2021, 4/27/2021, 4/30/2021
- B. Approval of Executive Session Minutes Meetings of 4/30/2021
- C. Personnel Actions
- D. Expenditure: Literacy How / Literacy Training
- E. Enrollment / Registration / Staffing Update
- F. Approve Consent Agenda

MSV (4) move to approve the Consent Agenda.

Motion made by: Michelle Brousseau Motion seconded by: Kate Macinanti

Vote: Unanimously Approved

Ms. Brousseau stated that there should be a follow-up and exit survey come back to the School Committee when a high-ranking administrator resigns.

Ms. Savastano advised that Jodi Anthony is the acting Principal for West Kingston Elementary School.

5. Comments from the Community

A. Comments from the Community

Ms. Cummiskey reviewed the protocol, per the by-laws, for comments from the community.

James, parent, asked about the future of the DLI program; and stated that he would like to see full immersion through 8th grade.

Chris Hubbard, parent, shared disappointment in the failure of the facilities bond and the dismantling of the DLI program. He stated that we can't have modern building, but can we have a great DLI program, as it would give reasons to have families stay in district.

Ms. Cummiskey provided the instruction on how to dial in for community comments.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Brunelda, parent, expressed appreciate on how COVID has been handled. She also expressed support of the Anti-discrimination policy; the hiring policy; and the continued need to develop and improve the DLI program.

Paula Bradley commented on the political mailer, asking if district personnel have been asked if they shared information; and she would like to know what actions have been taken by the district.

Ms. Bradley stated that the Town Council owns the investigation and that the community deserves answers.

Karen Humes commented on the mailer. She stated that she has yet to receive an opt out form. Ms. Humes stated that no one has taken action, DLI is a mess, programs are changing, communication and leadership is lacking in this district.

Raissa Mosher commented about the Building Committee meeting held the previous evening; specifically, the comments from the high school principal that the building is not safe for children. She asked about putting out work orders, capital improvements going to Wakefield and West Kingston. Ms. Mosher expressed the need to address the needs immediately at the high school.

Valerie Speredelozzi, parent, expressed concern about the DLI program moving away from a 50/50 model to only delivering certain subjects in Spanish. She expressed that the district should be sure that it has equitable access for students; and she commented that the district needs more bilingual teachers.

Cadence Hansen, parent, commented on the DLI program in the K-4 grades. She stated that the program should be a DLI model with 50% immersion with teachers teach as a team. Ms. Hansen stated that parents feel ignored and unheard. She stated that parents would like to have a public forum (listening session) and she would like to have a committee put together that consists of parents and DLI educators that would work with the School Committee and administration; with the goal of making DLI the best program it can be for all students in our district.

Jacy Northup commented on equity, noting that the DLI program is not equitable. She asked about students who are not getting any Spanish.

Laura Roebuck expressed thanks to everyone for all their hard work through the pandemic. She shared that great things are happening; her children are happy; and we can see the light at the end of the tunnel. Ms. Roebuck stressed that she is very thankful for all the teachers and staff.

School Committee Business

Ms. Cummiskey advised that item "G" will follow after discussion of item "D".

A. Discussion/Action: Teacher Nonrenewal - Tabled

B. Discussion/Action: Teacher Assistant Nonrenewal - Tabled

C. Discussion/Action: Resolution Climate Literacy Act

MSV (5) move to approve the Resolution Climate Literacy Act.

Motion made by: Kate Macinanti

Motion seconded by: Michelle Brousseau

Vote: Unanimously Approved

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

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D. Discussion/Action: Resolution Construction Time Period for Housing Aid

Ms. Brousseau explained that Rep. McEntee contacted her and asked if the Committee would be interested in bring this type of legislation forward. Ms. Savastano explained the two different options.

MSV (6) move to approve the Resolution Construction Time Period for Housing Aid with Option "B".

Motion made by: Kate Macinanti Motion seconded by: Paula Whitford

Vote: Unanimously Approved

Discussion/Action: Building Project(s) Planning Architect RFQ

Sam Bradner, project manager, advised that RIDE approved \$7.6 M, regardless of the bond, and that RIDE would expect a revision of the plan. He stated that the district would still have the requirement for an architectural team.

Ms. Savastano advised that we can and should amend exactly what the CIP looks like. She also stated that we did have an in-person check of doors at the high school and safety areas; and we have a list of work orders to submit. She shared that we will have someone come in to address anything we cannot do in house; we need to have someone come in to do an audit.

Mr. Bradner provided a scope of what the RFP includes.

MSV (7) move to approve the Building Project(s) Planning Architect RFQ.

Motion made by: Kate Macinanti Motion seconded by: Christie Fish Vote: Unanimously Approved

E. Discussion/Action: RIDE School Building Authority MOA School Construction – *Tabled to the May 25th meeting*.

MS (8) move to sign and return the MOA to RIDE on School Construction.

Motion made by: Christie Fish

Motion seconded by: Michelle Brousseau

Vote: Unanimously Approved

Discussion followed regarding the numbers and what we would be signing. Ms. Savastano advised that we would agree to the bottom number; however, we cannot change the numbers until we get an architect.

After discussion, the Committee agreed to table this item until the May 25th meeting.

- F. Discussion/Action: RIDE School Building Authority MOA Pay as You Go Tabled to the May 25th meeting.
- G. Discussion/Action: Building Project(s) Planning Architect RFQ Addressed previously in the agenda.

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H. Discussion/Action: Matunuck Elementary School Outdoor Stage

Liz McGuire, Matunuck Principal, advised that the Matunuck PTO has been willing to fund the cost of the outdoor stage project, which will add to the outdoor learning environment for the students. She stated that a picture of the project is on BoardDocs.

MSV (9) move to approve the Matunuck Elementary School Outdoor Stage.

Motion made by: Paula Whitford

Motion seconded by: Michelle Brousseau

Vote: Unanimously Approved

I. Discussion/First Reading: Wellness POLICY (7751)

Ms. Cummiskey advised that this is the first reading of the Wellness Policy and will come back to the Committee for a second time.

J. Discussion / First Reading: Student Teacher POLICY (7705)

No questions were asked regarding the first reading of the Student Teacher Policy.

K. Discussion /First Reading: Attendance & Truancy POLICY (8415)

No questions were asked regarding the first reading of the Attendance & Truancy Policy.

L. Discussion/First Reading: Appointment & Hiring POLICY (New)

Ms. Cummiskey advised that this new Appointment & Hiring Policy is going back for another legal review.

M. Discussion/Retire & Action: Nondiscrimination and Anti-harassment POLICY (1211)

MSV (10) move to retire the Nondiscrimination and Anti-harassment Policy #1211.

Motion made by: Paula Whitford Motion seconded by: Christie Fish Vote: Unanimously Approved

N. Discussion/First Reading: Anti-racist, Anti-discrimination & Anti-harassment POLICY (New)

No questions were raised regarding the first reading of the new Anti-racist, Anti-discrimination & Anti-harassment Policy.

O. Augusta Hazard Scholarship Award

Ms. Brousseau advised that she and Ms. Markey were not able to meet via zoom or in -person due to scheduling conflicts; and they did their work separately. She explained that when the applications come in, they do not have names on them; and that they look at GPAs and submitted essays.

Ms. Brousseau read the names of the new Augusta Hazard Scholarship recipients: Eliot Carl Grear; Maya L. Anderson; Taylor Jane Hurrell; Nicholas M. Pierson; and Madeleine Spencer McCarthy. She

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also read the names of the renewal Augusta Hazard Scholarship recipients: Ashley E. Cromack; Hannah M. Misto; and Elimia Rose Curzake.

Ms. Brousseau noted that there was a fourth application for renewal; however, the individual did not meet the requirements for renewal.

P. Discussion/Action: Subcommittee Member Selection Rubric

MSV (11) move to approve the Rubric for future use for seating community members in available spaces.

Motion made by: Melissa Boyd

Motion seconded by: Michelle Brousseau

<u>Vote</u>: Unanimously Approved

Q. Discussion/Action: Sub-committee Reports

<u>Building Committee:</u> Ms. Macinanti stated that this has to be on a future agenda for this body to reconvene, as far as the facilities project, to create a new charge for the Building Committee.

<u>Sustainability Committee:</u> Ms. Cummiskey stated that Sara Markey will be stepping down as Chair of the Sustainability Subcommittee and would like to know if anyone would like to take her place.

Ms. Whitford stated that she is on the Committee.

<u>Policy Committee:</u> Ms. Boyd advised that they had a meeting today and had an opportunity to put forward some content on the student confidentiality policy and campus security. She stated that the Committee looked at Title 9 policy. Ms. Boyd advised that they talked about, with input from the administrative team, about looking at the handbook related to data and the handbook.

Ms. Macinanti expressed appreciation for the amount of work the Policy Committee and doing; however, there are too many policies coming at them at once. She stated that the School Committee needs to give our policies our full attention. Ms. Macinanti stated that she is willing to have an extra meeting just about policies.

Ms. Cummiskey recommended that members could share their ideas with her, Ms. Fish or Ms. Savastano on how the School Committee could proceed.

Budget Committee: No update.

<u>SELAC Committee:</u> Ms. Fish advised that they Committee met on April 29th and the main things that were discussed was: requesting to have a voting member on the Policy subcommittee; they had an overview on the summer program – Accelerated Academy; and ensuring equity of after care for the summer program.

Ms. Boyd requested the subject of voting community members to be on a future School Committee agenda.

Wellness Committee: Ms. Fish shared that they had a meeting on Tuesday and they had a speaker from Safe BAE, which stands for Before Anyone else. She advised that it is a peer-to-peer model and will

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turn it into a lesson plan; which is about sexual assault and sexual harassment. They also talked about the importance of health and how these subjects are talked about in the health curriculum.

Transportation Committee: No update.

Legislative Liaison: No update.

R. School Committee Summer Retreat Planning

Ms. Cummiskey stated that Ms. Savastano hoped to have the summer retreat grounded in equity and strategic planning.

Ms. Boyd stated that we talked about a School Committee self-evaluation; and that we should have a discussion about the questions that were asked.

Ms. Cummiskey recommended inviting members of the Town Council, BIPOC, and other members of the community involved in the equity work to come for part of the day.

Ms. Boyd stated that we need to get our house in order before we invite other people in.

Ms. Brousseau expressed that it would be good to invite the senior administrative team and principals.

Ms. Brousseau shared that she signed up for the Hassenfeld Institute every Wednesday, and the subject was on diversity, equity, and inclusion and it was the best.

S. Discussion/Information: School Board Conference Share Out - Tabled

7. Adjournment

A. Adjourn

MSV (12) move to adjourn at 11:24 PM.

Motion made by: Kate Macinanti Motion seconded by: Christie Fish Vote: Unanimously Approved

Case Number: PC-2022-04727
Filed in Providence/Bristol County Superior Court
Submitted: 7/16/2024 3:50 PM
Envelope: 4715877

Reviewer: Maureen D.

Exhibit P

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

South Kingstown School Committee Business and Executive Session Meeting Agenda

Tuesday, November 23, 2021

South Kingstown High School Cafeteria 215 Columbia Street Wakefield, RI 02879

Attendees:

Paula Whitford Michelle Brousseau Michael Marran

Melissa Boyd

Kate Mancinanti

Christie Fish

Carol Vetter

Other Attendees:

Andrew Henneous

Dr. Frank Pallotta

Gina Masiello

Raquel Pellerin

Chip McGair

Tammy McNeiece

Patti Aull

Liz McGuire

Kimberly Komocar

Coleen Smith

Jennifer Enck

1. 6:00 PM - Executive Session

A. Convene Open Session and Recess to Executive Session

Ms. Whitford called meeting to order at 6:01 pm in which the School Committee recessed to Executive Session.

MSV (1) motion to convene in executive session

Motion made by Michelle Brousseau

Motion Seconded by Kate Mancinanti

Motion approved 6-1, Michael Marran was not present at the time of the vote

- B. Discussion: Central administration personnel (RIGL 42-46-5(a)(1)
- C. Adjourn Executive Session and Reconvene Open Session

Ms. Whitford reconvened the meeting. Ms. Whitford sealed the minutes from Executive Session and disclosed not votes were taken in Executive Session.

MSV (2) motion made to seal Executive Session minutes

Motion made by Michelle Brousseau

Motion seconded by Melissa Boyd

Motion passes

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

2. 7:00 PM - Call to Order

A. Call to Order

Ms. Whitford called meeting to order and proceeded with roll call.

B. Pledge of Allegiance to the Flag

Pledge of Allegiance to the Flag was led by Ms. Whitford.

MSV (3) motion to move the Discussion/Action: Anti-racist/Anti-discrimination Policy - Second Reading up to the front of the meeting before the work session.

Motion made by Kate Mancinanti

Motion seconded by Michelle Brousseau

Vote passed unanimously

MSV(4) motion to approve the Anti-racist/Anti-discrimination Policy

Motion made by Kate Mancinanti

Motion seconded by Christie Fish

(not voted)

Ms. Mancinanti discussed she would like the policy to be taken back to the Policy Subcommittee for revision. Ms. Boyd provided context regarding the updated policy and would like the policy to be approved given that previous policy was retired and there is not policy currently in place at the present moment. School Committee members echoed Ms. Mancinanti's support as well as the need for the policy to be reviewed by the policy subcommittee. Ms. Fish acknowledged presence of community as well as communication received via written form and expressed it would be beneficial to include community in the revision of the policy. Ms. Boyd explained that she had the policy set on the November 29 Policy Subcommittee agenda to be able to review the outcome of the School Committee's decision and/or should it be approved.

MSV (5) motion to send the Anti-racist/Anti-discrimination Policy 29 Policy Subcommittee for revision Motion made by Michelle Brousseau Motion seconded by Michael Marran

Vote passes 5-2 (Melissa Boyd and Christie Fish)

3. Worksession

A. Discussion/Action: Organizational Chart (Review Recommended Changes)

Dr. Pallotta led discussion stating that he provided the school committee with the chart and reviewed the changes. School Committee addressed the community regarding the community comments and it would take place later during the meeting. Dr. Pallotta continued with details regarding the organizational chart. School Committee members inquired about cost savings and whether the organizational chart was a temporary change until a permanent Superintendent was hired. Dr. Pallotta concluded that the Organizational Chart was created with the guidance of other organizational charts used in other districts as well as the intent to be a permanent change that the new Superintendent would also use. Ms. Vetter voiced concern over the amount that the Assistant Superintendent has on her plate and suggested that Principals report directly to the Superintendent. Dr. Pallotta explained the reasoning behind the Principals reporting to the Assistant Superintendent. Questions regarding the Director of Facilities and Transportation position

MSV (6) to approve the Organizational Chart

Motion made by Melissa Boyd

Motion seconded by Kate Mancinanti

Vote passes unanimously

B. Discussion/Action: South Kingstown Communication Chart for Closings

Dr. Pallotta explained the South Kingstown Communication Chart for Closings as a protocol of how the closing would be determined. School Committee members inquired about would this protocol follow if the call to close schools the night before. Dr. Pallota explained this would not apply to making the call the night before. If the closing could be made the night before the district will.

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Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

> MSV (7) to approve Motion made by Kate Mancinanti Motion seconded by Christie Fish

Vote passed unanimously

C. Discussion/Action: Budget Amendments

Ms. Pellerin led discussion regarding the Budget Amendments with the detailed review of the attachments provided to School Committee via Board Docs. Explained that the Budget Policy is being reviewed in the budget subcommittee. She explained the amendments presented reflect the General Fund.

MSV (8) motion to approve the budget amendments as presented

Motion made by Michelle Brousseau

Motion seconded by Christie Fish

Vote passes unanimously

D. State Assessment Data Report District and School Presentations

Ms. Masiello led the presentation state assessment results overview, district level data. Data included COVID impact. Highlighted math data decrease and principal response. Other data presented consisted of RICAS-ELA, PSAT-ELA, and SAT-ELA. School Committee member requested clarification on accelerated learning. Ms. Masiello explained, looking at subject grade standards and being strategic in instructional minutes, focusing on a more personalized learning for the student.

School Principals presented brief overview data at the school level compared to the state. Principals highlighted strengths and the areas improvement teams will focus on.

4. Consent Agenda

Dr. Pallotta requested the removal of number two in the item c attachment of the consent agenda

MSV (9) motion to approve the consent agenda without item B purchases over \$4000 and the change in item C recommended by Dr. Pallotta

Motion made by Michelle Brousseau

Motion seconded by Melissa Boyd

Motion passes unanimously

- A. Approval of Open Session Minutes Meetings of 11/9/21
- B. Purchases Over \$4000
- C. Personnel Actions

5. Comments from the Community

A. Comments from the Community

Ms. Whitford reviewed the protocol for Comments from the Community, allowing a 30-minute time limit, and that they will be timing for three-minute intervals.

Peter Nightingale- URI professor, spoke regarding injustices and spoke about RI poor low income population. He commented on anti-racist/anti-discrimination policy and how the policy could go further into addressing issues he presented.

Julie Erickson- voiced concern on policy getting resolved. Shared opinion regarding the anti-racist/anti-discrimination policy.

Susan Rubinoff- teacher, made comments regarding who is on the subcommittee, offered suggestions of having town council be a part.

Steven Neufold- Professor, spoke regarding racism in society.

Dirk Peters- Former Educator and parent, spoke regarding social emotional learning and support for the anti-racist/anti-discrimination policy.

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Michelle Manning- teacher and parent, thanked beloved community and stated approval with drafted anti-racist/anti-discrimination policy presented. Made comments on the strategic plan. Shared experience with the school system. Spoke about supports and disparities among groups.

Martin Lepkowski- resident, spoke about his hopes for an inclusive education for his grandson regarding race.

John Kotula- resident, spoke in favor of the anti-racist/anti-discrimination policy and feelings of disappointment regarding the policy being sent back to the subcommittee.

Ms. Brousseau chimed in that there was 5 minutes left in the allotted 30 minutes for community comments and would take the next two speakers and encouraged all other to communicate via email.

Ms. Fish expressed that she felt that people came to the meeting to speak to the policy

Ms. Whitford expressed that there is a process to follow and reiterated that they want to hear from everyone and encouraged if groups had a spokesperson to condence the amount of time.

MSV (10) motion to extend community comments for 30 additional minutes Motion made by Christie Fish Motion seconded by Michael Marran Vote passes

Johnette Rodgriguez- Pointed out in May there was the same discussion and the legal review by SK legal team. Expressed concern regarding lack of anti-racist/anti-discrimination policy.

Elizabeth Quincy- parent, reread a paragraph in presented policy and shared personal experience in relation to her son.

Penny Hall- parent, shared professional experience surrounding anti-racist/anti-discrimination efforts and urged School Committee to pass the policy.

Eli Nixon- former resident, encouraged School Committee to pass the policy and shared personal experience.

Taylor Ellis- resident, expressed disappointment in School Committee not moving forward with anti-racist/anti-discrimination policy. Encouraged School Committee to take action.

Lindsay Paiva- teacher, thanked School Committee for work and shared sentiments regarding the adoption of the anti-racist/anti-discrimination policy. Focused on specifics found in the policy.

Jonathan Sigman- SKSD social worker and resident, expressed urgency regarding the need of the anti-racist/anti-discrimination policy. Shared feelings once anti-racist/anti-discrimination policy is adopted.

Brunilda Velez- parent, voiced support for anti-racist/anti-discrimination policy and shared reasoning on support.

Pam Santos- resident and parent, expressed education she wants for her children. Shared personal experience with teacher in the district.

Kateri Collins- resident, read a section of the policy and shared that the anti-racist/anti-discrimination policy is needed. Urged School Committee to expedite on passing the policy.

Martha Badigan- librarian and resident, offered support for the anti-racist/anti-discrimination policy.

Sarah LeClaire- former student, expressed disappointment that the anti-racist/anti-discrimination policy was not passed. Expressed that policy and revisions should be more accessible to the public.

Autumn Franchesca- commented on School Committee making a vote prior to hearing on what the community comments. \cdot

Becci Davis- Beloved Community Advisory Board member, expressed support of the anti-racist/anti-discrimination policy and urged the School Committee to adopt the policy.

Ms. Brousseau notified community that comments were coming to an end and encouraged community

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Wayne Everett- resident, shared approval of anti-racist/anti-discrimination and explained importance. Made a comment/suggestion for curriculum topic.

Dorald Beasley- resident, commented in support of all comments made from the community. Expressed feelings on the Principal presentations. Commented on Curtis Corner data presented.

Ms. Fish commented on hearing more community members.

Ms. Whitford proceeded with additional community members to comment.

Ginger Mambelly- Beloved Community Advisory Board member and former student, shared personal experience.

Fil Eden- resident, expressed disappointment that the anti-racist/anti-discrimination policy was not passed. Also suggested that the School Committee provide feedback to the Policy Subcommittee so that revisions can be made.

Harold Smith- resident, made a comment supporting comment regarding amending the policy and approving it.

Elana Rose- Beloved Community Advisory Board member, expressed concern that policy was not voted on.

Laurie Gaddis Barrett- made comments of School Committee not adopting the Gloucester resolution.

Valerie Speredelozzi- made a comment on the withdrawal process and questioned data on the withdrawal, made suggestions on how to obtain the withdrawal data.

Ms. Whitford closed community comments.

6. School Committee Business

School Committee addressed Purchases over \$4000

MSV (11) motion to approve purchases over \$4000 as presented on the agenda

Motion made by Michelle Brousseau

Motion seconded by Christie Fish

not voted on

Mr. Marran explained that he asked to move the Purchases over \$4000 because of the Solution Tree contract. Mr. Marran asked clarifying questions regarding cost, regarding who was receiving the training, how training was being administered, and why it was considered sole source. Ms. Masiello provided clarification. Mr. Marran also disclosed that Solution Tree isn't listed with Secretary of State. Mr. Henneous offered to follow up in this matter. Ms. Mancinanti asked clarification on whether or not the company is authorized. Mr. Marran provided explanation. Mr. Henneous offered further information. Ms. Whitford shared her concern surrounding contract. Ms. Masiello expressed concern as previous contracts have been approved.

MSV (12) amend motion to add the contingency that the company registers to do business in Rhode Island **Motion made by** Carol Vetter

Motion seconded by Michelle Brousseau

Motion passes unanimously

A. Discussion/Action: Student Teaching Policy - Second Reading

MSV (13) motion to approve Student Teaching Policy

Motion made by Christie Fish

Motion seconded by Kate Mancinanti

Motion passes unamiously

Ms. Boyd stated that this is a second read and there were no comments previous and the policy subcommittee is requesting a vote. Ms. Whitford questioned when first reading took place. Mr. Henneous addressed the question.

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B. Discussion/Action: Anti-racist/Anti-discrimination Policy - Second Reading

This item was addressed earlier

C. Discussion/Action: Supplemental Athletic Transportation (Bid)

MSV (14) motion to approve the supplemental athletic transportation (bid)

Motion made by Kate Mancinanti Motion seconded by Christie Fish

Motion passes unanimously

D. Discussion/Action: East Providence/Portsmouth School Committee Resolution Change to RIGL 16-7-40(c) and (d)

Ms. Mancinanti asked for clarification regarding the East Providence/Portsmouth School Committee Resolutions Change to RIGL 16-7-40(c) and (d). Mr. Marran provided some insight.

MSV (15) motion to approve write a South Kingstown School District Resolution Motion made by Kate Mancinanti Motion seconded by Michael Marran Motion passes unanimously

E. Discussion/Action: SKSD Withdrawal Process

Ms. Masiello addressed process and answered comments made during the community comments. Ms. Mancinanti clarified that withdrawal survey is optional. Ms. Masiello said she would follow up with the registrar to start the data collection process.

MSV (16) motion to accept the SKSD Withdrawal Process
Motion made by Christie Fish
Motion seconded by Kate Mancinanti
Motion passes unanimously

7. Adjournment

A. Adjourn

MSV (17) motion to adjourn meeting at 10:00 PM Motion made by Michelle Brousseau Motion seconded by Kate Mancinanti Motion passes unanimously

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Exhibit Q

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SOUTH KINGSTOWN SCHOOL POLICY SUB-COMMITTEE MEETING MINUTES

11/29/2021 5:00PM-6:30PM

HAZARD BUILDING CONFERENCE ROOM IN-PERSON MEETING

ATTENDEES-VOTING MEMBERS

Dr. Frank Pallotta-Interim Superintendent
Raquel Pellerin-Chief Financial Officer
Melissa Boyd-School Committee
Kate Macinanti-School Committee
Paula Whitford-School Committee
Robert Cruz-Advisory Member
Johnette Rodriguez-Advisory Member
????-Advisory Member

ABSENT-VOTING MEMBERS

Charity Shea-Director of Pupil Personnel Services Vacant Position-Parent/Community Member

- 1. WELCOME & INTRODUCTIONS
- M. Boyd called the meeting to order at 5:03pm and introduced members and welcomed all attendees
- 2. DISCUSSION/ACTION: ACCEPT MEETING MINUTES OF 11/15/21, 5/27/21 AND 5/20/21
- K. Macinanti made a motion to approve the minutes from the 11/15/21 meeting. Seconded by R. Pellerin

The minutes from the 5/27/21 meeting and the 5/20/21 meeting were tabled due to lack of a quorum of voting members present at those meeting.

- 3. <u>DISCUSSION/ACTION: POLICIES IN REVIEW, ORGANIZATION, AND CALENDARING TIMELINE</u>
 - A) 2ND READS ON 11/23/21: UPDATES

Antiracism: Anti-Discrimination & Anti-Harassment Policy (no number yet)-M. Boyd opened the discussion for feedback from Committee and review comments provide prior to the meeting. Discussion ensued regarding definitions within the policy. M Boyd stated she will research and provide resources regarding definitions.

M Boyd presented the feedback she received from members before the meeting. P Whitford suggested removing Section III Curriculum and

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Instruction since this would be defined by Rhode Island Department of Education. An Advisory Member (???) noted that the policy had been reviewed and recommended by prior members and was vetted by district attorney. K Macinanti spoke to the possibility of hybrid language within the section as she too had concerns with roles and responsibilities of district administration. R Pellerin pointed to wording regarding make up of committee to hire employees and concerns regarding the requirement of an advisory member.

Paula spoke about the development of policies and affiliation with policies. Advisory member J spoke about the development of the advisory board and it was specific to BIPOC and were supported by prior administration. Dr Pallotta spoke about hiring and the accountability law and sip team policy does speak to diversity.

Melissa spoke about possibly another meeting. Kate supported another meeting to bring this to the next school committee meeting. Kate spoke about where are the procedures are and are they being followed. Another meeting was suggested on December 6-comments can be sent to Melissa or Admin Team and this policy will be the only thing on the agenda.

- 3 c-Jumped to School Improvement Team Policy ...new policy...Dr P wanted to bring this forward so all schools will align with the new law. Advisory member asked about what is the goal of the improvement team. Dr P explained the make up and . Melissa asked if each school has a team-Dr P confirmed. Dr P said policy will allow for consistency amongst schools. The goal is to have this approved in the near future. Dr P schools currently have teams but it varies —Kate made a motion to table and rob seconded the motion...Dr P SIP plans will be submitted to RIDE in January.
- 3b. Melissa said Campus in on the agenda is recommended for SC vote/approval-Melissa explained she wanted the committee to see where we are at with policies. Melissa also spoke about applications are now closed and discussion ensued about finding a time on agenda to review applications.
- 4. Discussion/Action Upcoming Policy meeting and Tasks for Future Agenda —Kate spoke about moving Budget Policy —Raquel seconded-this will be a priority for a meeting in the near future. Robert and Advisory board J seconded the motion to add Coach Hiring Policy on a future meeting. Melissa asked if there are any priority policies that Campus....Campus is possibly first read but there is no documentation but does not see anything voted on in School Committee (July 13 2021 agenda) -8231 has been approved Kate confirmed this.

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Melissa moved to #5 Community Comment

Bike and Pedestrian Advisory Board-listed through town comprehensive plan. BIPOC experts —Policy should be focused on antiracism and antibullying. Spoke about sexual harassment.

Change things in district listen to people of color.

Jesus —not having an antidiscrimination policy is not ok

Lilana-way too long-community support for the policy. Policy addresses trauma .

Motion to adjourn 6:25 Kate and Raquel

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South Kingstown School Committee Business Meeting Minutes

Tuesday, December 14, 2021

South Kingstown High School Cafeteria 215 Columbia Street Wakefield, RI 02879

Attendees:

Paula Whitford Michelle Brousseau Kate Mancinanti Christie Fish Melissa Boyd Carol Vetter Michael Marran

Other Attendees:

Dr. Frank Pallotta Gina Masiello

1. 7:00 PM - Call to Order

A. Call to Order

Ms. Whitford called meeting to order at 7:01 PM

Ms. Whitford completed the Roll Call. All members were present.

B. Pledge of Allegiance to the Flag

Ms. Whitford led Pledge of Allegiance

MSV(1) motion to move Anti-Racism, Anti-Discrimination, & Anti-Harassment Policy (4C) prior to the consent agenda.

Motion made by K Mancinanti Motion seconded by M Brousseau Motion passes unanimously

Ms. Fish asked for clarification regarding the move of the order of agenda.

Mr. Marran addressed School Committee regarding community comments and allowing for community input before voting.

Ms. Boyd thanked work of subcommittee and appreciated past and present Policy subcommittee and stressed that policy is work in progress. Ms. Vetter thanked community who emailed. Mr. Marran thanked Ms. Boyd and subcommittee for revisions. He echoed Ms. Vetter's sentiment surrounding comments from the community. Ms. Brousseau shared she was pleased with revisions made acknowledge emails and communication from community. Ms. Brousseau asked Policy Subcommittee about plan regarding policies containing future dates for revisions and revisiting policies for updates.

Ms. Whitford invited community comments pertaining to policy only.



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Kateri Collins – (community member) Thanked School Committee and community members who supported revisions

Jonnette Rodriguez – (community member) Echoed Ms. Collins and thanked Ms. Boyd for improvement statement

Keith Vorhaben – (community member) Acknowledged what he liked within the policy. Shared areas he deemed as problems such as definitions and addressed areas he deemed as issues in relations to specifics fitting in the context of the document.

Becci Davis – (parent) Shared personal story regarding specific incident of son was a high school student. She shared that at the time of the incident no action was sought in fear of retaliation. Ms. Davis offered recommendations.

Taylor Ellis- (community member) Expressed that policy needs work. Expressed student need for support.

Gail Faris – (resident of W Kingston) Expressed agreement of policy and shared her belief surrounding the policy.

Fil Eaden- (community member) Thanked Policy subcommittee and echoed support expressed.

Ms. Whitford led vote

MSV(2) motion to approve Anti-Racism, Anti-Discrimination, & Anti-Harassment Policy Motion made by Christie Fish Motion seconded by Michelle Brousseau Motion passes unanimously

2. Consent Agenda

- A. Purchases over \$4000
- **B.** Personnel Actions
- C. Approval of Meeting Minutes 11/23/21, 12/7/21

MSV(3) motion to approve consent agenda Motion made by Kate Mancinanti Motion seconded by Michelle Brousseau Motion passes unanimously

3. Comments from the Community

A. Comments from the Community (Please Sign Clipboard)

Ms. Whitford reviewed the protocol for Comments from the Community

Christina Pierce- (teacher) Thanked School Committee and acknowledged them for their work and encouraged them to take a step.

Valerie Speredelozzi – (community member) Echoed previous comments. Acknowledged low enrollment. Addressed DLI concerns.

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Dorald Beasly – (community member) Addressed previous facilities projects and contracts and architectural firms. Presented examples of other school districts in respect to their budgets and South Kingstown School District's budget.

Camia Dimock- (parent) commented on redistricting was grateful to hear details about the work. Commented on grade structure 6-8. Voiced that she likes Option A over Option B. Inquired if teachers were a part of the conversation and commented on DLI

Ms. Whitford closed Community Comments

4. School Committee Business

A. Educational Facilities Master Planner Presentation (STUDIO JAED)

Dr. Pallotta introduced Studio Jaed for Educational Facilities Master Planner Mr. Conte, President and Architect at STUDIO JAED led presentation for School Committee about the firm and their services.

B. Discussion/Action: Educational Facilities Master Planner

Ms. Whitford opened discussion.

Ms. Mancinanti shared concern about community input and communication channels. Mr. Conte addressed that one of the first steps would be to develop a communication strategy. Mr. Marran inquired about experience at other districts. Mr. Conti shared examples of work done at other districts, which included Portsmouth, Providence, Coventry, etc. Ms. Fish had questions regarding process. Mr. Conte disclosed that he doesn't know enough yet but after facilities and educational assessments there will be a development of needs.

MSV(4) motion to approve Educational Facilities Master Planner Motion made by Michelle Brousseau Motion seconded by Kate Mancinanti Motion vote passes unanimously

Ms. Fish voiced concern asked for discussions regarding vote with the information they presently have. Ms. Whitford expressed in order to move forward she feels the district needs expert guidance. Mr. Marran added that subcommittees have done work but are at a point where an expert is needed. Ms. Brousseau echoed Mr. Marran and Ms. Whitford and expressed that the experts are in one place with the firm making all the experts are accessible. Ms. Boyd thanked the team for attending and shared insight of district's previous attempt to come to a common solution. Ms. Mancinanti addressed Ms. Fish's concern and shared information found regarding the work STUDIO JAED has done. Ms. Fish thanked School Committee for comments and clarified that she wanted engagement surrounding thoughts, for the community.

C. Discussion/Action: Anti-Racism, Anti-Discrimination, & Anti-Harassment Policy

- **This item was addressed earlier in the meeting**
- D. Updated Second Presentation (School District Plan)

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Dr. Pallotta addressed STUDIO JAED regarding the Subcommittee report out the following Thursday as the first assignment. Dr. Pallotta presented the Dec 7th presentation for second time which consisted of the following slides:

- Letter from RIDE regarding the Necessity of Construction Stages I and II
- School Project back up with dollar amounts
- Summary of cost of major projects by school
- Timelines regard Capital Improvements, which Dr. Pallotta highlighted that February would be a difficult timeline to meet
- Specificity of Stages I and II and when they are to take place
- Mission
- Strategy which was the creation of the subcommittees
- School Committee process implementation which highlighted subcommittee membership numbers
- Subcommittee Goals
- Subcommittee Reports
 - Budget- Dr. Pallotta noted the important dates which are pre- budget consultation with the town and budget meeting. Dr. Pallotta emphasized that the work by the Budget subcommittee depends on the Information received by other subcommittees. In addition the subcommittee looked at projection of enrollment, staffing needs, impact of approval of Universal Pre-K, potential savings on school closings.
 - Building- Reviewed NESDEC- enrollment projection report and toured other educational facilities.
 - Strategic Planning- will work with School Improvement Plans to create common threads between school plans and district-wide plans.
 - Redistricting- the subcommittee brainstormed 14 various configurations and narrowed to two.
 - [Option A] Recommendation for 2022-2023 is Wakefield would keep3 Pre-K classes and relocate grades 1-4 at Peace Dale, West Kingston, and Matunuck. Highlighted very little savings due to additional transportation cost. In 2023-2024, the recommendation is to close CCMS and relocate grades 7 and 8 to create a 6-8 grade structure at Broad Rock. Create K-5 grade structure at Peace Dale, West Kingston, and Matunuck, and keep Pre-K at Wakefield. In 2024-2025, close CCMS and Wakefield, keep Broad Rock as grades 6,7, and 8, keep Peace Dale, Wakefield, and Matunuck grades K-5 and move Pre-K to High School
 - [Option B] Recommendation to close Wakefield, relocate children, Pre-k-1 to Peace Dale, grades 2-4 disperse to West Kingston and Matunuck. In 2023-2024, close Wakefield and Curtis Corner, Broad Rock would 6, 7, and 8, Peace Dale would be Pre-K to 1, West Kingston and Matunuck grades 2-5.
 - [Option C] Status quo which would consist of consulting with Educational Facilities Planner
- Next steps- included a review of upcoming dates.

E. Discussion: School Redistricting/Reconfiguration Plan

Ms. Mancinanti addressed question about Pre-K at HS with explanation of larger facilities renovation and would be a part of CTE Early Childhood learning. She also addressed STUDIO JAED regarding planning and meeting timelines. Ms. Whitford echoed Ms. Mancinanti and followed up with expressing worries about reconfiguration of school.

F. Discussion/Action: School Committee Goals

MSV(5) motion to approve SC Goals Motion made by Michelle Brousseau

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> Motion seconded by Melissa Boyd Motion passes unanimously

> > Dr. Pallotta reviewed the Goals

G. Discussion/Action: Disclosure of prior vote taken on 10/5/21 relative to JACQUELINE S. LUCIA v. South Kingstown School Dept., C.A. No. 1:19-cv-00507

MSV(6) motion to disclose vote listed as item G Motion made by Kate Mancinanti Motion seconded by Michael Marran Motion passes unanimously

Ms. Whitford shared vote was taken

H. Discussion/Action: Consultant RFP (Spanish Language Immersion Program)

Ms. Masiello addressed School Committee regarding the Consultant RFP (Spanish Language Immersion Program). Ms. Masiello stated that funding is part of title 4 process. Solicit come proposals

MSV(7) motion to approve RFP as presented by Assistant Superintendent Masiello Motion made by Michelle Brousseau Motion seconded by Christie Fish Motion vote passes unanimously

Ms. Boyd thanked for bring attention forward as curriculum has been discussed in subcommittees. Ms. Mancinanti reiterated what was stated by Ms. Boyd. Ms. Masiello added is that this process is grounded in data. Ms. Fish had clarifying questions about faculty involvement. Ms. Masiello provided discussion about faculty involvement.

I. Discussion/Action: MOA (World Language Coordinators and MLL Coordinator)

Ms. Masiello explained the MOA and how it ties into the RFP previously discussed.

MSV(8) motion to accept MOA Motion made by Melissa Boyd Motion seconded by Kate Mancinanti Motion passes unanimously

Ms. Boyd asked clarifying question whether this model support the other work being done in the subjects. Ms. Masiello provided answer supporting the question. Ms. Fish had question regarding filling these roles. Ms. Masiello confirmed it would follow internal process.

J. Discussion/Action: Revised School Calendar

Ms. Masiello presented previous calendar and revised calendar with four changes.

- 1. Storm day which changes last day of school
- 2. Another PD day Feb 7 (asynchronous day for students)

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- 3. May 25 request for professional development day (originally May 11th which is an AP testing day)
- 4. Inclement weather day to RIDE Applied for 4 inclement weather day

MSV(9) motion to approve school Calendar Motion made by Kate Mancinanti Motion seconded by Christie Fish Motion passes unanimously

K. Discussion: Enrollment Update

Ms. Masiello shared current enrollment. Ms. Mancinanti thanked Ms. Masiello

5. Adjournment

A. Adjourn

MSV(10) motion to adjourn meeting at 8:52 PM

Motion made by Kate Mancinati

Motion seconded by Michelle Brousseau

Motion passes unanimously

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ANTI-RACISM, ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

GOALS:

- Eliminate all forms of racism, and discrimination and harassment in South Kingstown School Department ("District") policies and practices;
- Promote equity of opportunity for all students, staff, and administration in the District;
- Promote positive relations among people of different racial, ethnic, and religious groups, identities.

CONTENTS:

- Purpose (1)
- Philosophy (1-2)
- Terms (2-4)
- Policy Regulations (4-8): Policy Communication (4-5), Leadership & Administration (5-6), Curriculum & Instruction (6-7), Training (7), Policy Enforcement (7-8)
- Reporting (8-9)
- Investigation (9)
- Reporting to Outside Agencies (12)

PURPOSE:

The purpose of this policy is for the South Kingstown School District to be an actively antiracist and anti-discriminatory school district with the ultimate goal of eliminating all forms of racism, and discrimination and harassment from the South Kingstown School District in conjunction with related school policies.

The policy ensures compliance with Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Executive Order 11246, the Equal Pay Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act and related Rhode Island General Laws, Executive Orders and regulations and mandates adopted and issued by the Rhode Island Department of Elementary and Secondary Education.

This policy does not address requests for accommodations by students under Section 504 of the Rehabilitation Act of 1973, which requests are addressed in a separate policy.

This policy does not apply to compliance with Title IX of the Education Amendments of 1972, which shall be addressed in a separate policy.

PHILOSOPHY:

Personal and institutional racism and other forms of discrimination and harrassment against protected classes have historically existed and continue to exist in South Kingstown. Combating racism and other forms of discrimination in South Kingstown schools is a legal and moral

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imperative. In the District, there are significant disparities between racial groups in student academic performance, achievement, and participation in academic programs. These include disparities in academic guidance and course selection, graduation rates, Advanced Placement selection, special education identification, standardized test scores, and suspension rates. Disparities also exist between the racial demographics of the students in the district and the staff the district hires. These equity gaps exist because of inequitable access to opportunities that have significant intergenerational effects and perpetuate economic, social, and educational inequity. Racial inequities were created over time and can be eliminated. Similarly, discrimination on the basis of gender identity, sexual orientation, ability and other forms of discrimination have been perpetuated over time and manifest differently for different individuals. One form of discrimination often overlaps with other forms of prohibited discrimination and the compounded discrimination can be significantly greater than the sum of its parts.

Personal prejudice is learned and can be unlearned. Educators play a vital role in reducing racism and all forms of discrimination and inequity by recognizing the manifestations of racism and discrimination, creating culturally, gender and ability inclusive learning and working environments, and dismantling educational systems that directly or indirectly perpetuate racism, gender bias, ableism and privilege through teaching, policy, behavior patterns and practice.

TERMS:

Antiracism: The practice of continually identifying, challenging, and changing the values, structures, beliefs, and behavior patterns that perpetuate interpersonal and systemic racism.

Racism: A system of oppression maintained by institutions, cultural norms, and individuals that attack, exploit, control, and/or oppress Black, Indigenous, and People of Color (BIPOC) in order to maintain a position of supremacy and privilege for white people. The systemic oppression of a racial group to the social, economic, and political advantage of another.

Harassment: Unwelcome verbal, written or physical conduct directed at a person based on their race or color, religion, gender expression, abilities or status as a member of a protected class (i.e These groups include men and women on the basis of sex; any group which shares a common race, religion, color, or national origin; people over 40; and people with physical or mental handicaps), including slurs or insults, graffiti or symbols, hostile acts, nicknames, negative comments about appearance, imitating mannerisms, taunting, or invading personal space to intimidate.

Bullying: Unlawful harassment on the basis of any protected characteristic is not the same as "bullying," although conduct that is "bullying" can constitute unlawful harassment, and viceversa. The Committee has a separate Policy on bullying. Generally, bullying can, but need not be, based on race, color, religion, gender, national or ethnic origin, age, disability, sexual orientation, gender identity or gender expression. It means the use by one or more students of a written, verbal, or electronic expression, or physical act or gesture, or any combination

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thereof directed at another student that causes physical or emotional harm to the student or damage to the student's property; places the student in reasonable fear of harm to himself/herself, or of damage to his/her property; creates an intimidating, threatening, hostile, or abusive educational environment for the student; infringes on the rights of the student to

participate in school activities; or materially and substantially disrupts the education process or the orderly operation of a school.

Cyber racism: Racism which occurs in the cyber world. This includes racism which occurs on the internet such as racist websites, images, blogs, videos and online comments as well as racist comments, images or language in text messages, emails or on social networking sites.

Interpersonal racism: Pre-judgment, bias, or discrimination by an individual toward another individual based on race. Individual racism includes both privately held beliefs, conscious and unconscious, and external behaviors and actions towards others.

Institutional racism: Occurs within institutions and organizations, such as schools, that adopt and maintain policies, practices, and procedures that often produce inequitable outcomes for students who identify as BIPOC (Black, Indigenous, and People of Color) and advantages for white people.

Culture: The customs, traditions, language, beliefs, arts, social institutions, values, and achievements of a racial, religious, or other groups within a community, nation, and/or people.

Gender Identity: A person's deeply held sense or psychological knowledge of their own gender. One's gender identity can be the same as or different from the gender assigned at birth.

Gender Expression: The manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

Transgender: Describes a person whose gender identity or expression is different from that traditionally associated with assigned sex at birth.

Gender Non-Conforming or Non-Binary: A term used to describe people whose gender expression differs from stereotypic expectations. This includes people who identify outside traditional gender categories or identify as both genders.

Sexual Orientation: Refers to a person's romantic or sexual attraction to people if the same or opposite or multiple sexes.

Discrimination: Pre-judgment, bias, or unjust acts based on race, ethnicity, immigrant status, gender and gender identity, religion, age, and different abilities.

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Restorative Justice/Reconciliation: A method used to repair the harm and trauma caused by an event or act that is damaging due to its racist and/or discriminatory intent, and to reconcile the relationships of the individuals involved to one of civility. The intended outcome is to promote healing within the school community and beyond.

Structural (or systemic) racism: Encompasses the history and current reality of institutional racism across all institutions and society. It refers to the history, culture, ideology, and interactions of institutions and policies that perpetuate a system of inequity that is detrimental to communities of color and the values we uphold in South Kingstown.

Complainant: A student, parent/guardian and/or district employee who is alleged to be the victim of conduct that could constitute racism, discrimination and/or harassment against a member of a protected class.

Respondent: An individual who is a current or former student or current employee and who has been reported to be the perpetrator of conduct that could constitute racism, discrimination and/or harassment against a member of a protected class.

Microagressions: Everyday verbal, nonverbal, and environmental slights, snubs, insults, whether intentional or unintentional, that communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership.

POLICY REGULATIONS:

These regulations are designed to dismantle the interpersonal, institutional, and structural racism that exists in the District. The South Kingstown School Committee ("School Committee") directs the following action:

I. Policy Communication & Shared Responsibilities

A. It shall be made clear to all employees of the District that racism and discrimination includes, but is not limited to: racially-motivated comments, microaggressions, slurs, jokes, pictures, objects, threats, physical assaults, and/or intimidation. It also includes institutionally or culturally racist policies, practices, and norms, unequal application of policies based on race, and unequal or biased treatment based on race. This includes behaviors, actions, or systems that may not be intended to be racist but harm people of color, as well as intentional racial harassment or discrimination.

Each member of the educational community is personally responsible for ensuring that their conduct does not in any way harass or discriminate against any other person that they have contact with in the performance of their duties or studies or while acting as a member of the school community. In addition, each member of the educational community is required to fully cooperate in any investigation of alleged discrimination, including harassment. Further, District employees are obligated to intervene and stop any discrimination, including

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harassment that they witness and to immediately report to the building Principal instances of discrimination, including harassment that are reported to them, they observe, or of which they otherwise learn.

- B. Each school in the District shall post a public statement against racism, and all forms of discrimination, and harassment in a location visible to students, staff, and visitors entering the school. The District shall also post a public statement in high-traffic locations at its main office and on the District's website. The public statement shall read: "South Kingstown Public Schools are committed to establishing and sustaining an equitable community that achieves the District's equity mission to end the predictive value of race and ensure each individual's success. The South Kingstown School district leadership and School Committee reject all forms of racism, and discrimination, and harassment as destructive to the District's mission, vision, values, and goals."
- C. The District shall establish a student organization at the middle school and high school to promote equity, diversity, and cultural empowerment, and for these students to serve as leaders and spokespersons within their schools and school district.
- D. The District's Anti-Racism, Anti-Discrimination and Anti-Harassment Policy shall be included in student handbooks provided to students and families.
- E. The School Committee shall take necessary steps, in cooperation with all unions representing employees of the District, to ensure that the Anti-Racism Policy, and Anti-Discrimination and Anti-Harassment Policy will be included in the various Collective Bargaining Agreements between the District and each union, and supported in a written statement by each union representing employees in the District.
- F. The School Committee shall also ensure that the Anti-Racism, Anti-Discrimination and Anti-Harrassment Policy is provided to will be supported in a written statement by the School Resource Officer (SRO) program administered through the SKPD's Juvenile Division.
- G. This policy shall be translated into the preferred language of all families in the District and be made available for families who speak those languages.

II. Leadership and Administration

- A. The District shall address systemic racism as follows:
- 1. **Develop and conduct a systemic Equity Needs Assessment** ("Assessment") for the District to identify policies and practices that cause or contribute to inequitable outcomes. The Assessment shall be done by an outside entity and shall include an inventory of what equity-related data is currently collected by the District. Following the Assessment, strategies shall be developed and implemented to address the identified issues.
- 2. Address disparities in course participation (including AP/Honors participation):

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- a. All school staff making class/course recommendations shall provide a written or electronic explanation for the recommendation to students and/or families.
- b. School counselors shall be responsible for educating all students and families as equitable partners in the selection process and course sequencing.
- c. Middle and High Schools will offer opportunities for supplementary coursework, such as summer bridge programs or tutoring during or after school, to students interested in moving to higher level courses.
- 3. The District shall implement strategies (such as Kingian non-violence training, trauma-informed techniques, de-escalation techniques, etc.) Kingian Nonviolence for in its process of conflict reconciliation and restorative justice as non-punitive methods to reduce and eventually eliminate racial disparities in discipline and suspension.
- a. To ensure consistency in student discipline, each school shall collect and, at least annually, report data on the South Kingstown dashboard about all disciplinary actions. The data shall include, to the extent possible under the law, the student's race/ethnicity, gender, gender identity, sexual orientation if known and disclosed by student, socio-economic status, special education, and English Language/ Multilingual Learner status, as well as a written explanation of the behavior leading to discipline and the specific corrective action taken. Each report shall comply with any and all federal and state laws and/or regulations, including the Individuals with Disabilities Education Act ("IDEA"), the Family Education Rights and Privacy Act ("FERPA") and any other applicable privacy laws or regulations.
- b. When school administrators determine a school community member has committed a racist or discriminatory act, that person shall be provided the opportunity to learn about the impact of the actions on others through practices as restorative justice, mediation, role play or other explicit policies or training resources, such as Kingian Nonviolence, conducted by trained personnel.
- c. The district will encourage schools to shall organize a standing social justice and equity committee/advisory group with representation at each school. This committee, consisting of students, faculty/staff, and stakeholders and members of the BIPOC Advisory Board will oversee recommend in-school cultural appreciation experiences for students and faculty, including but not limited to: educational opportunities such as assemblies, exhibits, guest speakers, field trips, etc. In addition, this committee shall recommend to the District what the needs are for each of the schools based on input from key stakeholders.
- d. Each school will present this policy to the student body on the first day of school, demonstrating its high priority and setting the tone for the school year.

III. Curriculum and Instruction

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- A. Recruiting, hiring and retaining teachers, staff, administrators, and coaches who identify as BIPOC, in addition to other unrepresented populations, shall be one of the District's top priorities. Representative members of the BIPOC community, and other unrepresented populations, shall be invited to serve on the hiring committee for all new loyees.
- B. Curriculum and instructional materials for all grades shall reflect cultural and racial diversity and include a range of perspectives, identities, and experiences, particularly those of historically underrepresented groups of color.
- C. All curriculum shall be examined for racial, cultural and other discriminatory bias against a protected class by the District's Director of Curriculum. and the BIPOC Advisory Board. The District shall revise the present curriculum to reflect an antiracist/culturally empowered, anti-discriminatory lens and shall provide additional supplemental educational resources for students at every grade level. Based on the collaborative relationship between the district and the BIPOC Beloved Community Advisory Board. Resources can be requested and provided to the Director of Curriculum from the BIPOC Advisory Board and may include vetted guest speakers, videos, books, and other printed material, etc.
- D. Where materials reflect racial, cultural or other discriminatory bias against a protected class, teachers utilizing the materials will acknowledge the bias and communicate it to students and parents. The teacher will then seek other materials that have been approved by the District.
- E. Student in-class and extra-curricular programs and activities shall be designed to provide opportunities for cross-cultural and cross-racial interactions to foster respect for cultural and racial diversity. The District shall support inter-school activities that will allow students to experience diversity (e.g. sharing a guest speaker, collaboration between student organizations, etc.).

IV. Training

- A. All School Committee members, administration, faculty, and staff shall be required to participate in training related to this model and embody this Anti-Racism, Anti-Discrimination and Anti-Harassment Policy on an annual basis.
- B. All teachers, administrators and School Resource Officers shall be trained in implicit bias, cultural awareness and/or culturally responsive teaching practices. The BIPOC Beloved Community Advisory Board is available to provide recommendations for outside agencies that the District selects to conduct professional development. Culturally responsive, and anti-discriminatory, teaching practices shall be incorporated into teacher and administration evaluations, to the extent allowable through potentially required negotiations with the Union and approval by the Rhode Island Department of Education. Training should occur

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annually and shall be on-going.

- C. All staff, including SROs, shall be engaged in on-going training such as Kingian-nonviolence (i.e. workshops, and/or professional development), antiracism and anti-discrimination practices, antibias, cultural empowerment, trauma-infomed practices, conflict-resolution and de-escalation techniques and how each can produce equitable practices and outcomes.
- D. This policy will be presented to the South Kingstown teachers and staff during the first staff meeting of the year by the building administration. by a member(s) of the BIPOC Beloved Community Advisory Board and a member of the school committee.

V. Policy Enforcement

- A. School administrators at each school shall be responsible for collecting, reviewing and providing an annual report to the School Committee on data regarding racial disparities in areas including, but not limited to: student achievement, attendance, suspension/discipline, graduation rates, and Advanced Placement identification. The report shall also include evidence of growth in each area outlined by the Anti-racism, Anti-Discrimination and Anti-Harrasment Policy (i.e., communication, leadership and administration, curriculum and instruction). The written reports shall be made available to the public, to the student cultural empowerment group, and to school equity teams.
- B. A report of each school's compliance with this Policy shall be posted on the District website on an annual basis. The report shall include the number of reported incidents, type of incidents (student to student, staff to staff, student to staff, etc.), resulting actions and documentation of educational efforts. Each report shall comply with any and all federal and state laws and/or regulations, including the Individuals with Disabilities Education Act ("IDEA"), the Family Education Rights and Privacy Act ("FERPA") and any other applicable privacy laws or regulations. In addition, data on staffing (hiring, number of positions, demographic make-up) and action towards goal attainment (recruitment and retention of a more diverse workforce, including TAs and student teachers) shall also be reported.
- C. The Superintendent and School Committee shall be responsible for implementation and evaluation of district strategies for implementation of this Policy. Resources shall be set aside in the School District budget to allow for implementation of the Policy.

VI. Reporting

A. Foundational Principles

1. The South Kingstown School District encourages all members of the school community to attempt to resolve complaints and concerns through the District. All complaints shall be

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treated fairly and consistently, as confidential as possible, and resolved as speedily as possible.

- 2. Any member of the school community who raises an issue of racism, discrimination or harrasment in good faith shall not be victimized, retaliated against or otherwise treated unfairly. All complaints of victimization or retaliation shall be taken seriously, investigated, and acted upon as quickly as possible.
- 3. Every student and staff member in the South Kingstown School District should feel welcome, supported and emotionally and physically secure at school. The well-being of all students and employees are a priority for the District. The District understands that members of the community students and professionals cannot achieve their full potential if someone is treating them unfairly, discriminating against them, vilifying, harassing or victimizing them.
- 4. Anti-harassment investigation procedures, as contained in subsection VII, exist to provide an avenue to address unacceptable behavior and are designed to explain what to do if a student/employee believes they have been discriminated against. The District shall treat all reports fairly, confidentially and quickly. All complaints will be fully investigated and appropriate action will be taken to resolve the issue.
- 5. Any member of South Kingstown is Students, parents/guardians and all affiliated professionals are encouraged to report incidents or allegations of incidents which violate the Anti-Racism, Anti-Discrimination and Anti-Harassment Policy and shall be assisted in the reporting by school staff.

B. Reporting Procedure

- 1. The District shall ensure there are various, including anonymous, means for students and staff to report racism and other forms of discrimination. When possible, complainants shall be encouraged to use names, so that a thorough investigation may be completed.
- 2. An online reporting form shall be made available on the District's website and each District school's website, for reporting violations of this Policy. This online form may be utilized by both students, parents/guardians, and employees. (Link to online reporting form).
- 3. Student and parents/guardians may also report an alleged violation of the Anti-Racism, Anti-Discrimination and Anti-Harassment Policy to any District employee. Any District employee who has knowledge of an incident or allegation of incident which violates the Anti-Racism, Anti-Discrimination and Anti-Harassment Policy is required to report it to the appropriate School District personnel (Superintendent, building level leaders and Human Resources), pursuant to the Investigation procedure, immediately.
- 4. District employees shall report alleged violations of the Anti Racism, Anti-Discrimination and Anti-Harassment Policy through the online portal or to their building principal or, if

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the reporter is not located at a school or they feel that the building principal has a conflict of interest, to the appropriate School District personnel ((Superintendent and Human Resources).

5. The District shall take any and all necessary mitigating measures to protect and keep reporting students safe after the reporting of a violation of this policy, including the use of safety plans and No Contact Orders.

VII. INVESTIGATION

A. Any SKSD affiliated student, parent/guardian or professional person who believes that they have been subjected to a violation of this Policy is encouraged to avail themselves <a href="https://hint.phi.org/hint.com/hint.phi.org/hint.phi.

B. Informal Resolution Procedure

- 1. Employees and third parties may initiate the informal resolution procedure by notifying their immediate supervisor and/or a union representative of their complaint.
- 2. Students may initiate the informal resolution procedure by notifying the school principal or an adult of their choice of their complaint as detailed above.
- 3. The informal procedure can also be initiated by using the online reporting tool and/or communicating the complaint verbally.
- 4. The informal resolution procedure is intended to encourage communication and a resolution between the parties involved, through a trained mediator, who will facilitate a mutual understanding that will prevent a recurrence of such behavior. Any complainant may elect to bypass the informal resolution procedure and initiate the formal resolution procedure below.

C. Formal Resolution Procedure

1. Any employee, student or third party may submit a formal complaint alleging a violation of the District's Anti-Racism, Anti-Discrimination and Anti-Harassment policy. A formal complaint may be made through a written statement or by using the online reporting tool which shall set forth a statement of the facts describing the problem or action alleged to be

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discriminatory or racist and the specific remedy sought. Alternatively, oral complaints may be communicated to any District employee, and if needed, the District will assist complainants in transcribing their oral complaints into written statements. There is no statute of limitations when filing a report at the district level.

- 2. Formal complaints regarding students and/or building level staff shall be investigated by the school principal and shall be immediately reported to the superintendent. In the event that, after consultation with the superintendent, it is determined that the principal has a conflict or the scope and/or subject of the investigation requires a designee, the Superintendent shall investigate the complaint or designate an investigator.
- 3. Formal complaints regarding central office employees shall be investigated by the Director of the Department in which the complainant works and shall be immediately reported to the superintendent. In the event that, after consultation with the superintendent, it is determined that the director has a conflict or the scope and/or subject of the investigation requires a designee, the Superintendent shall investigate the complaint or designate an investigator.
- 4. The designated investigator shall conduct a prompt, reliable, impartial, and thorough investigation of the complaint. The investigation will afford all interested parties an opportunity to present witnesses and submit other evidence relevant to the complaint directly to the investigator. The Superintendent will maintain the files and records of the District relating to all such complaints.

D. Determination

- 1. The District shall issue a written report ("Report") not to exceed 30 working days after the filing of the complaint. Under certain circumstances, such as delay occasioned by vacation periods or the complexity of the investigation, the District may extend this timeframe and will notify parties of the extension.
- The Report should include background information, findings that resulted from the investigation, a proposed resolution and the rationale for any such resolution. To the extent possible, student and employee names and personally identifiable information shall be reducted from the Report.
- 3. Within a reasonable time after the Report is finalized, the School Principal, Director or Superintendent shall issue a written decision in which they revise (in full or in part), and/or confirm the Report (in full or in part). This written decision by the Superintendent ("Decision") shall be sent to the complainant and respondent.

E. Appeals

1. Both parties shall have the right to an appeal from a determination regarding responsibility contained in the Report.

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> The School Committee shall serve as the decision-maker for any appeal that is taken, according to the following procedure:

- a. If either party wishes to appeal from a written determination of responsibility, they must file a notice of appeal with the Title IX Coordinator within thirty (30) days from the date that the School District provided said written determination.
- b. The District shall notify the other party in writing when an appeal is filed. Each party will then have ten days to submit a written statement in support of, or challenging, the outcome.
- c. Following this ten-day period, the School Committee will take up the matter in executive session at its next business meeting.
- d. The School Committee shall issue a written decision describing the result of the appeal and the rationale for the result and provide it to both parties simultaneously.

F. MONITORING

The District, as well as each individual school shall monitor how complaints are resolved and of the well-being of those involved. Further action will be taken if the racist, discriminatory and/or harassing behavior continues.

VII. Reporting to Outside Agencies

- A. Even though the District encourages all members of the school community to attempt to resolve complaints and concerns through the District if possible, it recognizes the right to seek help from outside the District.
- B. The availability and use of this complaint resolution procedure does not prevent a person from filing a complaint of discrimination with the following agencies:

Rhode Island Commission for Human Rights 180 Westminster Street, 3rd Floor Providence, RI 02903 (401) 222-2661

File with EEOC within 180 days from the date of the alleged harm

Equal Employment Opportunity Commission (EEOC) John F. Kennedy Federal Building 475 Government Center Boston, MA 02203 1-800-669-4000

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File with EEOC within 180 days from the date of the alleged harm

Office for Civil Rights United States Department of Education 5 Post Office Square Boston, MA 02109 (617) 289-0111

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Reviewer: Maureen D.

Exhibit R

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SOUTH KINGSTOWN SCHOOL POLICY SUB COMMITTEE MEETING AGENDA

THURSDAY, OCTOBER 8, 2020 1:45 PM VIRTUAL MEETING

Virtual Meeting: Pursuant to Executive Order No. 20-34 issued by the Governar of the State of Rhode Island, this meeting will be conducted by electronic communication only.

Please click the link below to join the webinar:

https://skschools.zoom.us/i/99264243640?pwd=akVuU1dYMUd2LzN4anZXVU1wNnNOZz09

Passcode: 887382

Agenda

- 1. Welcome & Introductions
- 2. Discussion/Action: Accept Meeting Minutes of 9/24/2020 Minutes were accepted
- 3. Discussion: workflow and process for the Policy Subcommittee
 A workflow process was reviewed. Legal will attend the next meeting to review this process.
- 4. Discussion: current policy review list, additions, updates Discussion ensued regarding prioritizing current list.
- 5. Discussion: Presentation Draft Suspension Policy

Chip McGair presented the draft suspension policy. Discussion ensued regarding feedback on the language of this policy and policies that could be referenced in this policy, such as harrassment.

Discussion ensued regarding process, school handbooks and possible discipline policy. Discussion ensued regarding suspension data and data dashboards that could be public.

Chip McGair will connect with the Suspension Policy team edit the revision based on feedback and send to Linda Savastano and Jenna Ouellette to forward to legal for review with the goal of presenting revised the Suspension Policy to the full School Committee at the October 27th, 2020

- 6. Discussion/Action: on Policy drafts
 - Homebound Instruction To school committee
 - Restraint previous policy spoke to CPI and CPI is no longer a program being utilized in SKSD. To school committee
 - <u>Homeschool</u> discussion ensued and this will continue as draft and meet with legal to discuss further.
 - <u>Teaching Controversial Issues</u> ready for school committee
 - Guest Speakers ready for school committee
- 7. Discussion: Advisory Board's research on Staff to Staff/Staff to Student/Student to Student/ Student to Staff Racism Policy this have been moved to next meeting
- 8. Schedule Next Meeting

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SOUTH KINGSTOWN SCHOOL POLICY SUB COMMITTEE MEETING MINUTES

THURSDAY, OCTOBER 22, 2020 1:45 PM - 3:15 PM VIRTUAL MEETING

Virtual Meeting: Pursuant to Executive Order No. 20-34 issued by the Governor of the State of Rhode Island, this meeting will be conducted by electronic communication only.

In attendance: Linda Savastano, Ginamarie Masiello, Terry Lynch, Aubrey Lombardo, Mwangi Gitahi, Jacy Northop, Maghnee Gomes, Ashley Frye, Chip McGair, Raquel Pellerin, Sarah Markey

Agenda

- Welcome & Introductions
- Discussion/Action: Accept Meeting Minutes of 10/8/2020
 Jacy Northop made a motion to approve and Sarah Markey seconded
 All yes
 - 3. Discussion/Action: Document Process for Policy Subcommittee with input from Legal Process
 - 1. Subcommittee
 - 2. Legal
 - 3. Back to Subcommittee
 - 4. Community Feedback Session at the subcommittee level
 - 5. Full School Committee recommended by subcommittee to approve
 - a. First read
 - b. Second read

Discussion: Advisory Board's research on Staff to Staff/Staff to Student/Student to Student/ Student to Staff Racism Policy

- 4. Discussion/Action: on Policy drafts
 - a. Coach Hiring
 - Discussion ensued regarding NK's policy. Legal will capture the feedback and align to the CBA, law from January, edit philosophy.
 - Draft 1 will be shared at next meeting
 - b. Homeschool Legal Input needed
 - c. Suspension Edits will be made and brought back to subcommittee
 - i. The subcommittee reviewed the second draft
 - ii. Legal recommends using they rather than his/her
 - iii. Legal recommends using the Right to a Safe School Act language
 - Each student, staff member, teocher, and administrator has a right to attend and/or work at a school which is safe and secure, and which is conducive to learning, and which is free from the threat, actual or implied, of physical harm by a disruptive student. RIDE has interpreted this as this is the only way to administer out of school suspension
 - iv. Discussion ensued regarding the language possession with the intent to distribute or sell in the school or on school grounds of dangerous drugs, narcotics or alcoholic beverages. Find language that is not subjective. Legal recommended language on threat assessment as it is required by law and in alignment with policy statement.

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- v. Discussion ensued regarding The building admin shall forward to the police any information involving a violation of the law, involving a felony, taking place on school property. Legal advice we can't hand over student records to the police, inclusive of video. If the police request video, they must get a warrant. We cannot hand over any evidence that is student records. FERPA violations. Committee agreed to take out that line.
- vi. Legal advice inserting the word cumulative days
- vii. Legal advice use Preferred language other than English
- viii. Question posed regarding what the process is to reintegrate a student back in
 - Risk assessments will lead to restorative practice and how to reinstate back into school. We may not need to capture the specifics of reinstatement but having the risk assessment process captured.
 - 2. Manifestations hearing and language should be included
 - 3. Make the policy like a road map that is a district policy that is followed with fidelity

Next Step - Chip sends the revised policy to Jenna, Linda and Aubrey
This policy will go before the school committee on October 27th for the first reading.

- d. Graduation moved to next meeting
- e. Attendance moved to next meeting
- f. Employee/Student Masks moved to next meeting
- 5. Schedule Next Meeting

November 5, 2020 3:00 - 4:30

Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877

Reviewer: Maureen D.

Exhibit S

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D. Electronically Served: 2/23/2023 1:07 PM Location: Providence/Bristol County Superior Court Case Number: PC-2022-04727



SOUTH KINGSTOWN SCHOOL POLICY SUB COMMITTEE MEETING MINUTES

THURSDAY, OCTOBER 22, 2020 1:45 PM - 3:15 PM VIRTUAL MEETING

Virtual Meeting: Pursuant to Executive Order No. 20-34 issued by the Governor of the State of Rhode Island, this meeting will be conducted by electronic communication only.

In attendance: Linda Savastano, Ginamarie Masiello, Terry Lynch, Aubrey Lombardo, Mwangi Gitahi, Jacy Northop, Maghnee Gomes, Ashley Frye, Chip McGair, Raquel Pellerin, Sarah Markey

Agenda

- 1. Welcome & Introductions
- 2. Discussion/Action: Accept Meeting Minutes of 10/8/2020 Jacy Northop made a motion to approve and Sarah Markey seconded All yes
 - 3. Discussion/Action: Document Process for Policy Subcommittee with input from Legal
 - Process
 - 1. Subcommittee
 - 2. Legal
 - 3. Back to Subcommittee
 - 4. Community Feedback Session at the subcommittee level
 - 5. Full School Committee recommended by subcommittee to approve
 - a. First read
 - b. Second read

Discussion: Advisory Board's research on Staff to Staff/Staff to Student/Student to Student to Student to Student to Staff Racism Policy

- 4. Discussion/Action: on Policy drafts
 - a. Coach Hiring
 - Discussion ensued regarding NK's policy. Legal will capture the feedback and align to the CBA, law from January, edit philosophy.
 - I. Draft 1 will be shared at next meeting
 - b. Homeschool Legal Input needed
 - c. Suspension Edits will be made and brought back to subcommittee
 - i. The subcommittee reviewed the second draft
 - ii. Legal recommends using they rather than his/her
 - iii. Legal recommends using the Right to a Safe School Act language
 - Each student, staff member, teacher, and administrator has a right to attend and/or work at a school which is safe and secure, and which is conducive to learning, and which is free from the threat, octual or implied, of physical harm by a disruptive student. RIDE has interpreted this as this is the only way to administer out of school suspension
 - iv. Discussion ensued regarding the language possession with the intent to distribute or sell in the school or on school grounds of dangerous drugs, narcotics or alcoholic beverages. Find language that is not subjective. Legal recommended language on threat assessment as it is required by law and in alignment with policy statement.

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- v. Discussion ensued regarding The building admin shall farward to the police any information involving a violation of the law, involving a felony, taking place on school property. Legal advice we can't hand over student records to the police, inclusive of video. If the police request video, they must get a warrant. We cannot hand over any evidence that is student records. FERPA violations. Committee agreed to take out that line.
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 - Risk assessments will lead to restorative practice and how to reinstate back into school. We may not need to capture the specifics of reinstatement but having the risk assessment process captured.
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- e. Attendance moved to next meeting
- f. Employee/Student Masks moved to next meeting
- 5. Schedule Next Meeting

November 5, 2020 3:00 - 4:30

Case Number: PC-2022-04727
Filed in Providence/Bristol County Superior Court
Submitted: 7/16/2024 3:50 PM
Envelope: 4715877

Reviewer: Maureen D.

Exhibit T

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

South Kingstown School Committee Workshop Tuesday, October 27, 2020 7PM

Virtual Meeting

Attendees - voting members

Stephanie Canter - Chair Sarah Markey - Vice Chair Michelle Brousseau Emily Cummiskey Kate Macinanti Jacy Northup Alycia Collins

Attendees - other

Linda Savastano - Superintendent
Robin Wildman-Nonviolent Schools RI
Jonathan Lewis- Nonviolent Schools RI
Jodi Anthony, DLI Coordinator
Kimberly Komocar, Principal, Peace Dale Elementary
Jennifer Enck, Principal, West Kingston Elementary
Coleen Smith, Principal, Wakefield Elementary
Chip McGair- Principal, South Kingstown High School
Jonathan Rapport-Asst. Principal, South Kingstown High School
GinaMarie Masiello- Director of Curriculum, Learning & Innovation
Mwangi Gitahi- BIPOC Advisory Committee member

1. 7:00 PM - Call to Order

A. Call to Order

Ms. Canter convened the October 27, 2020 School Committee meeting at 7:07 PM.

B. Pledge of Allegiance to the Flag

Ms. Savastano led in the Pledge of Allegiance to the Flag.

C. Roll Call

Ms. Canter completed a roll call. All members were present.

D. School Committee Agreements (norms)

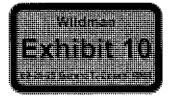
Ms. Canter reviewed the School Committee norms.

E. Chair - Agenda review

Ms. Canter asked if there were any questions on the agenda as presented, No questions were noted.

School Committee Workshop

A. Discussion: BIPOC Advisory Board Update



Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

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Robin Wildman provided an update on recent BIPOC Advisory Board meetings. Ms. Wildman shared that members of the advisory board recently had a meeting to talk about curriculum. This meeting was also attended by Ms. Savastano and Ms. Masiello. The Advisory board would like an opportunity to provide knowledge, expertise and experiences when new curriculum are being developed.

Some members of the advisory board also participated in a District policy committee meeting where they participated in a discipline policy discussion. Ms. Wildman shared that there has been a lot of discussion around how to engage BIPOC students. The creation of a cultural empowerment club is being explored. Ms. Wilman explained that they would like to begin Kingian Nonviolence training with High School students who may then act as mentors for middle and elementary school students.

Jonathan spoke about the Talent Development program through the University of Rhode Island which helps disadvantaged students find access to college.

Discussion.

B. Discussion/Action: Recommitment for the BIPOC Advisory Board

MSV (1) motion to continue BIPOC Advisory Board.

Motion made by: Sarah Markey
Motion seconded by: Jacy Northup
Vote: Unanimously Approved

C. Discussion: Kingian Nonviolence Workshop Continued

School Committee members and administrators participated in the Kingian Nonviolence Workshop at 7:32 PM. The Workshop was led by Robin Wildman and Jonathan Lewis.

The workshop adjourned at 9:04 PM

- 3. Comments from the Community
 - A. Comments from the Community

No comments were received.

- 4. School Committee Business
 - A. Discussion/ Second Reading/Action: Suspension Policy 8305 (Revision)

MS (2) move to approve the suspension policy

Motion made by: Jacy Northup Motion seconded by: Sarah Markey

Stephanie Canter asked for clarity on short term suspensions v long term suspension when a student is removed from the building.

Attorney Lombardo provided clarification, short term suspensions are <10 days.

Chip McGair provided further clarification that this policy refers to out of school suspension. Discussion.

Michelle Brousseau requested regular data reports on the Alternative Education Program (in school suspension).

Attorney Lombardo explained that data language will be added to the policy per state law.

Sarah Markey explained that members from the BIPOC Advisory Board were active in the suspension policy discussion at the last policy subcommittee meeting. Mwangi Gitahi, BIPOC Advisory Committee member, was invited into the meeting and explained that the BIPOC Advisory members were in agreement with the changes made and requested involvement in further discussion.

Michelle Brousseau asked if teachers were given a chance to weigh in on the policy. Dr. McGair answered that teachers do not currently sit on the policy committee, however the teachers and staff at the high school have been implementing this policy and have not expressed concern. Discussion.

Michelle Brousseau requested that specific input from teachers be obtained before approving the policy.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Kate Macinanti expressed her desire to pass the policy as presented, with the understanding that the policy can be further revised in the future. Emily Cummiskey was in agreement with Ms. Macinanti and further expressed that she would like the policy to be approved tonight. Discussion ensued regarding the importance of getting additional feedback from the BIPOC Advisory Board.

motion amended

MSV (3) motion amended to include additional data language in section F

Motion made by: Sarah Markey Motion seconded by: Jacy Northup

Vote:

Michelle Brousseau- No Stephanie Canter- Yes Sarah Markey-Yes Emily Cummiskey-Yes Jacy Northup-Yes Kate Macinanti- Yes Alycia Collins-Yes Motion passed 6-1

B. Discussion/First Reading: Coach Hiring Policy

Sarah Markey provided the background information that led to the development of this policy. Attorney Lombardo advised the committee to be mindful of the 30-day past practice grace period before final policy approval. Emily Cummiskey requested that the first sentence of the policy be reworded.

Ú

5. Adjournment

Stephanie Canter addressed the Committee and teachers and expressed her gratitude for their support during her time on the Committee. Alycia Collins expressed her respect for Ms. Canter and Ms. Markey and thanked them for leading with tact and grace.

A. Adjourn

MS (4) move to adjourn at 10:03 PM.

Motion made by: Alycia Collins Motion seconded by: Jacy Northup

Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Exhibit U

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.



SOUTH KINGSTOWN SCHOOL POLICY SUB COMMITTEE MEETING MINUTES

Thursday, February 4,2021 2:00 PM - 3:30 PM VIRTUAL MEETING

Virtual Meeting: Pursuant to Executive Order No. 20-34 issued by the Governor of the State of Rhode Island, this meeting will be conducted by electronic communication only.

Name	Title **	Voting Member	In Attendance present	
Linda Savastano	Superintendent	Yes		
Ginamarie Masiello	Director of Curriculum and Learning	Yes	present	
Raquel Pellerin	Chief Financial Officer	Yes	present	
Charity Shea	Director of Pupil Personnel Services	Yes	present	
Jodi Anthony	DLI/EL Coordinator	Yes	present	
Melissa Boyd	School Committee	Yes	present	
Sarah Markey	School Committee	Yes	present	
Paula Whitford	School Committee	Yes	present	
Andrew Henneous	SKSD Attorney	No	present	
Mwangi Gitahi	BIPOC Advisory Board Member	Yes	present	
Rob Cruz	BIPOC Advisory Board Member	Yes	present	
	Parent	Yes		

Guests:

Terry Lynch

1. Welcome & Introductions

Sarah Markey called the meeting to order at 2:04 PM.

Ms. Markey reviewed the agenda and indicated that the meeting time of future Policy meetings would be discussed at this meeting.

Discussion/Action: Accept Meeting Minutes of 1/21/2021

Ms. Masiello indicated that there was an error on the 1/21/2021 agenda regarding the attendance policy. The attendance policy should have been on that agenda for recommendation of a first reading, not a second read. Attorney Henneous advised that these minutes be approved as presented, but that the attendance policy be added to a future policy meeting for recommendation of first reading.

Paula Whitford made a motion to accept the 1/21/2021 minutes Mwangi Gitahi Seconded the motion

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Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Minutes approved unanimously.

3. Discussion/Action: Prepare for First Reading

a. Hiring Policy - Draft #1 (Andrew Henneous)

Attorney Henneous reviewed the draft hiring policy with the committee.

The appointment process was reviewed. The majority of the changes to this policy were made to incorporate the law. Paula Whitford expressed that this policy needs to reflect equity. Mr. Gitahi suggested using the anti-racism policy language into this policy and that anti-racism and anti-discrimination be added. Sarah Markey suggested that this policy be brought back to the committee after the 'deep dive' into the BIPOC advisory board's feedback on February 25, 2021. This policy will be brought back to the March 4, 2021 meeting.

4. Discussion/Action: Prepare for Second Reading

a. Coach Hiring Policy (Terry Lynch)

Ms. Markey shared her screen and shared a statement from the BIPOC advisory board.

Mr. Gitahi presented the statement to the committee and spoke through each section.

Ms. Markey suggested that this policy and points from the BIPOC statement be meshed together.

Mr. Gitahi offered to do the work of making the edits to this policy.

Ms. Markey recommended that the legal team (Andrew/Aubrey) make the edits to merge the statement into this policy and bring it back to the March 4, 2021 meeting.

5. Discussion: Policies currently under review in subcommittee

Nothing to report

6. Discussion: Discussion of Policies under consideration

Ms. Markey suggested that a Sustainability policy be created.

7. Next Steps/Next Meetings - Policies in queue

Ms. Markey addressed the issue of future meeting times.

Ms. Markey explained that the recommendation to add a 3rd BIPOC seat and a community member seat to this committee, as discussed on 1/21/2021, has been forwarded to the School Committee Chair and will go forward on a future school committee agenda.

Discussion ensued regarding future meeting times.

Sarah Markey proposed a future policy committee forum to engage the greater community.

Jenna Quellette will send out a google form of different meeting options. The results of the poll will be discussed at the 2/25/2021 meeting.

Options discussed:

2-3:30PM

3-4:30PM

3:30-5PM

Rotate one of the above 3 times with 6pm time.

include day options on form

8. Adjourn

Motion to adjourn.

Motion made by Mwangi Gitahi
Seconded by Paula Whitford
Unanimous vote
Meeting adjourned at 3:14PM

This meeting was NOT recorded.

Minutes Approved: 2/25/2021 Minutes Posted: 2/26/2021

Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877

Reviewer: Maureen D.

Exhibit V

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

SOUTH KINGSTOWN SCHOOL POLICY SUB COMMITTEE DRAFT MEETING MINUTES

DRAFT

Thursday, May 13,2021 2:00 PM - 3:30 PM VIRTUAL MEETING

Virtual Meeting: Pursuant to Executive Order No. 20-34 issued by the Governor of the State of Rhode Island, this meeting will be conducted by electronic communication only.

Name	Title	Voting Member	In Attendance
Linda Savastano	Superintendent	Yes	present
Ginamarie Masiello	Director of Curriculum and Learning	Yes	present
Raquel Pellerin	Chief Financial Officer	Yes	present
Charity Shea	Director of Pupil Personnel Services	Yes	present
Jodi Anthony	DLI/EL Coordinator	Yes	present
Melissa Boyd	School Committee	Yes	present
Sarah Markey	School Committee	Yes	absent
Paula Whitford	School Committee	Yes	present
Aubrey Lombardo	SKSD Attorney	No	present
Mwangi Gitahi	BIPOC Advisory Board Member	Yes	present
Rob Cruz	BIPOC Advisory Board Member	Yes	present
Terry Lynch	Athletic Director	No	present

1. Welcome & Introductions

Gina Masiello called the meeting to order at 2:05PM.

2. Discussion/Action: Accept Meeting Minutes of 4/29/21

A motion was made to accept the April 29, 2021 minutes Motion was made by Melissa Boyd Seconded by Linda Savastano Meeting minutes were unanimously approved

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

3. Discussion/Action: Communications Policy

A motion was made to table the Communications Policy. The motion was made by Paula Whitford Seconded by Mwangi Gitahi All were in favor to table the policy

4. Discussion/Action: Hiring Policy

Discussion ensued regarding the lasted version of the Hiring Policy that was reviewed by the BIPOC Board Mwangi Gitahi provided the Committee with the 5.4.21 version which included BIPOC Board edits and suggestion.

Robert Cruz and Mwangi Gitahi reviewed the edits and suggestions with the Board. These suggestions included 40% of the Hiring Committee to be BIPOC members

Robert Cruz and Mwangi Gitahi reviewed the BIPOC suggestions to the policy

Hiring committee of 5 (2 BIPOC-40% of Hiring Committee)

Motion to send hiring policy to SC for first read made by Paula Whitford Seconded by Mwangi Gitahi
All were in favor of the motion

5. Discussion/Action: Coach Hiring Policy

Terry Lynch joined meeting to discuss the policy
Discussion ensued regarding adding anti-discrimination and anti-harassment language within the policy
There was also discussion about the interview and hiring policy (diversity) opportunities
Aubrey Lombardo will review suggestions and incorporate into policy for discussion at the next meeting

A motion was made for legal to review and amend the policy and be presented at the next meeting The motion was made by Ginamarle Masiello Seconded by Mwangi Gitahi
All were in favor of the motion

6. Discussion/Action: Data Sharing Policy

Melissa Boyd questioned if it is a new policy or revising an existing policy and the importance of exploring state and national policies

Superintendent Savastano stated that she has been working with the Tech Coaches and the policy should reflect the Cosen Best Practice Checklist

Superintendent Savastano will forward the checklist to Aubrey Lombardo who will draft a policy for discussion

A motion was made to table the policy to a future meeting The motion was made by Gina Masiello Seconded by Paula Whitford All in favor of the motion

7. Discussion/Action: Student Handbook Policy

Paula Whitford discussed adding the Student Directory Opt Form to and review the language to make sure it is up to date and easy for parents to understand

Discussion ensued regarding review of handbooks and all forms for consistency and similar messages amongst

Aubrey Lombardo discussed incorporating FERPA language to policy and having input from school based administrators on what is important to be included in their handbooks

Superintendent Savastano stated she would bring this up at administrative meeting and discuss possible consistency with handbooks amongst school levels (elementary, middle. High school)

Mwangi Gitahi discussed adding anti-discrimination language

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Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

> A motion was made to table to the policy to the next meeting The motion was made by Paula Whitford Seconded by Mwangi Gitahi All were in favor of the motion

8. Discussion/Action: Upcoming Policies for Agenda

Discussion ensued regarding policies (8220) Student Confidentiality and (8231) Campus Safety Policy that were brought to School Committee for discussion at the April 30th meeting and send back to the Policy Sub Committee for revisions. The Board agreed that a separate meeting would be necessary to discuss the policies and will poll members on availability.

Other policies discussed for future meetings were Threat Assessment Team Policy, Title IX, Student Discipline. Gina Masiello will review the listing of policies with Jenna Ouellette.

9. Adjourn

A motion was made to adjourn the meeting The motion was made by Melissa Boyd Seconded by Gina Masiello All were in favor of the motion Meeting adjourned at 3:40PM

Please click the link below to view this meeting:

https://skschools.zoom.us/j/95752314095?pwd=dEZzMk40NDhlRnBlU1FCYWFrS2RKZz09 Passcode 978777

Minutes Approved: Minutes Posted:

Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877

Reviewer: Maureen D.

Exhibit W

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

APPOINTMENT AND HIRING POLICY

I. Policy Statement PHILOSOPHY:

The District is committed to empowering the superintendent of schools with the care and supervision of all schools within the District, including the appointment of principals and personnel at each school, as well as the appointment of administrators and other personnel not assigned to individual schools within the District, pursuant to R.I. Gen. Laws § 16-2-11. The District is concurrently committed to allowing principals of each individual school within the District to be the educational manager of their school, subject to the supervision and direction of the superintendent, including empowering principals with the authority to recommend the hiring of all personnel assigned to the school to the superintendent pursuant to R.I. Gen. Laws § 16-2-11.1

The School Committee is dedicated to adhering to this policy in order to create an inclusive community that promotes and values diversity in its hiring and strives for its employee workforce to be diverse in age, gender identity, race, sexual orientation, physical or mental ability, ethnicity, religion, socioeconomic status and perspective.

II. LEGAL AUTHORITY: Legal Authority

Rhode Island General Laws § 16-2-11 delineates the powers and duties of the superintendent of schools, including with respect to the appointment of personnel within the District. Rhode Island General Laws § 16-2-11.1 delineates the powers and duties of school principals, including with respect to the recommendation of appointment of personnel within their individual school.

POLICY STATEMENT: District Protocol **District Protocols** The School District shall adopt the following protocol with respect to the ___ hiring of personnel: Include the following: The Rrecruiting, hiring and retaining teachers, staff, administrators, and coaches who identify as BIPOC shall be one of the District's top priorities. Members of the BIPOC Advisory-Board shall serve on the hiring committee for all new employees. (From the Antiracism policy) 2. Teachers and Other Personnel at Individual Schools 1.___The principal at each school shall convene a hiring made up of the principal and additional interested team including members who identify as BIPOC.parties,

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	b.	No me	ember of the hir	ring tean	n sha <u>ll pa</u>	<u>rticipate i</u>	n the	
		intervi	ew of any cand	lidate wit	th whom	they have	a perso	onal _
		relatio	nship. <mark>Add in "</mark> r	io conflic	et of intere	est"		
		_						
	c.	_ 2.	-The hiring tea	m shall t	e compr	ised of a r	ninimun	л от
five (5)			people	and sna	ıı aıways	CONSIST OF	an odu	20
number of _					nts. <u>Men</u>	npers of tr	<u>16</u> -BIPC	<u> </u>
communityP	oc			WI	iii paπicip	ate on the	niring	team Sebell
					iring tean	n of <u>five (</u>) <u>), there</u>	snan For o
be three (3)	membe	ers				OC <u>comm</u>	uriity. T	<u>-01 a</u>
<u>hiring team</u> re	spresei	ntation	3, a hiring tear	n of seve	en (7),			
<u>there</u>	shall b	e four (4) members of	the BIP	JC Comin	iunity.	o shall k	
		C repre	sentation 4, a	niring tea	am or <u>nine</u>	e (9), mer	e snan t	<u>je</u>
four (4) mem				of the Bi	PUC CON	Impority. I	\ mamb	<u>iriy</u> orc of
team of elev	en (11)	<u>, </u>	1000			be five (5		ers or
			IPOC represen	tation 4,	and a mi	ıng team	011-1	
BIPOC repre	eentat	i on 5.						
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		_canui	on pursuant to	sy ayıcc the ich d	occription	n for the n	neition	u 10 _
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		_poste	u.					
		4	The hiring tea	m shall (develop a	ind ask a	uniform	set
of	е		_questions to e	ach can	didate for	r a positio	n. basec	d on
the job			_questions to d descrin	tion ass	ociated w	ith that po	sition.	
e job				ALIOTT GOO	oolatoa II	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	, _ ,	
	f.	5	–Each membei	r of the h	iring tear	n shall ke	ep a sco	ore
sheet		,	_associated wi	th each	candidate	, broken o	down by	/
question.			Said sh	neets sha	all be kep	t by the D	istrict fo	or at
least one (1)			year.			•		
	g.	6.	-After review o					niring
team,		_	and in consult	tation wif	th the site	e-based so	chool	
improvemen	ıt			team, th	e building	g principal	shall	
recommend	the hir	ing of _				s, <u>i</u> athletic		
instructional	or adn	ninistra	tive aid e s, and	other	_		personr	nel
assigned to	the sch	nool, t <mark>o</mark>	the <u>s</u> -superinte	endent				Said
recommend	ation si	hall be	consistent with	di s trict_				
perso	nnel p	olicies,	collective barg	aining aç	greement	s, and		
budg	etary re	estrictio	ns and may no	t interfer	e with the	e layoff		_
or red	call righ	its prov	rided in collectiv	ve barga	ining agr	eements _		
and F	R.I. Ger	n. Laws	s § 16-13-6. (Fe	r procec	lures for	hiring coa	ches, se	e the
Coaches Po								

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	_ <u>h.</u>	_ 7 The superintendent shall appoint, at the
recommenda schools.	ation of	the principal, personnel at individual
schools, unit, shall be		
schools, agreement, _	j <u>.</u> 	9- Compensation for personnel assigned to individual who are not covered by a collective bargaining shall be determined by the School Committee.
assigned to _		The School Committee shall be responsible fora contract of employment with personnelindividual schools, who are not coveredbargaining agreement.
3.	Schoo	l Principals
	a.	The principal at each school shall convene a hiring team made up of the principal and additional interested parties,
	b.	No member of the hiring team shall participate in the interview of any candidate with whom they have a personal relationship.
	C.	The hiring team shall be comprised of a minimum of five (5) people and shall always consist of an odd number of participants. Members of the BIPOC community will participate on the hiring team in the following numbers:
	For a l	of the BIPOC community. For a hiring team of seven (7), there shall be four (4) members of the BIPOC community. For a hiring team of nine (9), there shall be four (4) members of the BIPOC community. For a hiring team of eleven
(11), community.		there shall be five (5) members of the BIPOC
	•	endent shall convene a hiring team made up of the additional interested parties.
		am shall be comprised of a minimum of five (5) people and of an odd number of participants.BIPOC will participate on

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the hiring team in the following numbers: A hiring team of 5-BIPOC representation 3, a hiring team of 7--BIPOC representation 4, a hiring team of 9--BIPOC representation 4, and a hiring team of 11 -BIPOC representation 5.

interview	d.	_3	—The hiring team shall review all applications and candidates whom they agree meet the			
qualifications for the description for the position		e position	candidates whom they agree meet theposition pursuant to the jobposted.			
of the job			-The hiring team shall develop and ask a uniform set questions to each candidate for a position, based on description for that position.			
sheet			Each member of the hiring team shall keep a score associated with each candidate, broken down by Said sheets shall be kept by the District for at year.			
team,each	<u>g.</u>	6	After review of the tallied score sheets from the hiring the superintendent shall appoint a school principal for school within the District.			
			Compensation for school principals shall be the School Committee.			
entering into	-		The School Committee shall be responsible fora contract of employment with school principalsthe superintendent.			
4	Admir Schoo		rs and Other Personnel Not Assigned to Individual			
	а.	made	rincipal at each school shall convene a hiring team up of the principal and additional interested parties, ing members who identify as BIPOC.			
	b.		ember of the hiring team shall participate in the ew of any candidate with whom they have a personal nship.			
	C.	people partici	ring team shall be comprised of a minimum of five (5) and shall always consist of an odd number of pants. Members of the BIPOC community			
	For a		rticipate on the hiring team in the following numbers: eam of five (5), there shall be three (3) members			

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community.

1.——The superintendent superintendent and additions

			BIPOC community. For a hiring team of seven (7),
			shall be four (4) members of the BIPOC community.
		For a	hiring team of nine (9), there shall be four (4) members
			of the BIPOC community. For a hiring team of eleven
(11),			there shall be five (5) members of the BIPOC
community.			
			t shall convene a hiring team made up of the
superintende	ent and	a accitic	onal interested parties.
shall always the hiring too representation	consider consideration in to consideration in the consideration in the c	et of an he follow a hiring	all be comprised of a minimum of five (5) people and odd number of participants. BIPOC will participate on wing numbers: A hiring team of 5-BIPOC team of 7-BIPOC representation 4, a hiring team of 9-and a hiring team of 11-BIPOC representation 5.
interview			-The hiring team shall review all applications and
mierview	o for th		candidates whom they agree meet the
qualifications			position pursuant to the job
description	or the	position	posted.
of the job			The hiring team shall develop and ask a uniform set questions to each candidate for a position, based on description for that position.
question			Each member of the hiring team shall keep a score associated with each candidate, broken down by Said sheets shall be kept by the District for at year.
least one (1)			year.
team, other the	g.		After review of the tallied score sheets from the hiring the superintendent shall -appoint administrators and personnel not assigned to individual schools within District.
			Compensation for administrators and other personnel assigned to individual schools, who are members of a collective bargaining unit, shall be determined
in accordance which they _	e		with the collective bargaining agreement underfall.
			-Compensation for administrators and other personnel _assigned to individual schools, who are not covered

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877 Reviewer: Maureen D.

by a by the	collective bargaining agreement, shall be determine School Committee.		
	j. 9. The School Committee shall be responsible for		
entering into and other	a contract of employment with administrators personnel not assigned to individual schools,		
who are not	covered by a collective bargaining agreement.		

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Reviewer: Maureen D.

Exhibit X

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

South Kingstown School Committee Executive Session & Business Meeting Agenda Tuesday, June 14, 2022

South Kingstown High School Cafeteria 215 Columbia Street Wakefield, RI 02879

Attendees

Paula Whitford
Michelle Brousseau
Kate Mancinanti
Christie Fish
Melissa Boyd
Carol Vetter
Michael Marran

Other Attendees

Mark Prince Andrew Henneous Gina Masiello

1. 5:30 PM - Executive Session

A. Recess to Executive Session

MSV (1) convene into Executive Session

Motion made by Kate Mancinanti

Motion seconded by Michael Marran

Motion passes.

Ms. Brousseau was not present during this motion.

B. The School Committee may seek to convene in executive session in accordance with R.I. Gen. Laws for the purpose(s) of: Discussion/Action: Superintendent evaluation (RIGL 42-46-5(a)(1) Discussion / Action: Council 94 negotiations (RIGL 42-46-5(a)(2)Discussion / Action: SK ESP negotiations (RIGL 42-46-5(a)(2)Discussion / Action: potential litigation re: Savastano v. South Kingstown School Committee et als. (RIGL 42-46-5(a)(2)

C. Adjourn Executive Session and Reconvene Open Session

2. 7:00 PM - Call to Order

A. Call to Order

Ms. Whitford called meering to order at 7:00 pm Ms. Whitford led roll call. All were present.

B. Pledge of Allegiance to the Flag

Ms. Whitford led Pledge of Allegiance to the Flag

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Submitted: 7/16/2024 3:50 PM

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C. Motion to Seal Minutes of Executive Session

MSV (2) motion to seal executive session minutes

Motion made by Kate Mancinanti

Motion seconded by Michelle Brousseau

Motion passes.

D. Disclosure of Votes Taken in Executive Session

Ms. Whitford disclosed that there was a vote was taken and will be disclosed at appropriate time.

3. Consent Agenda

- A. Approval of Meeting Minutes 5/16/22, 5/17/22, 5/24/22
- B. Purchases over \$4000
- C. Personnel Actions
- D. Homeschool
- E. Enrollment and Withdrawal Updates

MSV(3) motion to remove item c and e from the consent agenda and move them to general business

Motion made by Melissa Boyd

Motion seconded by Christie Fish

Motion passes

MSV(4) to approve consent of agenda minus c and e

Motion made by Kate Mancinanti

Motion seconded by Michelle Brousseau

Motion passes

4. District-Wide Celebrations

A. District-Wide Acknowledgments and Recognitions

Ms. Brousseau acknowledged retirees, Teacher of the Year, Wakefield Administrator, School Committee member.

Ms. Brousseau shared that the district was recognized for the nomination of the clean energy award.

Ms. Whitford congratulated everyone.

Mr. Prince took the time to acknowledge School Committee's professional development hours.

5. Comments from the Community

A. Comments from the Community (Please Sign Clipboard)

Ms. Whitford read community comments protocols

The following community members spoke at community comments

Megan Moore

Ryan McNally

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Victoria Wagner

David Doucett

Laura Erban

Aymar Ceopacatty

Michelle Conary

Ryan Morse

Tuz Ruedakurto

Kari Kurto

Joe Daley

Meredith Caporelli

Sarah Smith

Geoffrey Greene

MSV(5) motion to extend community comments by 15 minutes

Motion made by Michael Marran

Motion seconded by Melissa Boyd

Motion passes.

Carrie Kurdo

Joe Daley

Meredith Caporelli

Sarah Smith

Jeffrey Greene

Ms. Whitford closed community comments.

Ms. Brousseau recongnized retiree who showed up after the recognitions.

6. Superintendent's Report

A. Entry Plan

Mr. Prince completed final version of entry plan and will be ready to be shared with the public. Main purpose is for stakeholder engagement.

- C. Comprehensive Safety Plan/RIEMA Hazard Study
- Mr. Prince shared that the Hazard site safety survey has been submitted to RIDE.
- D. School Resource Officers (SROs)/Safety

Welcomed Anthony Zoglio to South Kingstown and shared brief bio.

E. Summer Programming

Mr. Prince shared summer programming and ESY program dates July 5th to August 11th.

Mr. Prince shared Sports award banquet and congratulated the students.

B. Dyslexia Presentation

Dr. Alison Bateson-Toupin gave presentation on Dyslexia and Right to Read Act.

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Envelope: 4715877 Reviewer: Maureen D.

School Committee discussed crisis of students not being diagnosed in the district, continuing this work, and future planning in regarding ELL students.

MSV(6) motion to accept the Superintendent Report Motion made by Michelle Brousseau Motion seconded by Kate Mancinanti Motion passes.

7. School Committee Business

A. Discussion/Action: Retirement MOA MSV(7) to approve retirement MOA Motion made by Michelle Brousseau Motion seconded by KateMancinanti Motion passes

Question arose if the MOA had been vetted by legal. Mr. Henneous confirmed it had been.

B. Discussion/Action: FY 22-23 Budget/Town Appropriation Alignment

Ms. Pellerin shared a PowerPoint presentation on the timeline, budget highlights, budget amendment, and touched on the supporting budget documents found on Board Docs.

School Committee discussed a balanced budget, enrollment, out of district tuition, state aid, misplaced MOA.

MSV(8) motion to approve the 22-23 budget town alignment with the stipulation that any future budget amendments per our new budget policies are placed on the School Committee agenda for SC action and discussion and all requested supporting documents are made available a minimum of 48 hours in advance on Board Docs.

Motion made by Melissa Boyd Motion seconded Michael Marran Motion passes 5-2

Ms. Whitford led roll call vote

C. Discussion/Action: Grants Update

Ms. Pellerin covered during the FY 22-23 Budget/Town Appropriation Alignment.

D. Discussion/Action: Grading Policy (1st Read)

Ms. Boyd spoke to this policy.

E. Discussion/Action: Appointment/Hiring Policy (1st Read)

Ms. Boyd spoke to this policy and legal provided clarification to updates and changes. Discussion ensued about current appointments/hiring procedures.

F. Discussion/Action: Bullying Definition

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Discussion consisted of policies having the same definitions of across all policies. School Committee sought clarification on definition.

G. Discussion/Action: Recall from Layoff/Displacement

Mr. Prince shared the positions that were part of the layoff and recommended that they get recalled.

MSV(9) to approve the recalls presented by the superintendent.

Motion made by Michelle Brousseau

Motion seconded by Kate Mancinanti

Motion passes.

MSV(10) motion approve the personnel action

Motion made by Christie Fish

Motion seconded by Michael Marran

Motion does not pass.

Ms. Boyd asked for the clarification for the community regarding personnel action form. Questions about length of the appointments were asked and specifically about the Early Childhood Coordinator position. Discussion ensued regarding the funding source for the positions.

Ms. Whitford led a roll call vote.

Mr. Marran- yes

Ms. Vetter- abstained

Ms. Boyd- yes

Ms Fish Abstained

Ms. Mancinanti- no

Ms. Brousseau- no

Ms. Whitford- no

Item E

MSV(11) motion to approve enrollment and withdrawal updates

Motion made by Kate Mancinanti

Motion seconded by Carol Vetter

Motion passes.

Discussion ensued requesting future reports for withdrawal in budget regular updates and clarification on breakdown of K and each school,

Ms. Masiello was able to provide the breakdown of grade K by each school.

Ms. Brousseau reiterated Ms.Boyd's request on updates of students who have withdrawn.

8. Adjournment

A. Adjourn

MSV(12) motion to adjourn

Motion made by Christie Fish

Motion seconded by Michelle Brousseau

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877 Reviewer: Maureen D.

Motion passes

Meeting adjourned at 10:13 PM

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

South Kingstown School Committee Executive Session & Workshop Meeting Agenda Tuesday, August 23, 2022

Attendees:

Paula Whitford

Michelle Brousseau

Kate Mancinanti

Christie Fish

Melissa Boyd

Carol Vetter

Michael Marran

Other Attendees:

Mark Prince

Andrew Henneous

1. 6:00 PM - Executive Session

A. Recess to Executive Session

Ms. Whitford asked for a motion to adjourn into Executive Session.

MSV (1) - Motion to convene into Executive Session.

Motion made by Kate Macinanti

Motion seconded by Michelle Brousseau

Motion passes - Adjourn to Executive Session at 6:08 PM.

B. Adjourn Executive Session and Reconvene Open Session

2. 7:00 PM - 7:05 PM - Call to Order

A. Call to Order

Ms. Whitford called meeting to order at 7:06 PM

Ms. Whitford led roll call. Members present: Paula Whitford, Michelle Brousseau, Kate Macinanti, Christie Fish, Melissa Boyd, Carol Vetter; Michael Marran.

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Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

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B. Pledge of Allegiance to the Flag

Ms. Brousseau led the Pledge of Allegiance to the Flag

C. Motion to Seal the Minutes of Executive Session

Ms. Whitford asked for a motion to seal the Minutes of the Executive Session

MSV(2) - Motion made to seal the Minutes of the Executive Session

Motion made by Michelle Brousseau

Motion seconded by Christie Fish

Motion passes.

D. Disclosure of Votes Taken in Executive Session

Ms. Whitford disclosed that there were no votes taken in Executive Session.

3. 7:05 PM - 7:35 PM - Comments from the Community

A. Comments from the Community (Please sign clipboard)

The following community members spoke during Community Comments

Bridget Gonsalves - Ms. Gonsalves, teacher at Peace Dale Elementary School and NEASK Co-President, discussed her concerns with regard to substitute pay rate for teachers, teacher assistants and custodial staff.

Dorald Beasley - Mr. Beasley has been involved with these meetings now for five years - he stated that he first started becoming involved as he saw that the needs of students were not being placed first - he would like the current Administration to know that he comes before the School Committee to offer his help and will continue to do so.

4. 7:35 PM - 7:42 PM - Consent Agenda

A. Consent Agenda

Ms. Whitford asked for a motion to approve the Consent Agenda

MSV(3) - Motion made to approve the Consent Agenda

Motion made by Christie Fish

Motion seconded by Kate Macinanti

Motion passes.

5. 7:42 PM - 8:05 PM Superintendent Report

A. COVID - Back-To-School

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Mr. Prince stated he would like to delay the reporting on this item as RIDOH and RIDE are meeting on new guidelines for the State, based on updated CDC guidelines. He will report out on the new guidelines at a later date.

B. Executive Assistant to the Assistant Superintendent Job Description

Mr. Prince stated that he would like to table the discussion on this item. Job Description is being reviewed for corrections and will be brought back to the Committee at a later date.

C. Free and Reduced

Mr. Prince alerted the public and the School Committee about the meal benefit application process. Beginning in September, schools can no longer offer free and reduced meals as has been done due to the pandemic. We will transition back to pre-pandemic USDA regulations. He encouraged all families to submit the application. In a few weeks, an online version of the application will be available.

D. Assistant Principal - Peace Dale Elementary School

Mr. Prince invited Principal Kim Komocar to welcome the new Assistant Principal to Peace Dale Elementary School, Amy Hubertus. Ms. Hubertus introduced herself and thanked all for this opportunity.

E. Approval of Superintendent's Report

Ms. Whitford asked for a motion to approve the Superintendent's Report

MSV(4) - Motion made to approve the Superintendent's Report.

Motion made by Carol Vetter

Motion seconded by Michelle Brousseau

Motion passes.

6. 8:05 PM - 8:55 PM School Committee Business

A. Discussion: Enrollment/Space

Mr. Prince reviewed the South Kingstown Public Schools Enrollment Trackers. The trackers contain enrollment information for each school building. It is broken down by building, grade level and sections per grade level. The trackers show all enrollment totaled by building and then there is also a total for the district.

Discussion - Ms. Vetter expressed her concern over the number of students at the high school. Marketing needs to be improved in hopes of retaining our high school students and attracting new students to our high school. Mr. Prince stated that he met with different CTE programs and began the conversation to better showcase what we have to offer. Discussions have begun to make a plan for better marketing.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Ms. Boyd asked if Mr. Prince had heard any feedback from families at the high school level as to why the parents made the decision to not commit to the high school. Mr. Prince replied that at this time, he has speculatory information at best. As of August 22nd, 31 families have left for private, religious, 10 students private non religious, 11 families who went to public schools out of state, 37 students who went to public school system in RI, 2 students to GED. Families are leaving for different reasons - some out of state; some choosing to test out and then there are private schools and charter schools. Surveys can be completed and have been in the past. Information we have received from the surveys has provided some helpful information. However, we need to focus on doing better at showcasing what we have available and what we have to offer. Ms. Boyd then asked the question regarding preschool enrollment and why so many have not yet committed? Can we receive further information on this as to what is being done to help this situation.

Ms. Fish stated she also believes we can do better. She feels that at the middle school level, we should create a vision of the high school that feels more exciting and inviting where we want our kids to stay. Ms. Fish questioned elementary numbers - families at PDES - PDES was their home school but now due to higher numbers, they cannot attend PDES. Has anything been done to resolve this issue? Mr. Prince acknowledged that PDES is the largest elementary school. He explained the hardship request process; how buffers were placed at PDES and the options offered to families who could not be placed there and the offer of transportation on existing routes.

Mr. Marran asked for clarification regarding preschool. Mr. Prince confirmed that the number of preschool students on the current sheet meant that they are completely enrolled and in Skyward, the difference in the earlier number (70) are the students who have not yet completed registration.

Mr. Prince then went on to explain space within our buildings. Will our buildings have the capacity to have our 4th graders remain as fifth grade students next year to the elementary buildings next year? We do have capacity for this to happen. Mr. Prince gave examples of how this would look in the upcoming year.

B. Discussion/Action: Suicide Prevention Policy (1st Read)

Ms. Macinanti would like to have this policy sent back to the Policy Subcommittee as new information has been received which warrants discussion. Mr. Prince stated he supports this policy returning to the subcommittee to review the information.

Ms. Boyd invited the community to also review the policy as it is on Board Docs and to bring their ideas forward as there will be future meetings on policy; the Committee can then come back with a full understanding of community comment on this policy.

C. Discussion/Action: Appointment/Hiring Policy (2nd Read)

Ms. Whitford asked for a motion to approve the Appointment/Hiring Policy.

MSV(5) - Motion made to approve the Appointment/Hiring Policy as presented.

Motion made by Michelle Brousseau

Motion seconded by Christie Fish

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Discussion - Mr. Marran asked when was the first read. Ms. Boyd replied 6/14/22.

Motion passes

D. Discussion/Action: Substitute Teacher Pay Memo

Mr. Prince reviewed the Memo provided to the School Committee. The pay rate in 2020 was raised substantially due to COVID. Since August of this year, rates have been reviewed with the Superintendents of South County as to what the rates are as well as what they are just outside of South County. The substitute budget impacted the budget. The overtime for teaching assistants also impacted the budget. Mr. Prince recommended that the substitute teacher pay rate be decreased by \$10.00 to \$150.00; that nurses remain where they are; and that the clerks, teacher assistants and custodial staff sub rate would be raised by \$1.00; that would bring the custodial staff to \$14.50; teacher assistants to \$13.25; clerks to \$15.00; reduce the teachers to \$150.00 daily rate and leave nurses at \$275.00. If we institute these rates together with the substitute program we are instituting with URI this fall, conditions can be managed at the building.

Ms. Brousseau asked if these numbers are inline with what other districts locally are doing with the teacher and nurse substitute pay. Mr. Prince replied it is inline with the nurses and a little higher with teachers; this is a competitive market.

MSV(6) - Motion made to approve the rates for substitutes suggested by the Superintendent.

Motion made by Michelle Brousseau

Motion seconded by Melissa Boyd

Discussion - Ms. Vetter stated her concern with minimum wage increasing to \$13.00 and the substitute rate for teaching assistants being \$13.25. She suggests that this needs to be increased. Ms. Whitford reminded that this rate is for the substitute teacher assistants. Ms. Fish agreed with Ms. Vetter. She appreciates the partnership with URI, but also feels that as a teaching assistant, the substitute rate should be higher. Is there any way to make it higher? Mr. Prince replied that we often reach out to existing teaching assistants before we go out for substitutes. If the Committee wishes, he can go back to review. Ms. Vetter would like the rate looked at again. She feels we need to offer more. Ms. Whitford asked if the rate could be increased by \$1.75. Mr. Prince will bring it back to review and verify. He will come back with responses for the teacher assistants, custodial staff and clerks.

Ms. Whitford asked for an amended Motion to table it for more information. As it was Ms. Brousseau's motion, Ms. Brousseau withdrew the Motion.

Ms. Fish then asked the question of what our current teacher assistants make. Mr. Prince will take that into consideration upon review.

E. Discussion/Action: School Committee By-Laws

Mr. Prince reviewed the updated By-Laws with the Committee and explained their definition, commitment and purpose.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

Discussion - Ms. Fish added information regarding the decision on limiting the time of the School Committee meetings to two hours. She explained the background in making the decision. Ms. Vetter thanked the subcommittee for its work. Ms. Vetter did ask for some clerical changes and some clarification with language. Attorney Henneous explained the options available. Ms. Vetter would like to compile a list to go back to the Policy Subcommittee. Ms. Macinanti explained that By-Laws do not go through Policy. The By-Laws are a School Committee document. Ms. Whitford asked for specifics. Ms. Vetter gave examples. Ms. Boyd would like the process/language to be as clear as possible. Ms. Boyd asked that changes be sent back for review. Attorney Henneous explained that questions could be coordinated in draft for the next meeting where they can be discussed and voted upon.

MSV(7) - Motion made to move forward with sending questions to Ms. Boyd and then they are sent back to the full Committee for review prior to the next meeting.

Motion made by Kate Macinanti

Motion seconded by Christie Fish

Motion passes.

F. Discussion/Action: School Committee Norms

Mr. Prince explained the reason for this and asked that the School Committee complete those and provide them to him.

G. Discussion/Action: School Committee Subcommittees

Mr. Prince reviewed the discussion at the retreat identifying standing committees that would stand and do work; adding ad hoc committees when specialized work comes up and using public forums so that the public can have access to the School Committee.

Public Forums - One a month or one every two months where the public and the Committee can meet and have meaningful discussions (budget, curriculum). The Committee would be able to interact with the public and not violate Open Meeting Law.

Sub-Committees - Five sub-committees were identified and the roles and responsibilities of each committee were discussed. The responsibilities are written in the policy from the committee's existence. The five discussed were: Budget and Finance; Education and Accountability; Special Education; Policy and Planning; Wellness. These will be active committees, they will be reviewed as standing committees in the following year; if an ad hoc committee comes up; it will be up to the committee to decide, set the role, the purpose and the specifics, vote and institute.

Ms. Mancinanti asked a procedural question regarding approving the subcommittees as some are already in existence. Attorney Henneous advised that standing committees are sometimes listed in the By-Laws of the School Committee. Mr. Prince supported that if these will be standing committees that they should be added to the By-Laws as suggested. Ms. Vetter asked for clarification on the Wellness Committee in the By-Laws. Attorney Henneous will research and get back to the committee. Ms. Mancinanti stated Wellness is within the General Laws. Attorney Henneous read the law.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

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Ms. Whitford asked for a motion to approve the School Committee Subcommittees

MSV(8) - Motion made to accept and approve the School Committee Subcommittees as presented.

Motion made by Melissa Boyd

Motion seconded by Carol Vetter

Discussion - Ms. Boyd wants to clarify that these subcommittees are opportunities to have the public serve and to attend and participate; an opportunity for engagement in a larger and broader way than before.

Motion passes.

Mr. Prince announced School Building Committee dates, August 29 and 31, 6:to 8 PM,

Ms. Whitford asked for a motion to adjourn the meeting. 7. Adjournment

MSV(9) - Motion made to adjourn the meeting

Motion made by Christie Fish

Motion seconded by Michelle Brousseau

Ms. Whitford adjourned the meeting at 8:29 PM

Case Number: PC-2022-04727

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

2/7/23, 11:17 AM

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Book

Policies

Section

5000: Personnel

Title

Appointments and Promotions

Code

5415

Status

Active

Adopted

November 25, 2003

Last Revised

August 23, 2022

I. Policy Statement

The South Kingstown School District is committed to empowering the superintendent of schools with the care and supervision of all schools within the district, including the appointment of principals and personnel at each school, as well as the appointment of administrators and other personnel not assigned to individual schools within the South Kingstown School District, pursuant to R.I. Gen. Laws § 16-2-11. The South Kingstown School District is concurrently committed to allowing principals of each individual school within the South Kingstown School District to be the educational manager of their school, subject to the supervision and direction of the superintendent, including empowering principals with the authority to recommend the hiring of all personnel assigned to the school to the superintendent pursuant to R.I. Gen. Laws § 16-2-11.1.

In alignment with RIDE's strategic plan, the recruiting, hiring, and retaining teachers, staff, administrators, and coaches who identify as BIPOC shall be one of the District's top priorities. The School Committee is dedicated to creating an inclusive community that promotes and values diversity in its hiring and strives for its employee workforce to be diverse in age, gender identity, race, sexual orientation, physical or mental ability, ethnicity, religion, socioeconomic status, and perspective.

II, Legal Authority

Rhode Island General Laws § 16-2-11 delineates the powers and duties of the superintendent of schools, including with respect to the appointment of personnel within the South Kingstown School District. Rhode Island General Laws § 16-2-11.1 delineates the powers and duties of school principals, including with respect to the recommendation of appointment of personnel within their individual school.

III. South Kingstown School District Protocol

The School South Kingstown School District shall adopt the following protocol with respect to the hiring of personnel:

A. Teachers and Other Personnel at Individual Schools

- (1) The principal at each school, in consultation with the site-based school improvement team, shall recommend the hiring of all teachers, athletic coaches, instructional or administrative aides, and other personnel assigned to the school, to the superintendent. Said recommendation shall be consistent with South Kingstown School District personnel policies, collective bargaining agreements, and budgetary restrictions and may not interfere with the layoff or recall rights provided in collective bargaining agreements and R.I. Gen. Laws § 16-13-6.
- (2) The superintendent shall appoint, at the recommendation of the principal, personnel at individual schools. In the event that the superintendent is not in agreement with the school principal's recommendation, they may choose not to appoint the recommended candidate and ask the school principal to find a new candidate for appointment. This shall be done at the discretion of the superintendent.

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

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Reviewer: Maureen D. 2/7/23, 11:17 AM

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- (3) Compensation for personnel assigned to individual schools, who are members of a collective bargaining unit, shall be determined in accordance with the collective bargaining agreement under which they fall.
- (4) Compensation for personnel assigned to individual schools, who are not covered by a collective bargaining agreement, shall be determined by the School Committee.
- (5) The School Committee shall be responsible for entering into a contract of employment with personnel assigned to individual schools, who are not covered by a collective bargaining agreement.

B. School Principals

- (1) The superintendent shall appoint a school principal for each school within the South Kingstown School District.
- (2) Compensation for school principals shall be determined by the School Committee.
- (3) The School Committee shall be responsible for entering into a contract of employment with school principals selected by the superintendent.

C. Administrators and Other Personnel Not Assigned to Individual Schools

- (1) The superintendent shall appoint administrators and other personnel not assigned to individual schools within the South Kingstown School District.
- (2) Compensation for personnel not assigned to individual schools, who are members of a collective bargaining unit, shall be determined in accordance with the collective bargaining agreement under which they fall.
- (3) Compensation for personnel not assigned to individual schools, who are not covered by a collective bargaining agreement, shall be determined by the School Committee.
- (4) The School Committee shall be responsible for entering into a contract of employment with personnel not assigned to Individual schools, who are not covered by a collective bargaining agreement.

Case Number: PC-2022-04727

Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877

Reviewer: Maureen D.

Exhibit Y

Case Number: PC-2022-04727 File**்ற் நடில்ள்ள** இது இது இது இது இது Court Sub**ாile்:** நார் திரையார் Superior Court Env **இந்து எது 158/17/2022** 3:58 PM

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RESPONSE OF THE SOUTH KINGSTOWN SCHOOL COMMITTEE

The South Kingstown School Committee (the "School Committee") hereby submits the following response to the complaint filed with the Rhode Island Department of Attorney General by Nicole Solas on or about May 25, 2021, alleging a violation of the Rhode Island Open Meetings Act ("OMA"), Rhode Island General Laws §§ 42-46-1 et seq.

- Attached hereto as <u>Exhibit A</u> is a copy of the May 25, 2021 letter from Adam D. Roach, Special Assistant Attorney General, Department of Attorney General and the complaint of Nicole, alleging that the School Committee BIPOC Advisory Committee violated the Open Meetings Act by being a "public body" and "not holding open meetings...".
- 2. The BIPOC Advisory Board ("Board") was approved by the South Kingstown School Committee at a meeting dated July 22, 2020.
- 3. Its mission is "to advocate for equity in the education of students who identify as Black, Indigenous, and People of Color (BIPOC) in South Kingstown schools, inspiring a healthier and just community and school system for everyone."
- 4. The Board meets, in part, to discuss member's personal experiences (see attached Affidavit of Robin Wildman, <u>Exhibit B</u>).
- 5. In addition, the Board reviews current School Committee policies through the lens of inclusivity and equity. If the Board finds facts to lead it to believe that the policy being reviewed does not meet these goals, they bring those concerns to the School Committee Policy Sub-Committee ("Policy Sub-Committee") (see Exhibit B).
- 6. There are two members of the Board who also serve on the Policy Sub-Committee (see Exhibit B)
- 7. The Policy Sub-Committee is a public body which advertises its meetings in accordance with the OMA.
- 8. The School Committee argues that the Board is not a "public body" within the meaning of the OMA and therefore is not required to advertise and hold its meetings in public.
- 9. The Attorney General's office has addressed this argument in the past. "In a past case we noted that determining whether a particular entity is or is not a "public body" "is a fact-intensive question not subject to 'bright line' rules." See Oliveira v. Independent Review Committee, OM 04-10. Langseth V. RIEDC, AGO OM 10-06.
- 10. "To our knowledge, the Rhode Island Supreme Court has considered the "public body" issue only once, in Solas v. Emergency Hiring Council, 774 A.2d 820 (R.I. 2001), which concerned the application of the OMA to an entity formed by two executive orders of then-Governor Lincoln Almond to "manage and control the state's hiring practices and its fiscal resources." Id. at 823. The Hiring Council consisted of five senior executive

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branch staff members who met on a biweekly basis "to determine whether creating a new position in state government or filling a vacancy is absolutely necessary." Id. at 824. It was the Governor's intent that "no person or persons other than the Council shall have the authority to make any determinations in this regard." Id. (internal quotation omitted). Based on these facts, the Supreme Court concluded that the Hiring Council was a "public body" because: "the [Hiring Council] is composed of a group of high level state officials that convenes to discuss and/or act upon matters of great interest to the citizens of this state. In addition, our reading of the executive orders creating the council persuades us that the [Hiring Council] possesses significant supervisory and executive veto power over creating or filling state employment positions. At the very least the council functions in an advisory capacity in state hirings. Whether supervisory or advisory, both functions are regulated by the [OMA]. As the plain language of the statute provides, a council's exercise of advisory power is enough to bring it under the [OMA's] umbrella." Id. at 825." See Oliveira v. Independent Review Committee, OM 04-10.

Langseth V. RIEDC, AGO OM 10-06.

- 11. Unlike <u>Solas</u>, the Board does not possess significant supervisory and executive veto power. The Board has absolutely no power other than to review policies and to suggest revisions.¹ (see <u>Exhibit B</u>).
- 12. The Board does not and has not reviewed "employment contracts" and "all school guidance" as alleged. (see Exhibit B)
- 13. "One factor that our past findings have considered when determining whether a particular entity is or is not a "public body" is the membership and manner of appointment. For example, in Schmidt v. Ashaway Volunteer Fire Association, OM 98-33, this Department examined whether the Ashaway Volunteer Fire Association ("Fire Association") constituted a "public body." In reviewing that organization's composition, we noted the Fire Association was a "non-business, non profit corporation duly incorporated in 1937." Additionally, the members of the Fire Association did not receive a salary, medical benefits, or a pension for their services; and the officers were not elected by the public, or appointed by a subdivision of state or municipal government, but instead, were elected by the members of the Fire Association itself. Based upon these facts, we concluded the Fire Association was not a "public body" pursuant to the OMA. See also Lataille v. Primrose Volunteer Fire Association, OM 99-21 (noting Fire Association not a "public body" since Board members are elected by the members of the Fire Department and do not receive a salary, benefits, or pension). Similarly, in Montiero v. Providence School Board Nominating Commission, OM 02-25, we concluded the Nominating Commission for the Providence School Board was not subject to the OMA because it was not a subdivision of state or municipal government. Our conclusion rested upon factors common in our analyses: (1) the Commission was formed as a result of recommendations made by a private, non-profit group studying the Providence Public Schools; (2) its five members were nominated by private, non-profit sponsoring

¹ It is important to note that this is only one of the Board's functions, as it also serves as a venue for members to share personal stories related to their experiences as members of the BIPOC community. (see <u>Exhibit B</u>)

Case Number: PC-2022-04727 Filed in Providence Bristol County Superior Court Submilled in 1967(1974) 1975 1972 Superior Court Envelopmilled 58/11/2022 3:58 PM Reviewer July 2016

Reviewer: Maureen D.

organizations who were not subject to a governmental or public approval process; (3) no public money was spent on the commission; and (4) neither city ordinances, the Home Rule Charter, nor any Mayoral executive order, referenced the Commission." See Oliveira v. Independent Review Committee, OM 04-10." Langseth V. RIEDC, AGO OM 10-06.

- 14. Similarly, members of the Board do not receive a salary, medical benefits, or a pension for their services; and the officers were not elected by the public, or appointed by a subdivision of state or municipal government, but instead, were volunteers elected by the members of the Board themselves. (see Exhibit B).
- 15. Finally, it should be noted that all purposes of the OMA are served through the Policy Sub-Committee. Any suggestions made by the Board must go through the Policy Sub-Committee. If the Policy Sub-Committee does not approve of changes, they are not made.

As to any legal guments:

Andrew Henneous, Esq.

Attorney, South Kingstown School Committee

State of Rhode Island County of PROVIDENCE

In the City of Providence, on the / day of 3014, 2021, before me personally appeared Andrew Henneous, Esq., to me known and known by me to be the party executing the foregoing instrument and he acknowledged said instrument so executed, to be his own free act and deed.

My Comm. Exp:

LISA J. LAFRATTA Notary Public-State of Rhode Island My Commission Expires August 09, 2022

Case Number: PC-2022-04727
Filed in Providence/Bristol County Superior Court
Submate Number: 024-3442-2447
Envelope: 37442-76
Reviewer: Maureen D.

EXHIBIT A

Case Number: PC-2022-04727
Filed in Providence Bristol County Superior Court
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Reviewer: Maureen D.



STATE OF RHODE ISLAND OFFICE OF THE ATTORNEY GENERAL

150 South Main Street · Providence, RI 02903 (401) 274-4400 · www.riag.ri.gov

> Peter F. Neronha Attorney General

VIA EMAIL ONLY

May 25, 2021

Andrew Henneous, Esquire Legal Counsel, South Kingstown School District ahenneous@hcllawri.com

RE: Solas v. South Kingstown BIPOC Advisory Committee

Dear Attorney Henneous:

Enclosed please find an Open Meetings Act ("OMA") complaint filed against the South Kingstown BIPOC Advisory Committee ("Committee"). By correspondence dated May 20, 2021, the Complainant alleges that that the Committee is a public body and is not holding open meetings and is in violation of the OMA.

In accordance with our procedure, kindly provide a substantive response within ten (10) business days. Any factual representations must be supported by evidence, such as an affidavit. Your substantive response, as well as any documents provided as part of your response, must also be sent to the Complainant, unless they are being submitted to this Office for in camera review. Kindly certify in your response that your substantive response, as well as any other provided documents, has been provided to the Complainant, specifically indicating if any documents have been omitted and the reason(s) for any omission, such as if certain records are being submitted in camera. The failure to provide a copy of your response to the Complainant, as well as the failure to specifically indicate that certain documents are being provided in camera only, may lead this Office to forward all received material to the Complainant. Please note that after the Complainant's opportunity to respond to your response, neither party will be allowed additional response without permission or inquiry from this Office.

If you have any questions, please feel free to contact me.

Sincerely,

/s/ Adam D. Roach
Adam D. Roach
Special Assistant Attorney General

ADR/to Enclosure Case Number: PC-2022-04727
Filed in Providence/Bristol Caunty Superior Court
Submitted in Providence/Bristol County Superior Court
Envision in Providence/Bristol County Superior Court
Envision in Market 2022 3:58 PM

Reviewer: Maureen D.



STATE OF RHODE ISLAND OFFICE OF THE ATTORNEY GENERAL

150 South Main Street • Providence, RI 02903 (401) 274-4400 • www.riag.ri.gov

> Peter F. Neronha Attorney General

VIA EMAIL ONLY

May 25, 2021

Nicole Solas nicolesolas@gmail.com

Re: Solas v. South Kingstown BIPOC Advisory Committee

Dear Ms. Solas:

I am in receipt of your Open Meetings Act ("OMA") complaint filed against the South Kingstown BIPOC Advisory Committee ("Committee"). By correspondence dated May 20, 2021, you allege that the Committee is a public body and is not holding open meetings and is in violation of the OMA.

In accordance with our policy, a copy of your complaint will be sent to legal counsel for the above-mentioned entity, along with our investigatory request. We will request that legal counsel forward its response to you so that you may have one opportunity to rebut the Committee's response. Your rebuttal should be limited to the matters addressed in the Committee's response and should not raise new issues that were not presented in your complaint or addressed in the Committee's response. You have five (5) business days from receipt of the Committee's response to provide a rebuttal to this Office.

Please note that after this opportunity to respond, neither party will be allowed additional response without permission or inquiry from this Office. After the expiration of this timeframe, we shall conduct our investigation based upon the evidence presented in the parties' written submissions. If you have any additional information that you wish this Office to consider, or if this acknowledgment letter does not accurately reflect your complaint, please contact me in writing within five (5) business days. After the expiration of this five (5) business day period from receipt of this letter, no further correspondences will be accepted by this Office without permission, besides your rebuttal. In addition, please confirm (by cc or otherwise) that any additional correspondence sent to this Office was also forwarded to legal counsel the public body, Andrew Henneous, Esquire, ahenneous@hcllawri.com.

You should also be advised that at all times during this Office's investigation of this matter, and if necessary during all judicial proceedings, the Office of Attorney General serves only as the attorney for the State of Rhode Island. This Office does not, and cannot, represent or act as an attorney for either the complaining party (individual) or the respondent (public body). Nothing

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submittee 1,2024,2027 PM Superior Court Submittee 1,2024,2027 PM Superior Court Envelope 1,8711/2022 3:58 PM Revelope 1,744276

Reviewer: Maureen DSolas v. South Kingstown BIPOC Advisory Committee

Page 2

prohibits either the complaining party or the respondent from obtaining their own legal counsel to represent their interests in this matter and nothing prohibits you from pursuing this complaint in the Superior Court, rather than pursuing it with the Office of Attorney General.

If you have any questions, please feel free to contact me.

Very truly yours,

/s/ Adam D. Roach Adam D. Roach Special Assistant Attorney General aroach@riag.ri.gov

ADR/to

> From: To:

Nicole Solas
Open Government

Subject:

OMA Violation by South Kingstown School Committee

Date: Attachments: Thursday, May 20, 2021 1:29:47 PM

[External email: Use caution with links and attachments]

Hello,

I am filing a complaint of an OMA violation against the South Kingstown School Committee. On July 22, 2020 the school committee created an "Equity and Antiracist Advisory Board" charged by Robin Wildman and Jonathan Lewis. Meeting Minutes here: https://go.boarddocs.com/ri/soki/Board.nsf/Public

Some point later, this Committee then became the "BIPOC Advisory Committee."

The leader/facilitator, Robin Wildman, was paid with public funds in her position as BIPOC Advisory Committee member. The committee is funded 100% with public monies and thus is a public body subject to the OMA.

For the past year, the committee has held secret meetings to revise and audit South Kingstown School District curriculum, hiring and firing policies, athletic policies, discipline policies, all employment contracts, and all school guidance. These meetings were never open and the public was never notified. I learned of these meetings through a blog on the website of a private organization, The Collective, where another advisory committee member, Mwangi Gitahi, blogged that he had been meeting with his BIPOC Advisory Committee once a week for eight months. See attached evidence. The Collective is an organization owned by School Committee Member and Union Organizer, Sarah Markey. Sarah Markey emailed me that she is "not aware of any curriculum changes being made by outside organizations or allies or vendors," but she fails to mention her knowledge about policy changes being made by outside organizations. She also states that "Policy decisions happen at public policy sub-committee meetings where recommendations are made to the School Committee, and then discussed publicly in School Committee meetings." This may be true, but the BIPOC Advisory Committee nevertheless is publicly funded and held secret meetings to produce their recommendations to the school committee.

Miwangi Gitahi blogged on her organization's website that, "As a member of the BIFOC advisory board, I have been closely examining a number of existing school district policies, looking at them line by line through an anti-racist and equity lens. We have now reviewed policies ranging from discipline and suspension to coaching & hiring. We are hard at work crafting a framework for all of these policies, which we are calling the Anti-Racism and Anti-Discrimination Policy. This policy will guide the language, process and the enforcement of all of the changes we make to all of the other policies. We are also working on opportunities for BIPOC representation in the hiring process, for mentorship and for cultural awareness within

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Reviewer: Maureen D.

the district. All of this work has been a massive undertaking, a very heavy lift that the entire BIPOC Advisory Board has embraced and met weekly to work on, over the past eight months."

I asked the BIPOC Advisory Committee to open their meetings but was told they are permitted to have closed meetings because they are a "private vendor." See attached correspondence between myself and Robin Wildman, leader of the BIPOC Advisory Committee.

Now the work of these secret committee meetings (policy proposals and revisions) land on the agenda of the South Kingstown School Committee tonight, May, 20th.

I request that you conduct an investigation into this egregious violation of the Open Meetings Act by the South Kingstown School Committee and the BIPOC Advisory Committee. Since the violations are so egregious I request that you seek a court order declaring all actions taken by this public body to be null and void.

Attached is my evidence. Please let me know if you need further evidence, as there may have been attachment issues.

Here is an article about the BIPOC committee where I first learned of its existence. It lists the members of the committee.

https://www.ricentral.com/narragansett_times/bipoc-advisory-board-looks-to-create-racial-iustice-equity-in-south-kingstown/article_bdb09c2c-4ec4-11eb-8967-573001b29b0d.html

List of evidence:

- 1. Contract between Robin Wildman/RI Nonviolent Schools and the South Kingstown School Department. This contract pays Robin Wildman in various respects, including paying her in her capacity as a BIPOC Committee Advisory member with public monies. She also receives an ad hoc hourly fee to consult with the superintendent and it is unclear whether this ad hoc payment is in her capacity as a private vendor or in her capacity as a BIPOC Advisory Committee member.
- 2. Response letter to my APRA signed by Superintendent Linda Savastano. Linda Savastano directs me to RI Nonviolent Schools, a private organization, to obtain public information about this public body receiving 100% of its funding from public monies.
- 3. Payment to Robin Wildman in the amount of \$7474. There is no itemization of monies paid to her in her position as a public advisory committee member distinguished from her position as a private vendor.
- 4. Email correspondence between myself and Robin Wildman requesting public meetings.
- 5. Screenshot of BIPOC Advisory Committee Member, Mwangi Gitahi, blogging about his work in weekly meetings for 8 months as a BIPOC Advisory Committee member. Blog is here:

Case Number: PC-2022-04727
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https://www.thecollective401.com/blog

6. Work produced by the BIPOC Advisory Committee which now lands on the agenda of the South Kingstown School Committee including

-proposed revisions to the hiring policies

The rest of the BIPOC Advisory Committee's work can be viewed at the link below. Please see documents under 5. School Committee Business on May 20th.

https://go.boarddocs.com/ri/soki/Board.nsf/Public

tevi**eweieweauManuManne**n D.

AGREEMENT BETWEEN NONVIOLENT SCHOOLS RI AND THE SOUTH KINGSTOWN SCHOOL DEPARTMENT

This is an independent Contractor Agreement (the Agreement) dated February 15, 2021 and ending August 31, 2021.

The South Kingstown School Department (the Client) believes that the group entitled NONVIOLENT SCHOOLS RI (NSRI) has the ability, qualifications and experience to provide the services listed below.

The Contractor is agreeable to providing such services according to the terms and conditions set down in this Agreement.

In consideration of the matters designated above and to their mutual benefit, the Contractor and Client agree to the following:

1. SERVICES PROVIDED

- 20 hours of Kingian Nonviolence training to administrators, teachers and staff of the South Kingstown School Department during the NSRI Summer Institute, August 2021
- 3 Kinglan Nonviolence workshops for the superintendent and school committee members, 90 minutes per workshop, during the months of March-June, 2021
- Kingian Youth Leadership Training for South Kingstown high school students-Spring 2021 (Phase 1-engagement)
- Facilitation of the BIPOC Advisory Board, February-August 2021, for 25 meetings
- Antiracism book club for South Kingstown school employees-Spring 2021
- Consultation with the Superintendent and Director of Curriculum, ad hoc to be paid hourly

The School Department will compensate the trainers and mentors according to the budget provided as an addendum to this Agreement. They will also provide adequate space and audio-visual/computer equipment for these training sessions (when in-person meetings are allowed).

Reimbursement to Contractor will be received not more than one month from the completion of each service that is provided.

2. TERM

- . The term of this Agreement is from February 2021-August 31, 2021
- This agreement may be extended by mutual consent.

3. OWNERSHIP and INTELLECTUAL PROPERTY

Any related work in the development of products during this Agreement is
the property of the Contractor. The Client is granted a non-taxable limited
use license of Intellectual Property. The distribution of Intellectual Property
remains solely with the Contractor. For example, all materials are

case Number: PC-2022-04727 illed GAST Number: PG-30PC-04767Superior Court subfilled in Providence Bigston County Superior Court inversity 1965-147/2022 3:58 PM sevi FNS-1966 un 1647-16 Reviewer: Maureen D.

copyrighted and should only be reproduced with permission from the authors.

4. INDEPENDENT CONTRACTOR

In the provision of services under this Agreement, it is expressly agreed that
the Contractor is an Independent Contractor and not an employee of the
School Department. This Agreement does not create a partnership or joint
venture, but is exclusively for the services stated herein.

5. INDEMNIFICATION

 Each party agrees to indemnify and hold harmless the other and all their respective associates in any matter that may result from or arise out of any act of omission of one of the parties. This indemnification will survive the term of this agreement.

6. MODIFICATION

 Modification of this Agreement or any additional obligations assumed will be binding only if there is evidence in writing, signed and authorized by each party. IN WITNESS THEREOF, THE PARTIES HAVE DULY AFFIXED THEIR SIGNATURES UNDER HAND ON THIS DAY AND DATE:

NAME Robin Wildman

DATR March 24.2021

FOR NONVIOLENT SCHOOLS RI

JAME

DATE

For South Kingstown School Dept.

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Pricing for February 15-August 31, 2021

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Name of Project	Timeframe February 15-August 31, 2021	Unit Price	Total
School Committee Kingian workshops 2 Facilitators	February-June 2021 (3 workshops)	\$250/workshop	87 500
20-hour Summer Institute- Kingian Nonviolence Training 2 Trainers	August 2021 (Cohort 1)	\$250/person Team of 3 staff + 1 administrator from the same school = \$200/person	TBD by the number of people the district will financially support
Kingian High School Youth Leadership Training- (Phase 1: Student Engagement)	Spring, 2021 (engage, inform, and sign up student members)	\$500	\$500
BIPOC Advisory Board (2 facilitators, includes planning)	February- August 2021 25 meetings	\$200/90 minute meeting	\$5,000
Antiracism Book Club (three 90 minute sessions/book)	Spring 2021	\$35/person (10 person minimum) Cost includes a book	\$35 x 10 person = \$350/book club (add \$35/person for additional participants)

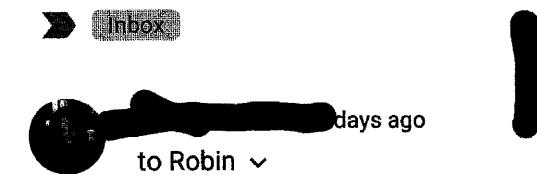
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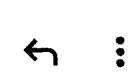
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Advisory Committee Meetings



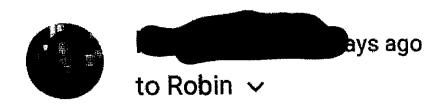




Other parents and I would like to be present at future BIPOC Advisory Committee meetings. How can parents and other South Kingstown residents observe these meetings? I imagine you would be more than happy to open these meetings to the public because you believe it to be such important work that opens up honest conversations about what you believe to be very pressing issues for everyone in the beloved community.

I look forward to your responses to my other emails as well.

Nicole



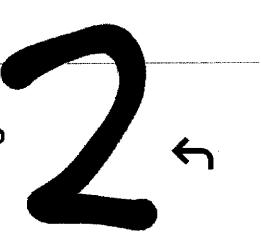


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Reviewer: Maureen D.



Robin Wildman 2 days ago to me >



llo Nicole,

aven't forgotten about you and your friends. My parent me to stay for a few days and so I was busy visiting with me.

a private vendor, hired by SK school district, Nonvioler nools RI is permitted to have closed meetings. At this ie the board meetings aren't open to the public. u can look on the district's website for information about board and their work. It should be posted soon.

nviolent Schools RI
nw.nonviolentschoolsri.org

Box 496
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nilding Compassionate School Communities"

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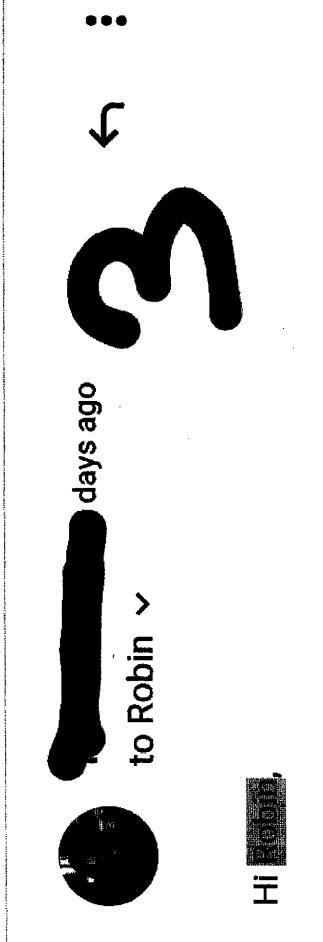
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Envelope: 4715877 Reviewer: Maureen D

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Reviewer: Maureen D.

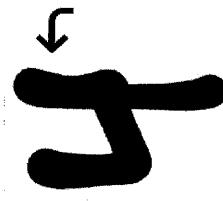


must know the work of your committee is controversial and looked upon with scrutiny. What better way to gain the trust transparent meetings and you have not provided me with a of parents like me than to welcome us with open arms into reason why you should keep these meetings closed. You There is nothing prohibiting you from having open and your open meetings?

Nicole



Filed in Providence/Bristol County Superior Court



Please explain why your committee has been meeting

Robin,

lead that public body in your advisory committee position. thousands of dollars of taxpayer money? Your committee is not a private vendor. It is a public body. You get paid to secretly for a year but has accepted and benefited from

which now lands on the agenda of the school committee. Further, your secret committee meetings produced work

That is a huge problem.

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Reviswemittedureen b

SOUTH KINGSTOWN SCHOOL DEPARTMENT 307 CURTIS GORNER ROAD, WAKEFIELD, RI 02879-2108

Linda Savastano SUPERINTENDENT OF SCHOOLS (#61) 360-1367 FAX (401) 360-1330 TTY 1 800 745-5555 small: Isavastano@sked-rj.net

April 29, 2021

via email

Ms. Nicole Solas

Re: APRA Request of April 25, 2021

Dear Ms. Solas,

This letter is sent in response to your email request of April 25, 2021 in which you sought.

Implicit Bias Training Information Cost, organization conducting training, and all relevant details.

pratmi

Response:

We have included a copy of the District's contract relative to Kingian Non-Violence in an effort to provide you the information you are looking for Please review and if this is not the information that you are looking for please clarify your request. We do not possess any documents entitled "Implicit Bias Training".

In accordance with R.I. Gen. Laws § 38-2-8, you may file an appeal with the Department of the Attorney General, 150 South Main Street, Providence, Rhode Island, 02903, or the Rhode Island Superior Court of the county where the record(s) are maintained. You may also access additional information concerning the Access to Public Records Act through the Attorney General's website at www.rise.ri.cov.

Sincerely,

Linda Savastano

Superintendent

The South Kingstown School Department does not discriminate on the basis of riggs, religion, color, sex (including pregnancy, gender identity, and sexual orientation), paramal status, national origin, egs, disability, family medical history or genetic information, political will adopt a residual original original factors. In accordance with applicable tawa and regulations.

From:

Nicole Solas Open Government

To: Subject:

Re: OMA Violation by South Kingstown School Committee

Date:

Friday, May 21, 2021 9:06:34 AM

Attachments:

image003.png

[External email: Use caution with links and attachments]

Hi Katherine,

Yes, I'd like to file against the BIPOC Advisory Committee. My basis is that this committee is a public body as defined in the statute: § 42-46-2. Definitions.

(5) "Public body" means any department, agency, commission, committee, board, council, bureau, or authority, or any subdivision thereof, of state or municipal government or the board of directors of any library that funded at least twenty-five percent (25%) of its operational budget in the prior budget year with public funds, and shall include all authorities defined in § 42-35-1. For purposes of this section, any political party, organization, or unit thereof meeting or convening is not and should not be considered to be a public body; provided, however, that no such meeting shall be used to circumvent the requirements of this chapter.

Thank you,

Nicole Solas

On Thu, May 20, 2021 at 2:04 PM Open Government < opengovernment@riag.ri.gov > wrote:

You indicated that you wish to file a complaint against the South Kingstown School Committee but it appears that your allegations are directed against the BIPOC Advisory Committee, which you allege is a public body. Please clarify the entity you allege violated the OMA and if you wish for your complaint to be filed against the School Committee, specify which provisions of the OMA you contend were violated by it and why. No complaint will be opened pending clarification.

Sincerely,

agenlogo

Katherine Connolly Sadeck Special Assistant Attorney General



Chief, Open Government Unit

The State of Rhode Island | Office of the Attorney General 150 South Main Street | Providence, RI - 02903

Office: +1 401 274 4400 | Ext:2480

ksadeck@riag.ri.gov | www.riag.ri.gov

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Reviewer: Maureen D.

The Information contained in this message and any attachments is intended only for the use of the individual or entity to which it is addressed, and may contain information that is PRIVILEGED, CONFIDENTIAL, and exempt from disclosure under applicable law. If you have received this message in error, you are prohibited from copying, distributing, or using the information. Please contact the sender immediately by return e-mail and delete the original message from your system.

From: Nicole Solas < nicolesolas@gmail.com>

Sent: Thursday, May 20, 2021 1:29 PM

To: Open Government < opengovernment@riag.ri.gov>

Subject: OMA Violation by South Kingstown School Committee

[External email: Use caution with links and attachments]

Hello,

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Envelope: 3744276 Reviewer: Maureen D.

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https://www.ricentral.com/narragansett_times/bipoc-advisory-board-looks-to-create-racial-

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- 1. Contract between Robin Wildman/RI Nonviolent Schools and the South Kingstown School Department. This contract pays Robin Wildman in various respects, including paying her in her capacity as a BIPOC Committee Advisory member with public monies. She also receives an ad hoc hourly fee to consult with the superintendent and it is unclear whether this ad hoc payment is in her capacity as a private vendor or in her capacity as a BIPOC Advisory Committee member.
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https://www.thecollective401.com/blog

6. Work produced by the BIPOC Advisory Committee which now lands on the agenda of the South Kingstown School Committee including

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Reviewer: Maureen D.

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https://go.boarddocs.com/ri/soki/Board.nsf/Public

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EXHIBIT B

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Reviewer: Maureen D.

AFFIDAVIT AND RESPONSE OF ROBIN WILDMAN

I, Robin Wildman, do hereby depose and say that:

- 1. I was approached then Superintendent Linda Savastano with the idea to form a BIPOC Task Force, now called the Beloved Community Advisory Board of SK.
- 2. The Board is voluntary. I gathered people by word of mouth.
- 3. I facilitate the meetings. I am not a member of the Board.
- 4. None of the current Board members are members of the South Kingstown School Committee.
- The members came together, initially about 15 people, once a week, to share personal stories, and to outline a mission statement and goals.
- Due to the personal nature of the stories that were shared, over time, the members began to call each other "family" and we dropped down to about 7-8 regular members.
- When the woman (Ms. Solas) emailed me to ask what the purpose of the board was, and demanded I release the names, addresses, qualifications, and contact information about each member, the members were alarmed, to say the least. Fearful for their safety was the prevalent feeling. Several said that if their information was made public they would leave the group.
- 8. I promised them that I would never release their names or any other information to anyone. I stand by that promise.
- The Board is a voluntary group. Nonviolent Schools RI ("NSRI") facilitates the meetings. NSRI and members make the agenda, informally (we don't send anything out to them). They have spent the past 10 months reviewing policies to determine whether they are inclusive and equitable.
- 10. If we believe the policies require revision, we have two (2) members of our group that sit on the South Kingstown School Committee Policy Sub-Committee and they bring our suggestions to the public meetings.
- 11. The Board simply reviews policies as written and brings suggestions to the Policy Sub-Committee. My Board has no decision -making authority whatsoever. In fact, the Policy Sub-Committee has no obligation to consider our suggestions at all.

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12. The Board does not and has not reviewed "employment contracts" and "all school guidance" as alleged.

Robin Wildman

State of Rhode Island County of Washington

In the Town of South Knocker on the 30th day of June, 2021, before me personally appeared Robin Wildman, to me known and known by me to be the party executing the foregoing instrument and she acknowledged said instrument so executed, to be her own free act and deed.

Notary Public

My Commission Expires:

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Reviewer: Maureen D.



July 28, 2021

SENT VIA U.S. MAIL & E-MAIL

State of Rhode Island Office of the Attorney General Attn. Adam Roach, Esq. 150 South Main St. Providence, RI 02903 aroach@riag.ri.gov

Re: Solas v. South Kingstown BIPOC Committee - Rebuttal

Dear Mr. Roach:

The Goldwater Institute ("Institute") and the Stephen Hopkins Center for Civil Rights represent Ms. Nicole Solas in the Solas v. South Kingstown BIPOC Committee Complaint under Rhode Island's Open Meetings Act, codified at R.I. Gen. Laws § 42-46-1, et seq. ("OMA").

This letter is submitted in rebuttal to the South Kingston School Committee's ("School Committee") Response to Ms. Solas's Complaint.1

As you know, the OMA was enacted to ensure that "public business be performed in an open and public manner and that the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy." R.I. Gen. Laws § 42-46-1. The OMA "should be construed broadly and interpreted in a light favorable to public access." Solas v. Emergency Hiring Council of State, 774 A.2d 820, 824 (R.I. 2001). Under the OMA, "[e]very meeting of all public bodies shall be open to the public," unless a specific statutory exception applies. R.I. Gen. Laws § 42-46-3 (emphasis added).

As outlined in Ms. Solas's Complaint, the South Kingstown BIPOC Advisory Board ("Board") is a "public body," because it: (1) has "advisory power" (2) over a subject of significant public interest (3) discussed during regular and recurring meetings that (4) include public officials, and (5) it receives public funds. Under the plain language of the OMA and the cases interpreting it, the Committee is plainly a "public body." Consequently, Ms. Solas' Complaint should be sustained, the Board's meetings and any materials created at them should be made open to the public, and any actions or activities conducted by the Board should be declared "null and void."

¹ We have attached and numbered relevant exhibits and references made in the Complaint for ease of review.

Case Number: PC-2022-04727
Filed in Providence/Bristol County Superior Court
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Reviewer: Maure Andre Roach, Esq.
July 28, 2021
Page 2 of 6

Ms. Solas first requested that meetings of the Board be open to the public on or about May 15, 2021. Exhibit 4 at 1. The Board denied that request on or about May 18, 2021. *Id* at 2. Ms. Solas also included communications to School Committee personnel requesting that the Board open its meetings to the public on or about May 20, 2021 but received no response from the School Committee. *Id* at 4. On information and belief, the Board continued to meet on and after these dates. Exhibit 1 at 3. This Complaint was filed within 180 days of "an unannounced or improperly closed meeting..." R.I. Gen. Laws § 42-46-8.

A. The Board is a "public body" with significant advisory power.

The plain language of the OMA and Rhode Island Supreme Court precedent show that the Board's exercise of advisory power brings the Board's activities under the OMA.

Under the OMA, a "public body" is "any department, agency, commission, committee, board, council, bureau, or authority, or any subdivision thereof, of state or municipal government." R.I. Gen. Laws § 42-46-2(5) (emphasis added). A "meeting" is "the convening of a public body to discuss and/or act upon a matter over which the public body has supervision, control, jurisdiction, or advisory power." Id. at (1) (emphasis added). In this case, the Board identifies itself as a "board" that was established and funded by the School Committee, a political subdivision, for the express purpose of meeting "to discuss" matters over which the Board has "advisory power."

In Solas, the Supreme Court explained that entities that exercise "advisory power" are subject to the OMA. 774 A.2d at 825. There, the court found that a hiring council created by an executive order of the governor to advise his office on the state's hiring practice was a "public body" for purposes of the OMA. Id. Specifically, the court held that "the council functions in an advisory capacity in state hirings. Whether supervisory or advisory, both functions are regulated by the act. As the plain language of the statute provides, a council's exercise of advisory power is enough to bring it under the act's umbrella." Id.; see also Advisory Opinion No. 99-13 (finding that a three-member committee appointed by the mayor to advise his office on the issue of hiring a new police chief was also a public body under the OMA).

Here, the Board was created and approved by the School Committee, a political subdivision, on July 22, 2020. Committee Response at 1 ¶ 2. By the School Committee's own admission, the purpose of the Board is "to review policies and to suggest revisions" to those Committee-wide policies. *Id.* at 2 ¶ 11. In other words, the express purpose of the Board is to act in an advisory capacity to the Committee.

And the extent of that advisory power is broad and significant. According to one Board member, Mwangi Gitahi, who is also "a voting member of a School Committee sub-committee that reviews and updates school policies," Exhibit 5 at 4, the purpose of the Board is to serve in an advisory capacity to the School Committee on nearly all significant school policies. According to Mr. Gitahi:

As a member of the BIPOC advisory board, I have been closely examining a number of existing school district policies, looking at them line by line through an anti-racist

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Reviewer: Maure 10 programme Roach, Esq.

July 28, 2021

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and equity lens. We have now reviewed policies ranging from discipline and suspension to coaching & hiring. We are hard at work crafting a framework for all of these policies, which we are calling the Anti-Racism and Anti-Discrimination Policy. This policy will guide the language, process, and the enforcement of all of the changes we make to all of the other policies.

Id. In other words, the Board was created to advise the School Committee on an enormous range of policies across the district in nearly all areas of the School Committee's operations and responsibilities.

The advisory powers conferred on the Board are being given close attention by the School Committee on major policy changes. Mr. Gitahi, observed that the Board is "also working on opportunities for BIPOC representation in the hiring process." *Id.* That appears to be true, as the School Committee went on to consider significant revisions to the hiring process within the district at a meeting on May 20, 2021. Exhibit 6. At the same meeting, the School Committee voted unanimously to retire the then-existing Nondiscrimination and Anti-Harassment Policy in favor of considering a new "Anti-Racism, Anti-Discrimination and Anti-Harassment Policy" proposed by the Board that includes sweeping reforms and policy changes. Exhibit 7. Thus, not only is the Board operating in a substantial advisory capacity, which, according to *Solas*, brings it within the scope of the OMA, but the School Committee is also clearly implementing the Board's advice in revising its policies.

The School Committee contends that the Board is not a "public body" because it "does not possess significant supervisory power and executive veto power." Committee Response at 2 ¶ 11. But that is not the test. It is not the test in the OMA—which defines public "meetings" as those in which a "public body" meets "to discuss ... a matter over which the public body has ... advisory power," R.I. Gen. Laws. § 42-46-2(1)—and it is not the test under *Solas*, where the Supreme Court rejected a nearly identical argument from the state and held that whether a public body is a decision-making entity or an advisory entity "is of no moment ... because application of the act is not limited to 'public bodies' that 'meet' to render decisions." 774 A.2d at 825. Instead, "a council's exercise of advisory power," like the Board exercises here, is by itself "enough to bring it under the act's umbrella." *Id.* Because the Board meets to discuss matters over which it has advisory power, it is a public body subject to the OMA.

B. The Board has advisory power over a subject of significant public interest.

The Court in *Solas* held that another factor in determining whether an advisory board is a public body subject to the OMA is whether matters discussed by an advisory body are of "significant public interest," 774 A.2d at 824, or include "matters of great interest to the citizens of this state." *Id.* at 825.

By the School Committee's own admission, that is plainly the case in this matter. The mission of the Board, according to the School Committee, is "to advocate for equity in education of students who identify as Black, Indigenous, and People of Color (BIPOC) in South Kingstown schools, inspiring a healthier and just community and school system for everyone." Committee Resp. at 1 ¶ 3.

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Of course, advocating for "equity in education" and creating "a healthier and just community and school system for everyone" are matters of "significant public concern," Solas, 774 A.2d at 824, and of "significant public interest" to the community and its citizens. Id. at 825. Board chairperson Robin Wildman stated that she "approached the superintendent [of the School Committee] with an idea to form a BIPOC group that would look at policies and practices and make recommendations to create a more inclusive, antiracist district." Exhibit 5 at 1. In other words, the Board was created and charged with making recommendations on matters of significant public interest. That means that, like the hiring board in Solas, its operations should be open to the public.

C. Members of the Board are public officials.

The inclusion of public officials on the Board also demonstrates that the Board is a "public body." One of the stated purposes of the OMA is that "citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy." R.I. Gen. Laws § 42-46-1 (emphasis added). The Solas case determined that an advisory council that "combine[d] senior executive branch staff members with employees," was a public body under the OMA. 774 A.2d at 824.

Once again, the same is true here. First, it is undisputed that two of the members of the Board are also voting members of the School Committee's Policy Sub-Committee. Committee Response at 1 ¶ 6. The work of the Subcommittee is indisputably subject to the OMA, and so should the work of its public members who also serve in an advisory capacity on the Board.

Additionally, the School Committee has evidenced a clear intent to appoint the Board, and its remaining citizen members, to act in an advisory capacity to the School Committee. As this Office previously found, a three-member committee appointed by the Mayor of Warwick to advise him on the issue of hiring a new Policy Chief, constituted a "public body" within the meaning of the statute. According to this Office, "the description and origin of the committee . . . [lead the] Department to believe that the committee [fell] within the definition of 'public body." Advisory Opinion No. 99-13. Here, the Board was created (and funded) by the School Committee. Exhibit 1 at 3; Exhibit 3. Like the hiring board in Warwick, its members were charged by the School Committee with advising the Committee on matters of significant public interest.

D. The Board has regular and recurring meetings.

The frequency and regularity of meetings of the Board also show that the Board is a public body. In *Pontarelli v. Rhode Island Board Council on Elementary & Secondary Education*, 151 A.3d 301, 308 (R.I. 2016), the Supreme Court found that a Compensation Review Committee ("CRC") created by the Department and Board Council on Elementary and Secondary Education was not a public body in large part because the CRC "does not meet on a regular basis." Instead, the CRC was an "informal, *ad hoc* working group." *Id.* at 303 (emphasis in original); *see also* OM 19-23 (because a Fisherman's Advisory Board did not meet did not meet on a regular basis and instead convened "asneeded" it was not a public body). The *Pontarelli* court contrasted this with *Solas*, where the hiring committee "was required to meet at least biweekly." *Id.* at 306 (quoting *Solas*, 774 A.2d at 824). The

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Reviewer: Maurequillam Roach, Esq.

July 28, 2021 Page 5 of 6

Board's regular, recurring meetings in this case are like those of the hiring committee in Solas, and unlike the ad hoc entity in Pontarelli.

Specifically, the Board is required by contract with the School Committee to meet for 25 meetings from February-August 2021. Exhibit 1 at 3. And that is precisely what the Board has done—met every week on a regular and recurring basis. See Exhibit 5 at 1, 4 (Wildman: The Board has "met every week since September." Gitahi: "All of this work has been a massive undertaking, a very heavy lift that the entire BIPOC Advisory Board has embraced and met weekly to work on, over the past eight months."). As with the hiring committee in Solas, the Board's regular, weekly meetings to discuss matters of significant public concern show that the Board is a public body.

E. Public funds finance the Board.

Another significant factor in finding that the Board is subject to the OMA is that it receives its funding from public funds provided by the School Committee. The definition of "public body" specifically identifies entities that are "funded at least twenty-five percent (25%) of its operational budget in the prior budget year with public funds" as public bodies. R.I. Gen. Laws § 42-46-2. Although it is unclear whether this applies only to libraries or to the other entities identified, it is clear that receipt of public funds is one factor in determining whether the Board is a "public body" subject to the OMA. Indeed, on at least three separate occasions, this Office has identified the receipt of public monies as an important factor in determining whether an entity is a public body. See Finnegan v. Scituate Town Council, OM 97-05 (citizen council appointed by Town Council to advise on hiring a police chief was a public body when the citizen members received an honorarium and lunch and evening meals from the Council); Schmidt v. Ashaway Volunteer Fire Ass'n, OM 98-33 (because members of the Fire Association did not receive a salary or other public funds from a public entity, the Association was not a "public body."); Montiero v. Providence Sch. Bd. Nominating Comm'n, OM 02-25 (because no public money was spent on commission, the commission was not a "public body.").

In this case, it is indisputable that the Board receives public funds from the School Committee for the purpose of operating the Board. Specifically, the Board chairperson, Robin Wildman, signed a contract with the School Committee on March 24, 2021 for "[f]acilitation of the BIPOC Advisory Board ... for 25 meetings." Exhibit 1. The cost for facilitating these meetings to the School Committee represented nearly the entire cost of the contract—\$5,000 was paid for service on the Board out of a total payment of \$7,474.00. Exhibit 3. Thus, it is clear that the School Committee hired and funded the Board for the purpose of advising the Board on matters of significant public concern, which, again, brings the Board under the umbrella of the OMA.

F. The School Committee has no authority to appoint an "informal advisory" body.

It should finally be noted that the School Committee lacks legal authority, including under its own by-laws, to appoint an informal, advisory body. As this Office has previously affirmed, "a public official or body 'may not accomplish through appointees what it could not do itself' outside the purview of the OMA." Oliveira v. Indep. Review Comm., OM 04-10 (quoting Finnegan, OM 97-05).

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> In this case, the Board's Bylaws permit the board to appoint Sub-Committees, not informal boards. Exhibit 8 at 3. Under the Bylaws, "Sub-committees shall post and conduct their meetings in accordance with RIGL 42-46." Id. The School Committee charged the Board with conducting business on policy matters in the role of a subcommittee. But the School Committee evaded its own procedures by hiring the Board to do this instead of by appointing an official subcommittee that is subject to this state's Open Meeting Act. Because the Board cannot do that outside the OMA and its own Bylaws, the work of the Board should be open to the public and any actions or recommendations the Board has made should be set aside.

In sum, the School Committee established and funded the Board for the express purpose of meeting regularly to discuss matters of significant public concern and to serve in an advisory capacity to the School Committee on those matters. The burden rests with the School Committee to establish that it is exempt from the provisions of the OMA, R.I. Gen. Laws. § 42-46-4, which "should be construed broadly and interpreted in a light favorable to public access." Solas, 774 A.2d at 824. The School Committee has not come anywhere near satisfying its burden of showing that the Board is not a public body. On the contrary, the Complaint and supporting evidence establish that the public has a right to access the public business being discussed and acted upon by the Board.

Should you have any questions regarding this matter, I can be contacted directly at iriches@goldwaterinstitute.org or (602) 462-5000.

Sincerely yours,

Jon Riches

Director of National Litigation

GOLDWATER INSTITUTE

/s/ Giovanni Cicione

Giovanni Cicione, Esq.

STEPHEN HOPKINS CENTER

FOR CIVIL RIGHTS

Taylor O'Brien; tobrien@riag.ri.gov CC. Andrew Henneous, Esq.; ahenneous@hcllawri.com Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877 Reviewer: Maureen D.

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 8/11/2022 3:58 PM Envelope: 3744276 Reviewer: Maureen D.

Case Number: PC-2022-04727
Filed in Providence/Bristol County Superior Court
Submitted: 7/16/2024 3:50 PM
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Reviewer: Maureen D

AGREEMENT BETWEEN NONVIOLENT SCHOOLS RI AND THE SOUTH KINGSTOWN SCHOOL DEPARTMENT

Filed in Providence/Bristol County Superior Court

Submitted: 8/11/2022 3:58 PM Case Number: PC-2022-04727

Envelope: 3744276 Reviewer: Maureen D.

EGEIN! This is an Independent Contractor Agreement (the Agreement) dated February 15 2021 and ending August 31, 2021.

The South Kingstown School Department (the Client) believes that the group) entitled NONVIOLENT SCHOOLS RI (NSRI) has the ability, qualifications and experience to provide the services listed below.

MAR 24 2021

The Contractor is agreeable to providing such services according to the terms and in consideration of the matters designated above and to their mutual benefit, the conditions set down in this Agreement.

SERVICES PROVIDED

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Contractor and Client agree to the following:

- staff of the South Kingstown School Department during the NSRI Summer 20 hours of Kinglan Nonviolence training to administrators, teachers and Institute, August 2021
 - committee members, 90 minutes per workshop, during the months of 3 Kingtan Nonviolence workshops for the superintendent and school
 - Kingian Youth Leadership Training for South Kingstown high school March-June, 2021
- Facilitation of the BIPOC Advisory Board, February August 2021, for 25 students-Spring 2021 (Phase 1-engagement)
- Consultation with the Superintendent and Director of Curriculum, ad hoc to be paid hourly Antiracism book club for South Kingstown school employees-Spring 2021

The School Department Will compensate the trainers and mentors according to the budget provided as an addendum to this Agreement. They will also provide adequate space and audio-visual/computer equipment for these training sessions (when in-person meetings are allowed)

Reimbursement to Contractor will be received not more than one month from the completion of each service that is provided.

TERM

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- The term of this Agreement is from February 2021-August 31, 2021
 - This agreement may be extended by mutual consent.

OWNERSHIP and INTELLECTUAL PROPERTY mi

use license of Intellectual Property. The distribution of Intellectual Property remains solely with the Contractor. For example, all materials are Any related work in the development of products during this Agreement is the property of the Contractor. The Client is granted a non-mashle limited .

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Submitted: 7/16/2024 3:50 PM
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Reviewer: Maureen D

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Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 8/11/2022 3:58 PM Envelope: 3744276 Reviewer: Maureen D.

INDEPENDENT CONTRACTOR

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the Contractor is an Independent Contractor and not an employee of the School Department. This Agreement does not create a partmership or font venture, but is exclusively for the services stated herein. In the provision of services under this Agreement, it is expressly agreed that ė

INDEMNIFICATION

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respective associates in any matter that may result from or arise out of any act of amission of one of the parties. This indemnification will survive the Each party agrees to indemnify and hold harmless the other and all their term of this agreement. •

MODIFICATION

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Modification of this Agreement or any additional obligations assumed will be binding only if there is evidence in writing, signed and authorized by each party. IN WITNESS THEREOF, THE PARTIES HAVE DULY AFFIXED THEIR SIGNATURES UNDER HAND ON THIS DAY AND DATE:

NAME Robin Wildman

DATE March 24,2021

FOR NONVIOLENT SCHOOLS RI

Adra Walne

NAME MARTHUMENT

DATE

For South Kingstown arvol Dept.

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 7/16/2024 3:50 PM Envelope: 4715877 Reviewer: Maureen D.

Pricing for February 15-August 31, 2021

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 8/11/2022 3:58 PM Envelope: 3744276 Reviewer: Maureen D.

Name of Project	Timeframe February 15-August 31, 2021	Unit Price	Total
School Committee Kingian workshops 2 Facilitators	February-June 2021 (3 workshops)	\$250/workshop	\$750
20-hour Summer Institute- Kingian Nonviolence Training 2 Trainers	August 2021 (Cohort I.)	\$250/person Team of 3 staff + 1 administrator from the same school = \$2000/person	TBD by the number of people the district will financially support
Kingian High Schoof Youth Leadership Training- (Phase 1: Student Engagement)	Spring, 2021 (engage, inform, and sign up student members)	\$500	\$500
BIPOC Advisory Board (2 facilitators, includes planning)	February- August 2021 25 meetings	\$200/90 minute mecting	\$5,000
Antiracism Book Club (three 90 minute sessions/book)	Spring 2021	\$35/person (10 person minimum) Cost includes a book	\$35 x 10 person = \$350/book club (add \$35/person for additional participants)

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Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 8/11/2022 3:58 PM Envelope: 3744276 Reviewer: Maureen D.

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SOUTH KINGSTOWN SCHOOL DEPARTMENT

Filed in Providence/Bristol County Superior Court

Reviewer: Maureen D Envelope: 3744276

Case Number: PC-2022-04727 Submitted: 8/11/2022 3:58 PM 307 CURTIS CORNER ROAD, WAKEFIELD, RI 02879-2106

Linda Savastano superintendent of schools

(401) 360-1307 FAX (401) 360-1330 TTY 1 800 745-5555 emalt: fsavastano@eksd-ninet

April 29, 2021

via email

Ms. Nicole Solas

Re: APRA Request of April 25, 2021

Dear Ms. Solas,

This letter is sent in response to your email request of April 25, 2021 in which you sought:

Implicit Bias Training Information

Cost, organization conducting training, and all relevant details.

Violence in an effort to provide you the information you are looking for. Please review and if this is not the information that you are looking for please clarify your request. We We have included a copy of the District's contract relative to Kingian Nondo not possess any documents entitled "Implicit Bias Training". In accordance with R.I. Gen. Laws § 38-2-8, you may file an appeal with the Department of the Attorney. General, 150 South Main Street, Providence, Rhode Island, 02903, or the Rhode Island Superior Count of the county where the record(s) are maintained. You may also access additional information concerning the Access to Public Records. Act through the Attorney General's website at www.riag.ri.gov.

Sincerely,

Linda Savastano

Superintendent

The South Kingstown School Department does not discriminate on the basis of race, raligion, color; sex (tenducing pregnency, gender (serulty, and sexual orientation), parents schus, rational origin, ege, discribity, family medical fishory or gender information, profiled affiliation, military service, or other non-mert based factors; to eccondence with applicable laws and regulations.

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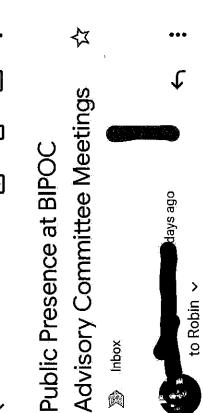
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Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 8/11/2022 3:58 PM Envelope: 3744276 Reviewer: Maureen D.



Robin,

Other parents and I would like to be present at future BIPOC other South Kingstown residents observe these meetings? what you believe to be very pressing issues for everyone in important work that opens up honest conversations about meetings to the public because you believe it to be such imagine you would be more than happy to open these Advisory Committee meetings. How can parents and the beloved community.

I look forward to your responses to my other emails as well.

Nicole



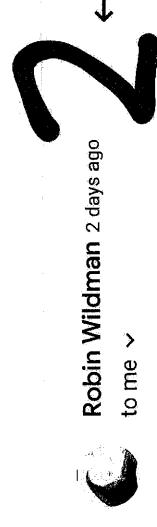
Other parents and taxpayers are still waiting on your

response.

Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

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Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Submitted: 8/11/2022 3:58 PM Envelope: 3744276 Reviewer: Maureen D.

Hello Nicole,

came to stay for a few days and so I was busy visiting with I haven't forgotten about you and your friends. My parents

You can look on the district's website for information about As a private vendor, hired by SK school district, Nonviolent Schools RI is permitted to have closed meetings. At this the board and their work. It should be posted soon. time the board meetings aren't open to the public.

Robin Wildman

Executive Director

Nonviolent Schools RI

www.nonviolentschoolsri.org

P.O. Box 496

West Kingston, RI 02892

"Building Compassionate School Communities"

Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court

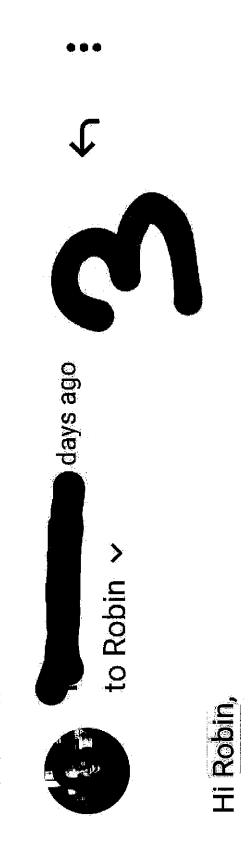
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> Filed in Providence/Bristol County Superior Court Submitted: 8/11/2022 3:58 PM

Reviewer: Maureen D.

Case Number: PC-2022-04727



looked upon with scrutiny. What better way to gain the trust must know the work of your committee is controversial and transparent meetings and you have not provided me with a of parents like me than to welcome us with open arms into reason why you should keep these meetings closed. You There is nothing prohibiting you from having open and your open meetings?

Nicole

Case Number: PC-2022-04727
Filed in Providence/Bristol County Superior Court

Submitted: 7/16/2024 3:50 PM

Envelope: 4715877 Reviewer: Maureen D.

> to Robin, Linda, Melissa 🗸 Reviewer: Maureen D.

Filed in Providence/Bristol County Superior Court Submitted: 8/11/2022 3:58 PM

Case Number: PC-2022-04727



Robin,

lead that public body in your advisory committee position. thousands of dollars of taxpayer money? Your committee s not a private vendor. It is a public body. You get paid to secretly for a year but has accepted and benefited from Please explain why your committee has been meeting

which now lands on the agenda of the school committee. Further, your secret committee meetings produced work

That is a huge problem.

Nicole

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Community Spotlight: Robin Wildman

The Collective May 13, 2021

Who are you? A wife, mom, grandmother, educator, sports enthusiast, gardener, hiker

Where are you from? Originally from NY, I came to URI as a freshman a LONG time ago and never left; so, I'm from South Kingstown.)

What kind of work do you do in the community? Retired SK 5th grade teacher. Started a not for profit organization, Nonviolent Schools RI in 2018; due to my desire to teach educators about conflict and how to address it using Dr. King's strategies and philosophy (you can look on our website for more info: www.nonviolentschoolsri.org After George Floyd's murder I wanted to do something to make our community a place of positive peace (Beloved Community). I approached the superintendent with an idea to form a BIPOC group that would look at policies and practices and make recommendations to create a more inclusive, antiracist district. Thanks to the incredible people on the BIPOC Advisory Board, Nonviolent, Schools RI will now be doing even more work with the district in the coming school year.

Can you talk about what it's like to be involved in the BIPOC Advisory Board?

It has been an honor to facilitate the work that has come from the most committed group of people | have ever had the privilege of working with. They have met, every week since September, and this is the mission they created:

The mission of the South Kingstown Advisory Board is to advocate for equity in the aducation of students who identify as Black, Indigenous, and People of Color (BIPOC) in South Kingstown schools, inspiring a healthier and just community and school system.

They have stated, and it is true, that they are "family". As a white woman, I feel accepted by these most wonderful, intelligent, committed people!

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Why are equal rights for BIPOC important to you? Important to the world at large?

I believe in working for justice, and not equal rights. The difference is, in reality, while you may be offered the same opportunities, you can easily be denied access due to your race because the vast majority of those that control all of the systems in our country are white, due to racism. Justice means breaking down the oppressive systems that prevent BIPOC from accessing opportunities in your community that white people have. I believe in what Dr. King spoke of often, that the Beloved Community is the framework for the future. In order to work towards that goal, BIPOC rights should be at the forefront. I feel that as a white woman of privilege it is up to me to create change.

Can you speak to how you incorporate your teaching into activism?

Facilitating and teaching go hand in hand. My teaching practice centered around giving students choice and a voice in their learning. I use the same philosophy in the way that I facilitate and how I train educators in the practice of Kingian Nonviolence. It's important to teach others the strategies they need to create positive change, and then mentor them after they have the information they need to develop the kinds of communities they wish to live in.

Anyone can be an activist. All you have to do is find something you are passionate about, gather information about the issue, find like-minded people who will work with you, outline an action plan, and get to work. Well, it isn't that easy, but anyone can be an activist!

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Reviewer: Maureen D.

Community Spotlight: Mwangi Gitahi

The Collective April 13 2021

I am a servant of the people, first and foremost. I think that my purpose in life is to serve others and that is what I spend most of my waking hours doing. It is definitely personally gratifying, but that is just one way to describe what drives me to do this work. There is a much higher calling at play I don't necessarily wake up every day looking forward to sacrificing my time and energy in service of others; but I wake up every day feeling a strong sense of purpose and motivation to serve others; if that makes sense. The work that we are engaged in, whether it is around racial justice, related to activism, or community empowerment, is much bigger than me, and that is why I "accept the suffering, without retaliation, for the sake of the cause, to achieve the goal" as Dr. Martin Luther King, Jr. would say.

I was born in Nyeri, Kenya: I moved to the US first when I was 8 years old, for a couple of years, and then again when I was 13 years old. I was born in a remote village where my mother and father met each other and got married. I'm part of a large family of mostly farmers, and we still own some land back in that village. Since I was 13 my family has lived in South Kingstown.

I've had a strong sense of social justice ever since I was in college; but the grassroots organizing around social justice issues began in 2020 and with Toward an Antiracist South Kingstown. The few months that surrounded Ahmaud Arbery, Breonna Taylor and George Floyd really brought things to a head with me. You can say those incidents and the protesting that followed awoke my inner activist. Since then I have worked on local organizing campaigns for school policy reform, aducation reform and a campaign to promote affordable housing. The most important organizing to me is one that really taps into a collective purpose among a wide variety of people. The variety of experiences is extremely important to organizing, but for those experiences to be effective there has to be a goal that is embraced by everyone. I also believe in strong leadership and that organizing should begin with negotiation, but should always be ready for direct action if necessary.

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Right now I am an advocate for the BIPOC community in South Kingstown. I sit on a board (BIPOC Advisory Board) that represents the BIPOC community on issues related to SK school policies and school curriculum redesign. I also represent the board as a voting member of a School Committee sub-committee that reviews and updates school policies. Additionally, as mentioned above, I serve on the steering committee of a youth-oriented racial justice group called T.A.S.K. which organizes around racial and economic justice issues related to the school district and to the town as a whole. Finally, I am a mentor to an SK High School student and I coach a running group that serves our BIPOC community.

As a member of the BIPOC advisory board, I have been closely examining a number of existing school district policies, looking at them line by line through an anti-recist and equity lens. We have now reviewed policies ranging from discipline and suspension to coaching & hiring. We are hard at work crafting a framework for all of these policies, which we are calling the Anti-Racism and Anti-Discrimination Policy. This policy will guide the language, process and the enforcement of all of the changes we make to all of the other policies. We are also working on opportunities for BIPOC representation in the hiring process, for mentorship and for cultural awareness within the district. All of this work has been a massive undertaking, a very heavy lift that the entire BIPOC Advisory Board has embraced and met weekly to work on, over the past eight months.

I hope to inspire a change in the way history and social sciences are taught, to include the history and contributions of people of color to arts and sciences, politics, economics, the humanities and so on. I hope to inspire school policies that value and consider all students equally. I hope to change the way people think about the welfare of the members of their own community. I hope to create avenues for conflict reconciliation. I hope to create a desire for more diversity in our school staff and in our town population. Last but not least I hope to inspire people to suspend their first judgement of others.

An ideal South Kingstown is a town that is not content with the current racial and ethnic demographics that define it. There are reasons why South Kingstown looks the way that it does and an ideal town would be taking a hard look at those reasons right now. Find a way to collectively own the town's past and educate the community on how we got here, and simultaneously look for ways to move in a direction that is much more equitable, which would include uplifting our marginalized communities and providing ways for members of those communities to prosper. We already live in an ideal location and climate, but the ability to truly experience the benefits of living here depends on money, privilege and personal connections. An ideal South Kingstown would be a place where what matters the most is what you can contribute to the community and to society as a whole, and not how much you own or make, or who you know.

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APPOINTMENT AND HIRING POLICY

I. Policy Statement PHILOSOPHY:

The District is committed to empowering the superintendent of schools with the care and supervision of all schools within the District, including the appointment of principals and personnel at each school, as well as the appointment of administrators and other personnel not assigned to individual schools within the District, pursuant to R.I. Gen. Laws § 16-2-11. The District is concurrently committed to allowing principals of each individual school within the District to be the educational manager of their school, subject to the supervision and direction of the superintendent, including empowering principals with the authority to recommend the hiring of all personnel assigned to the school to the superintendent pursuant to R.I. Gen. Laws § 16-2-11.1

The School Committee is dedicated to adhering to this policy in order to create an inclusive community that promotes and values diversity in its hiring and strives for its employee workforce to be diverse in age, gender identity, race, sexual orientation, physical or mental ability, ethnicity, religion, socioeconomic status and perspective.

II. LEGAL AUTHORITY: Legal Authority

Rhode Island General Laws § 16-2-11 delineates the powers and duties of the superintendent of schools, including with respect to the appointment of personnel within the District. Rhode Island General Laws § 16-2-11.1 delineates the powers and duties of school principals, including with respect to the recommendation of appointment of personnel within their individual school.

POLICY STATEMENT: District Protocol IVIII. **District Protocols** The School District shall adopt the following protocol with respect to the ___ hiring of personnel: Include the following: The Rrecruiting, hiring and retaining teachers, staff, administrators, and coaches who identify as BIPOC shall be one _of the District's top priorities. Members of the BIPOC Advisory Board shall serve on the hiring committee for all new employees. (From the Antiracism policy) Teachers and Other Personnel at Individual Schools a. 1. The principal at each school shall convene a hiring team _____made up of the principal and additional interested including members who identify as BIPOC.-parties.

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	D.	<u> No me</u>	ember of the hiring team shall participate in the
		intervi	iew of any candidate with whom they have a personal
			onship.Add in "no conflict of interest"
	C.	_ 2.	-The hiring team shall be comprised of a minimum of
five (5)			people and shall always consist of an odd
number of _			participants. Members of the -BIPOC
<u>community</u> P	oc		
in the followi	ng nun	nbers: _	will participate on the hiring team For Aa hiring team of five (5), there shall
be three (3)	<u>membe</u>	ers	of the -BIPOC community. For a
hiring teamre	oprese	ntation	3, a hiring team of seven (7),
			4) members of the BIPOC community.
7Fo	<u>r_BIPO</u>	C repre	esentation 4, a hiring team of nine (9), there shall be
four (4) mem	nbers		of the BIPOC community. For a hiring
team of elev	en (11)),	there shall be five (5) members of
			IPOC representation 4, and a hiring team of 11—
BIPOC repre	esentat	ion 5.	
	_ <u>3d</u> .		iring team shall review all applications and interview
			dates whom they agree meet the qualifications for the $_$
		 .	on pursuant to the job description for the position
		_poste	d.
		_	
	<u>e.</u>		-The hiring team shall develop and ask a uniform set
of			_questions to each candidate for a position, based on
the job			description associated with that position.
	£	E	Forh morehousef the history toom shall know a source
sheet			Each member of the hiring team shall keep a score
question.			_associated with each candidate, broken down bySaid sheets shall be kept by the District for at
least one (1)			
least one (1)	' ——		year.
	q.	6	After review of the tallied score sheets from the hiring
team,			and in consultation with the site-based school
improvemen	t		team, the building principal shall
recommend		ina of	all teachers, iathletic coaches,
			tive aides, and other personnel
			the s-superintendent. Said
			consistent with district
perso	nnel pe	olicies,	collective bargaining agreements, and
	•		ns and may not interfere with the layoff
			ided in collective bargaining agreements
			§ 16-13-6. (For procedures for hiring coaches, see the
Coaches Po			,

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	<u>h.</u>	_ 7.	The superintendent shall appoint, at the
recommenda	ition of		the principal, personnel at individual
schools.		-	
	i.	8	-Compensation for personnel assigned to individual
schools.			who are members of a collective bargaining
unit shall be			determined in accordance with the collective
			agreement under which they fall.
			agreement ander which they fall.
	i	<u>α</u>	Compensation for personnel assigned to individual
echools	<u> </u>		Compensation for personnel assigned to individual who are not covered by a collective bargaining
agreement	-		shall be determined by the School Committee.
agreement, _			shall be determined by the School Committee.
	ل ا	10	The School Committee shall be reconcible for
ontoring into	<u>. K.</u>	_ +0.	The School Committee shall be responsible for
entering into			a contract of employment with personnel
assigned to _			individual schools, who are not covered
by a collectiv	'e		bargaining agreement.
2	Cabaa	.l Duin at	mala.
3.	Schoo	l Princi	<u>pais</u>
	_	T I	And the transfer of the state of
	<u>a.</u>		incipal at each school shall convene a hiring team
<u> </u>			up of the principal and additional interested parties,
		includi	ng members who identify as BIPOC.
	<u>b.</u>		mber of the hiring team shall participate in the
			ew of any candidate with whom they have a personal
		relatio	nship.
	C.	The hi	ring team shall be comprised of a minimum of five (5)
		people	and shall always consist of an odd number of
			pants. Members of the BIPOC community
		will pa	rticipate on the hiring team in the following numbers:
	For a	hirina te	eam of five (5), there shall be three (3) members
		of the	BIPOC community. For a hiring team of seven (7),
		there s	shall be four (4) members of the BIPOC community.
			niring team of nine (9), there shall be four (4) members
		i Olai	of the BIPOC community. For a hiring team of eleven
(11),			there shall be five (5) members of the DIDOC
			there shall be five (5) members of the BIPOC
community.			
4			1. 11
			shall convene a hiring team made up of the
superintende	ent and	additio	nal interested parties.
_			
			Il be comprised of a minimum of five (5) people and
shall always-	consist	of an o	odd number of participants.BIPOC will participate on

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the hiring team in the following numbers: A hiring team of 5-BIPOC representation 3, a hiring team of 7-BIPOC representation 4, a hiring team of 9-BIPOC representation 4, and a hiring team of 11-BIPOC representation 5.

interview	d.	_ 3	The hiring team shall review all applications and candidates whom they agree meet the
qualifications description fo	for the	osition	candidates whom they agree meet theposition pursuant to the jobposted.
of			The hiring team shall develop and ask a uniform set questions to each candidate for a position, based on
			description for that position.
sheet			Each member of the hiring team shall keep a score associated with each candidate, broken down by Said sheets shall be kept by the District for at year.
team,			After review of the tallied score sheets from the hiring the superintendent shall appoint a school principal for school within the District.
determined t	<u>h.</u> Dy	_7	Compensation for school principals shall be the School Committee.
entering into			The School Committee shall be responsible fora contract of employment with school principalsthe superintendent.
4.			s and Other Personnel Not Assigned to Individual
	School a.	The pr	rincipal at each school shall convene a hiring team up of the principal and additional interested parties,
	b.	Ño me	ember of the hiring team shall participate in the ew of any candidate with whom they have a personal
		relatio	
	С	people	ring team shall be comprised of a minimum of five (5) e and shall always consist of an odd number of pants. Members of the BIPOC community
	For a	will pa	rticipate on the hiring team in the following numbers: eam of five (5), there shall be three (3) members

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of the BIPOC community. For a hiring team of seven (7),
there shall be four (4) members of the BIPOC community.
For a hiring team of nine (9), there shall be four (4) member
of the BIPOC community. For a hiring team of eleve
(11), there shall be five (5) members of the BIPOC
community.
1. The superintendent shall convene a hiring team made up of the
superintendent and additional interested parties.
2. The hiring team shall be comprised of a minimum of five (5) people and
shall always consist of an odd number of participants. BIPOC will participate on
the hiring team in the following numbers: A hiring team of 5-BIPOC
representation 3, a hiring team of 7-BIPOC representation 4, a hiring team of 9
BIPOC representation 4, and a hiring team of 11 BIPOC representation 5.
d. 3.—The hiring team shall review all applications and
interviewcandidates whom they agree meet the
qualifications for theposition pursuant to the job
description for the positionposted.
e. 4.—The hiring team shall develop and ask a uniform set
of questions to each candidate for a position, based on
the jobdescription for that position.
f. 5.— Each member of the hiring team shall keep a score
sheet associated with each candidate, broken down by
questionSaid sheets shall be kept by the District for at
least one (1) year.
reast one (1)your.
g. 6. After review of the tallied score sheets from the hirin
toom the superintendent shall appoint administrators and
otherpersonnel not assigned to individual schools within
theDistrict.
h. 7.—Compensation for administrators and other personne
notassigned to individual schools, who are members of
collective bargaining unit, shall be determined
in consider as with the collective bargaining agreement under
in accordancewith the collective bargaining agreement under
which theyfall.
t O Commence for administration and other commen
i. 8. —Compensation for administrators and other personne
notassigned to individual schools, who are not covered

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by a	collective bargaining agreement, shall be determined
by the	School Committee.
i.	9. The School Committee shall be responsible for
entering into	a contract of employment with administrators
and other	personnel not assigned to individual schools,
who are not	covered by a collective bargaining agreement.

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Reviewer: Maureen D.

ANTI-RACISM, ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

GOALS:

- Eliminate all forms of racism and discrimination in South Kingstown School Department ("District") policies and practices;
- Promote equity of opportunity for all students, staff, and administration in the District;
- Promote positive relations among people of different racial, ethnic, and religious groups.

PURPOSE:

The purpose of this policy is for the South Kingstown School District to be an actively anti-racist and anti-discriminatory school district with the ultimate goal of eliminating all forms of racism and discrimination from the South Kingstown School District in conjunction with related school policies.

The policy ensures compliance with Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Executive Order 11246, the Equal Pay Act, the Age Discrimination in Employment Act, the Americans with Disabilities Act and related Rhode Island General Laws, Executive Orders and regulations and mandates adopted and issued by the Rhode Island Department of Elementary and Secondary Education.

This policy does not address requests for accommodations by students under Section 504 of the Rehabilitation Act of 1973, which requests are addressed in a separate policy.

This policy does not apply to compliance with Title IX of the Education Amendments of 1972, which shall be addressed in a separate policy.

PHILOSOPHY:

Personal and institutional racism and other forms of discrimination and harrassment against protected classes have historically existed and continue to exist in South Kingstown. Combating racism and other forms of discrimination in South Kingstown schools is a legal and moral imperative. In the District, there are significant disparities between racial groups in student academic performance, achievement, and participation in academic programs. These include disparities in academic guidance and course selection, graduation rates, Advanced Placement selection, special education identification, standardized test scores, and suspension rates. Disparities also exist between the racial demographics of the students in the district and the staff the district hires. These equity gaps exist because of inequitable access to opportunities that have significant intergenerational effects and perpetuate economic, social, and educational inequity. Racial inequities were created over time and can be eliminated.

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Similarly, discrimination on the basis of gender identity, sexual orientation, ability and other forms of discrimination have been perpetuated over time and manifest differently for different individuals. One form of discrimination often overlaps with other forms of prohibited discrimination and the compounded discrimination can be significantly greater than the sum of its parts.

Personal prejudice is learned and can be unlearned. Educators play a vital role in reducing racism and all forms of discrimination and inequity by recognizing the manifestations of racism and discrimination, creating culturally, gender and ability inclusive learning and working environments, and dismantling educational systems that directly or indirectly perpetuate racism, gender bias, ableism and privilege through teaching, policy, behavior patterns and practice.

TERMS:

Antiracism: The practice of continually identifying, challenging, and changing the values, structures, beliefs, and behavior patterns that perpetuate interpersonal and systemic racism.

Racism: A system of oppression maintained by institutions, cultural norms, and individuals that attack, exploit, control, and/or oppress Black, Indigenous, and People of Color (BIPOC) in order to maintain a position of supremacy and privilege for white people.

Harassment: Unwelcome verbal, written or physical conduct directed at a person based on their race or color, religion, gender expression, abilities or status as a member of a protected class (i.e These groups include men and women on the basis of sex; any group which shares a common race, religion, color, or national origin; people over 40; and people with physical or mental handicaps), including slurs or insults, graffiti or symbols, hostile acts, nicknames, negative comments about appearance, imitating mannerisms, taunting, or invading personal space to intimidate.

Bullying: Unlawful harassment on the basis of any protected characteristic is not the same as "bullying," although conduct that is "bullying" can constitute unlawful harassment, and vice-versa. The Committee has a separate Policy on bullying. Generally, bullying can, but need not be, based on race, color, religion, gender, national or ethnic origin, age, disability, sexual orientation, gender identity or gender expression. It means the use by one or more students of a written, verbal, or electronic expression, or physical act or gesture, or any combination thereof directed at another student that causes physical or emotional harm to the student or damage to the student's property; places the student in reasonable fear of harm to himself/herself, or of damage to his/her property; creates an intimidating, threatening, hostile, or abusive educational environment for the student; infringes on the rights of the student to

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Reviewer: Maureen D.

participate in school activities; or materially and substantially disrupts the education process or the orderly operation of a school.

Cyber racism: Racism which occurs in the cyber world. This includes racism which occurs on the internet such as racist websites, images, blogs, videos and online comments as well as racist comments, images or language in text messages, emails or on social networking sites.

Interpersonal racism: Pre-judgment, bias, or discrimination by an individual toward another individual based on race. Individual racism includes both privately held beliefs, conscious and unconscious, and external behaviors and actions towards others.

Institutional racism: Occurs within institutions and organizations, such as schools, that adopt and maintain policies, practices, and procedures that often produce inequitable outcomes for students who identify as BIPOC (Black, Indigenous, and People of Color) and advantages for white people.

Culture: The customs, traditions, language, beliefs, arts, social institutions, values, and achievements of a racial, religious, or other groups within a community, nation, and/or people.

Gender Identity: A person's deeply held sense or psychological knowledge of their own gender. One's gender identity can be the same as or different from the gender assigned at birth.

Gender Expression: The manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice or mannerisms.

Transgender: Describes a person whose gender identity or expression is different from that traditionally associated with assigned sex at birth.

Gender Non-Conforming or Non-Binary: A term used to describe people whose gender expression differs from stereotypic expectations. This includes people who identify outside traditional gender categories or identify as both genders. Sexual Orientation: Refers to a person's romantic or sexual attraction to people if the same or opposite or multiple sexes.

Discrimination: Pre-judgment, bias, or unjust acts based on race, ethnicity, immigrant status, gender and gender identity, religion, age, and different abilities.

Restorative Justice/Reconciliation: A method used to repair the harm and trauma caused by an event or act that is damaging due to its racist and/or discriminatory intent, and to reconcile the relationships of the individuals involved to one of civility. The intended outcome is to promote healing within the school community and beyond. Case Number: PC-2022-04727 Filed in Providence/Bristol County Superior Court Subn**Gee: \\u00e4** Enverides in Accordance/Bristol County Superior Court Reviewbmitigg: 86(11명:022 3:58 PM Envelope: 3744276

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Structural (or systemic) racism: Encompasses the history and current reality of institutional racism across all institutions and society. It refers to the history, culture, ideology, and interactions of institutions and policies that perpetuate a system of inequity that is detrimental to communities of color and the values we uphold in South Kingstown.

Complainant: A student, parent/guardian and/or district employee who is alleged to be the victim of conduct that could constitute racism, discrimination and/or harassment against a member of a protected class.

Respondent: An individual who is a current or former student or current employee and who has been reported to be the perpetrator of conduct that could constitute racism, discrimination and/or harassment against a member of a protected class.

POLICY REGULATIONS:

These regulations are designed to dismantle the interpersonal, institutional, and structural racism that exists in the District. The South Kingstown School Committee ("School Committee") directs the following action:

Policy Communication I.

- A. It shall be made clear to all employees of the District that racism and discrimination includes, but is not limited to: racially-motivated comments, microaggressions, slurs, jokes, pictures, objects, threats, physical assaults, and/or intimidation. It also includes institutionally or culturally racist policies, practices, and norms, unequal application of policies based on race, and unequal or biased treatment based on race. This includes behaviors, actions, or systems that may not be intended to be racist but harm people of color, as well as intentional racial harassment or discrimination.
- Each school in the District shall post a public statement against racism В. and all forms of discrimination in a location visible to students, staff, and visitors entering the school. The District shall also post a public statement in high-traffic locations at its main office and on the District's website. The public statement shall read: "South Kingstown Public Schools are committed to establishing and sustaining an equitable community that achieves the District's equity mission to end the predictive value of race and ensure each individual's success. The South Kingstown School district leadership and School Committee reject all forms of racism and discrimination as destructive to the District's mission, vision, values, and goals."

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- C. The District shall establish a student organization at the middle school and high school to promote equity, diversity, and cultural empowerment, and for these students to serve as leaders and spokespersons within their schools and school district.
- The District's Anti-Racism, Anti-Discrimination and Anti-Harassment D. Policy shall be included in student handbooks provided to students and families.
- The School Committee shall take necessary steps, in cooperation with all E. unions representing employees of the District, to ensure that the Anti-Racism Policy and Anti-Discrimination Policy will be included in the various Collective Bargaining Agreements between the District and each union, and supported in a written statement by each union representing employees in the District.
- The School Committee shall also ensure that the Anti-Racism, F. Anti-Discrimination and Anti-Harrassment Policy will be supported in a written statement by the School Resource Officer (SRO) program, administered through the SKPD's Juvenile Division.
- G. This policy shall be translated into the preferred language of all families in the District and be made available for families who speak those languages.

II. Leadership and Administration

- The District shall address systemic racism as follows: A.
 - 1. Develop and conduct a systemic Equity Needs Assessment ("Assessment") for the District to identify policies and practices that cause or contribute to inequitable outcomes. The Assessment shall be done by an outside entity and shall include an inventory of what equity-related data is currently collected by the District. Following the Assessment, strategies shall be developed and implemented to address the identified issues.
 - Address disparities in course participation (including AP/Honors 2. participation):
 - All school staff making class/course recommendations shall a. provide a written or electronic explanation for the recommendation to students and/or families.

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- b. School counselors shall be responsible for educating all students and families as equitable partners in the selection process and course sequencing.
- c. Middle and High Schools will offer opportunities for supplementary coursework, such as summer bridge programs or tutoring during or after school, to students interested in moving to higher level courses.
- 3. The District shall implement Kingian Nonviolence and its process of conflict reconciliation and restorative justice as non-punitive methods to reduce and eventually eliminate racial disparities in discipline and suspension.
 - a. To ensure consistency in student discipline, each school shall collect and, at least annually, report data on the South Kingstown dashboard about all disciplinary actions. The data shall include, to the extent possible under the law, the student's race/ethnicity, gender, gender identity, sexual orientation if known and disclosed by student, socioeconomic status, special education, and English Language/ Multilingual Learner status, as well as a written explanation of the behavior leading to discipline and the specific corrective action taken. Each report shall comply with any and all federal and state laws and/or regulations, including the Individuals with Disabilities Education Act ("IDEA"), the Family Education Rights and Privacy Act ("FERPA") and any other applicable privacy laws or regulations.
 - b. When school administrators determine a school community member has committed a racist or discriminatory act, that person shall be provided the opportunity to learn about the impact of the actions on others through practices as restorative justice, mediation, role play or other explicit policies or training resources, such as Kingian Nonviolence, conducted by trained personnel.
 - c. Each school shall organize a standing social justice and equity committee. This committee, consisting of students, faculty/staff, stakeholders and members of the BIPOC Advisory Board will oversee in-school cultural appreciation experiences for students and faculty, including but not limited to: educational opportunities such as assemblies, exhibits, guest speakers, field trips, etc. In addition, this

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committee shall recommend to the District what the needs are for each of the schools.

d. Each school will present this policy to the student body on the first day of school, demonstrating its high priority and setting the tone for the school year.

III. Curriculum and Instruction

- A. Recruiting, hiring and retaining teachers, staff, administrators, and coaches who identify as BIPOC shall be one of the District's top priorities. Members of the BIPOC Advisory Board shall serve on the hiring committee for all new employees.
- B. Curriculum and instructional materials for all grades shall reflect cultural and racial diversity and include a range of perspectives and experiences, particularly those of historically underrepresented groups of color.
- C. All curriculum shall be examined for racial, cultural and other discriminatory bias against a protected class by the District's Director of Curriculum and the BIPOC Advisory Board. The District shall revise the present curriculum to reflect an antiracist/culturally empowered lens and shall provide additional supplemental educational resources for students at every grade level. Based on the collaborative relationship between the district and the BIPOC Advisory Board, resources can be requested and provided to the Director of Curriculum from the BIPOC Advisory Board and may include vetted guest speakers, videos, books, and other printed material, etc.
- D. Where materials reflect racial, cultural or other discriminatory bias against a protected class, teachers utilizing the materials will acknowledge the bias and communicate it to students and parents. The teacher will then seek other materials that have been approved by the District.
- E. Student in-class and extra-curricular programs and activities shall be designed to **provide opportunities for cross-cultural and cross-racial interactions** to foster respect for cultural and racial diversity. The District shall support interschool activities that will allow students to experience diversity (e.g. sharing a guest speaker, collaboration between student organizations, etc.).

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IV. Training

- A. All School Committee members, administration, faculty, and staff shall be required to model and embody this Anti-Racism, Anti-Discrimination and Anti-Harassment Policy.
- B. All teachers, administrators and School Resource Officers shall be trained in implicit bias, cultural awareness and/or culturally responsive teaching practices. The BIPOC Advisory Board is available to provide recommendations for outside agencies that the District selects to conduct professional development. Culturally responsive teaching practices shall be incorporated into teacher and administration evaluations, to the extent allowable through potentially required negotiations with the Union and approval by the Rhode Island Department of Education. Training should occur annually and shall be on-going.
- C. All staff, including SROs, shall be engaged in on-going training in Kingian Nonviolence (i.e. workshops, and/or professional development), antiracism and anti-discrimination practices, antibias, and cultural empowerment, and how each can produce equitable practices and outcomes.
- D. This policy will be presented to the South Kingstown teachers and staff during the first staff meeting of the year by a member(s) of the BIPOC Advisory Board and a member of the school committee.

V. Policy Enforcement

- A. School administrators at each school shall be responsible for collecting, reviewing and providing an annual report to the School Committee on data regarding racial disparities in areas including, but not limited to: student achievement, attendance, suspension/discipline, graduation rates, and Advanced Placement identification. The report shall also include evidence of growth in each area outlined by the Anti-racism, Anti-Discrimination and Anti-Harrasment Policy (i.e., communication, leadership and administration, curriculum and instruction). The written reports shall be made available to the public, to the student cultural empowerment group, and to school equity teams.
- B. A report of each school's compliance with this Policy shall be posted on the District website on an annual basis. The report shall include the number of reported incidents, type of incidents (student to student, staff to staff, student to staff, etc.), resulting actions and documentation of

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educational efforts. Each report shall comply with any and all federal and state laws and/or regulations, including the Individuals with Disabilities Education Act ("IDEA"), the Family Education Rights and Privacy Act ("FERPA") and any other applicable privacy laws or regulations. In addition, data on staffing (hiring, number of positions, demographic make-up) and action towards goal attainment (recruitment and retention of a more diverse workforce, including TAs and student teachers) shall also be reported.

C. The Superintendent and School Committee shall be responsible for implementation and evaluation of district strategies for implementation of this Policy. Resources shall be set aside in the School District budget to allow for implementation of the Policy.

VI. Reporting

Foundational Principles Α.

- 1. The South Kingstown School District encourages all members of the school community to attempt to resolve complaints and concerns through the District. All complaints shall be treated fairly and consistently, as confidential as possible, and resolved as speedily as possible.
- 2. Any member of the school community who raises an issue of racism, discrimination or harrasment in good faith shall not be victimized, retaliated against or otherwise treated unfairly. All complaints of victimization or retaliation shall be taken seriously, investigated, and acted upon as quickly as possible.
- 3. Every student and staff member in the South Kingstown School District should feel welcome, supported and emotionally and physically secure at school. The well-being of all students and employees are a priority for the District. The District understands that members of the community cannot achieve their full potential if someone is treating them unfairly, discriminating against them, vilifying, harassing or victimizing them.
- 4. Anti-harassment investigation procedures, as contained in subsection VII, exist to provide an avenue to address unacceptable behavior and are designed to explain what to do if a student/employee believes they have been discriminated against. The District shall treat all reports fairly, confidentially and quickly.

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All complaints will be fully investigated and appropriate action will be taken to resolve the issue.

5. Students are encouraged to report incidents or allegations of incidents which violate the Anti-Racism, Anti-Discrimination and Anti-Harassment Policy and shall be assisted in the reporting by school staff.

B. Reporting Procedure

- 1. The District shall ensure there are various, including anonymous, means for students and staff to report racism and other forms of discrimination. When possible, complainants shall be encouraged to use names, so that a thorough investigation may be completed.
- 2. An online reporting form shall be made available on the District's website and each District school's website, for reporting violations of this Policy. This online form may be utilized by both students, parents/guardians, and employees. (Link to online reporting form).
- 3. Student and parents/guardians may also report an alleged violation of the Anti-Racism, Anti-Discrimination and Anti-Harassment Policy to any District employee. Any District employee who has knowledge of an incident or allegation of incident which violates the Anti-Racism, Anti-Discrimination and Anti-Harassment Policy is required to report it to the appropriate School District personnel, pursuant to the Investigation procedure, immediately.
- 4. District employees shall report alleged violations of the Anti-Racism, Anti-Discrimination and Anti-Harassment Policy through the online portal or to their building principal or, if the reporter is not located at a school or they feel that the building principal has a conflict of interest, to the appropriate School District personnel.
- 5. The District shall take any and all necessary mitigating measures to protect and keep reporting students safe after the reporting of a violation of this policy, including the use of safety plans and No Contact Orders.

INVESTIGATION

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A. Any person who believes that they been subjected to a violation of this Policy is encouraged to avail him/herself of the District's resolution procedures, as described below. However, the District is obligated to respond to any notice of unlawful discrimination, even if that notice is provided outside the complaint procedures described below. Any complainant may elect to bypass the District's complaint procedures and file a complaint directly with one of the agencies listed below (see timeframe requirements for each agency). The District will strive to respect the confidentiality and privacy of those involved to the extent feasible. Retaliation against anyone who makes use of the complaint procedures below, or against anyone who participates in an investigation, is prohibited and will not be tolerated.

B. Informal Resolution Procedure

- 1. Employees and third parties may initiate the informal resolution procedure by notifying their immediate supervisor and/or a union representative of their complaint.
- 2. Students may initiate the informal resolution procedure by notifying the school principal or an adult of their choice of their complaint as detailed above.
- 3. The informal procedure can also be initiated by using the online reporting tool and/or communicating the complaint verbally.
- 4. The informal resolution procedure is intended to encourage communication and a resolution between the parties involved, through a trained mediator, who will facilitate a mutual understanding that will prevent a recurrence of such behavior. Any complainant may elect to bypass the informal resolution procedure and initiate the formal resolution procedure below.

C. Formal Resolution Procedure

1. Any employee, student or third party may submit a formal complaint alleging a violation of the District's Antiracism, Anti-Discrimination and Anti-Harassment policy. A formal complaint may be made through a written statement or by using the online reporting tool which shall set forth a statement of the facts describing the problem or action alleged to be discriminatory or racist and the specific remedy sought. Alternatively, oral

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complaints may be communicated to any District employee, and if needed, the District will assist complainants in transcribing their oral complaints into written statements. There is no statute of limitations when filing a report at the district level.

- 2. Formal complaints regarding students and/or building level staff shall be investigated by the school principal and shall be immediately reported to the superintendent. In the event that, after consultation with the superintendent, it is determined that the principal has a conflict or the scope and/or subject of the investigation requires a designee, the Superintendent shall investigate the complaint or designate an investigator.
- 3. Formal complaints regarding central office employees shall be investigated by the Director of the Department in which the complainant works and shall be immediately reported to the superintendent. In the event that, after consultation with the superintendent, it is determined that the director has a conflict or the scope and/or subject of the investigation requires a designee, the Superintendent shall investigate the complaint or designate an investigator.
- 4. The designated investigator shall conduct a prompt, reliable, impartial, and thorough investigation of the complaint. The investigation will afford all interested parties an opportunity to present witnesses and submit other evidence relevant to the complaint directly to the investigator. The Superintendent will maintain the files and records of the District relating to all such complaints.

D. Determination

- 1. The District shall issue a written report ("Report") not to exceed 30 working days after the filing of the complaint. Under certain circumstances, such as delay occasioned by vacation periods or the complexity of the investigation, the District may extend this timeframe and will notify parties of the extension.
- 2. The Report should include background information, findings that resulted from the investigation, a proposed resolution and the rationale for any such resolution. To the extent possible, student and employee names and personally identifiable information shall be redacted from the Report.

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Within a reasonable time after the Report is finalized, the School Principal, Director or Superintendent shall issue a written decision in which they revise (in full or in part), and/or confirm the Report (in full or in part). This written decision by the Superintendent ("Decision") shall be sent to the complainant and respondent.

E. Appeals

- 1. Both parties shall have the right to an appeal from a determination regarding responsibility contained in the Report.
- 2. The School Committee shall serve as the decision-maker for any appeal that is taken, according to the following procedure:
 - a. If either party wishes to appeal from a written determination of responsibility, they must file a notice of appeal with the Title IX Coordinator within thirty (30) days from the date that the School District provided said written determination.
 - b. The District shall notify the other party in writing when an appeal is filed. Each party will then have ten days to submit a written statement in support of, or challenging, the outcome.
 - Following this ten-day period, the School Committee will take up the matter in executive session at its next business meeting.
 - d. The School Committee shall issue a written decision describing the result of the appeal and the rationale for the result and provide it to both parties simultaneously.

F. MONITORING

The District, as well as each individual school shall monitor how complaints are resolved and of the well-being of those involved. Further action will be taken if the racist, discriminatory and/or harassing behavior continues.

VII. Reporting to Outside Agencies

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- A. Even though the District encourages all members of the school community to attempt to resolve complaints and concerns through the District if possible, it recognizes the right to seek help from outside the District.
- B. The availability and use of this complaint resolution procedure does not prevent a person from filing a complaint of discrimination with the following agencies:

Rhode Island Commission for Human Rights 180 Westminster Street, 3rd Floor Providence, RI 02903 (401) 222-2661

Equal Employment Opportunity Commission (EEOC)
John F. Kennedy Federal Building
475 Government Center

Boston, MA 02203

1-800-669-4000

File with EEOC within 180 days from the date of the alleged harm

File with EEOC within 180 days from the date of the alleged harm

Office for Civil Rights United States Department of Education 5 Post Office Square Boston, MA 02109 (617) 289-0111 Case Number: PC-2022-04727
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South Kingstown School Committee Bylaws

Article 1

MISSION

The role of the South Kingstown School Committee ("Committee") is to govern the school system with integrity and vision to benefit our entire student population.

Key Questions

- What do our students need to know and be able to do?
- How will we know when they have learned it?
- What will we do when they haven't?
- What will we do when they have?

Committee Mission: To provide leadership and oversight of community supported goals, policies, and resources to make certain the South Kingstown public schools deliver a high quality education for all students.

The school committee is accountable to:

- Ensure a clear focus on the district mission, goals and priorities for student achievement in all deliberations and communications
- Ensure a safe, caring, nurturing, and orderly learning environment
- Ensure our schools have positive cultures and are housed in high quality facilities
- Direct and shape district goals and priorities through policy, planning, and accountability
- Monitor, measure, and communicate effectiveness and efficiency of teaching and learning programs to ensure continuous improvement toward achieving district goals and priorities
- Advocate for the district goals and priorities through communication with students, staff, parents, community, business, and public officials
- Work in collaboration with the superintendent to provide team leadership for the school district

ARTICLE 2

SCOPE of BY-LAWS

These bylaws set forth the responsibilities and authority of the Committee. The bylaws also set the standards of conduct expected from each member. Rhode Island General Laws ("RIGL") are cited where applicable. (http://www.rilin.state.ri.us/Statutes/Statutes.html)

ARTICLE 3 GENERAL POWERS and DUTIES

Under Rhode Island law, and the South Kingstown Home Rule Charter, the entire care, control, and management of the South Kingstown public schools is vested in the Committee. In addition to those specific duties enumerated elsewhere in <u>Title 16</u>, the Committee has the following powers and duties:

- 1. To identify educational needs in the Community;
- 2. To develop education policies to meet the needs of the Community;
- 3. To provide for and assure the implementation of federal and state laws, the regulations of the Board of Education for the State of Rhode Island, and of local school policies, programs, and directives;
- 4. To provide for the evaluation of the performance of the school system;
- 5. To have responsibility for the care and control of the schools;

South Kingstown School Committee Bylaws

- 6. To have overall policy responsibility for the employment and discipline of school department personnel;
- 7. To approve a master plan defining goals and objectives of the school system. These goals and objectives shall be expressed in terms of what men and women should know and be able to do as a result of their educational experience. The Committee shall periodically evaluate the efforts and results of education in light of these objectives;
- 8. To provide for the location, care, control, and management of school facilities and equipment;
- 9. To adopt a school budget to submit to the Town Council in consultation with the Superintendent;
- 10. To adopt any changes in the school budget during the course of the school year;
- 11. To approve expenditures in the absence of a budget, consistent with state law;
- 12. To supervise and be responsible for the purchase, lease, storage, distribution, and maintenance of such supplies, equipment, materials, or services as are required by the schools. Purchases will be subject to same rules and regulations for competitive bidding as are applicable to the town.
- 13. To employ a Superintendent and assign any compensation and other terms and conditions as the Committee and Superintendent shall agree, provided that in no event shall the term of employment of the Superintendent exceed three (3) years;
- 14. To give advice and consent on the appointment by the Superintendent of all school department personnel, and to remove all school department personnel;
- To establish minimum standards for personnel, to adopt personnel policies, and to approve a table of organization;
- 16. To establish standards for the evaluation of personnel;
- 17. To establish standards for conduct in the schools and for disciplinary actions;
- 18. To hear appeals from disciplinary actions;
- 19. To enter into contracts, including collective bargaining agreements;
- 20. To authorize, with approval of the Town Council, the performance of any functions or services not directly connected with education by any officer or department of the town under the control of the Committee.
- 21. To publish policy manuals which shall include all Committee policies;
- 22. To establish policies governing curriculum, courses of instruction and text books;
- 23. To provide for transportation services which meet or exceed standards of the Board of Regents for elementary and secondary education;
- 24. To make any reports to the Department of Education as are required by the Board of Regents for elementary and secondary education; and
- 25. To delegate, consistent with law, any responsibilities to the Superintendent as the Committee may deem appropriate.

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South Kingstown School Committee Bylaws

- 26. To authorize the town manager to direct the department of public works to maintain and care for school buildings, grounds, and other property as needed, provided that the costs are charged against the appropriation for the public schools
- 27. To address the health and wellness of the students and employees;
- 28. To establish a sub-committee of the Committee to decrease obesity and address school health and wellness policies for students and employees consistent with § 16-21-28;
- 29. To undertake annually a minimum of six (6) hours of professional development as set forth and described in § 16-2-5.1.

ARTICLE 4

ORGANIZATION

Section 4.1 Organization Meeting and Election of Officers

The name of the school district is the South Kingstown School Department. By December of each municipal election year, the Committee shall hold its organizational meeting when it shall elect its officers of Chair and Clerk Vice Chair.

Section 4.2 Filling Vacancies

If the office of Chair becomes vacant, the Clerk - Vice Chair shall assume the duties of the Chair until a new Chair is elected at a special election.

If the Clerk - Vice Chair is unable to serve, the Chair shall appoint a Clerk - Vice Chair until a new Clerk - Vice Chair is elected at a special election, which shall occur within thirty days of the vacancy occurring.

4.3 Removal of Elected Officers

The Chair and Clerk - Vice Chair shall serve at the pleasure of the Committee and may be removed from office by a majority vote of the full Committee.

Section 4.4 Appointments

At the Organizational Meeting, the Chair shall appoint members as liaisons to such organizations as: Special Education Local Advisory Committee, Wellness Committee, Chariho Career and Technical School, and the Rhode Island State Legislature. Liaisons are expected to provide regular reports to the full Committee about their assigned organizations to share knowledge and communicate with the community. At the annual review, at the discretion of the Chair, liaisons can be appointed to other groups/committees of interest.

Section 4.5 Sub-Committees

The Committee may establish sub-committees to assist in the completion of its business. The Chair shall appoint up to three members of the Committee to each sub-committee.

Community members serving on sub-committees shall be appointed by the Committee on the recommendation of the Chair and serve until the Committee's next organizational meeting or until the Committee declares the seat vacant, whichever comes first.

Sub-committees shall post and conduct their meetings in accordance with RIGL 42-46. Sub-committees will be charged by the full Committee for a specific purpose such as fact-finding, studying issues and/or making recommendations to the full Committee.

Other Committee members may attend sub-committee meetings as community members.

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South Kingstown School Committee Bylaws

Section 4.6 Changes to Bylaws

Amendments to these Bylaws may be proposed by any Committee member during the biennial review. The review process shall start in January of every election year with formal adoption to be completed by September of the same year. All revisions or additions shall be approved by the Committee after two readings.

ARTICLE 5

DUTIES OF MEMBERS

Section 5.1 Chair and Clerk- Vice Chair

The Chair shall preside at all meetings of the Committee and seek to engage Committee members to take ownership for the work of the Committee.

The duties of the Chair shall include the following:

- Prepare meeting agendas with input from the Superintendent
- Maintain order in meetings and facilitate discussion relevant to the issue
- Unless otherwise restricted by these bylaws or other Committee established regulations, the Chair shall have the authority to appoint members to sub-committees
- Retains the right to engage in discussions, offer solutions, questions, entertain and propose motions and to vote on all matters before the Committee
- Serve as an authorized signatory to all legal documents
- The Chair may call for a special meeting of the Committee
- Serve as the spokesperson for official Committee positions
- Oversee the Superintendent's evaluation process

The duties of the Clerk - Vice Chair shall include the following:

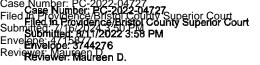
- Perform the duties of the Chair when the Chair is absent
- Serve as an authorized signatory to all legal documents
- Participate in the preparation of meeting agendas with the Chair and Superintendent
- Oversee the Committee annual self-assessment

Section 5.3 Individual Members

Committee members have legal authority to act only during meetings convened in accordance with these bylaws and Rhode Island law. Members fulfill their obligations by participating in meetings. Participation is through discussion, with deliberation, debate and voting to follow.

Expectations for member conduct, both individually and collectively, are consistent with RIGL § 16-2-9.1, the code of basic management principles, ethical standards and other provisions of state law, including but not limited to:

- 1. Formulate written policy for the administration of schools, to be reviewed regularly and revised as necessary.
- 2. Exercise legislative, policy making, planning, and appraising functions, and delegate administrative functions.
- 3. Recognize critical responsibility for selecting the Superintendent, defining his or her role, and evaluating his or her performance.
- 4. Accept and encourage a variety of opinions from and communicate with the community.
- S. Make public relevant information to promote communication and understanding between the Department and the community.



South Kingstown School Committee Bylaws

- 6. Act on matters only after reviewing pertinent information and the Superintendent's recommendations.
- 7. Conduct meetings with planned and published agendas.
- 8. Encourage and promote professional development of Department staff.
- 9. Establish and maintain procedural steps for resolving complaints and criticisms of Department affairs.
- 10. Act only through public meetings.
- 11. Recognize that the first and foremost concern must be the educational welfare of the students.
- 12. Work with other Committee members to establish effective Committee policies.
- 13. Avoid being placed in a position of conflict of interest, and refrain from using Committee positions for personal gain.
- 14. Attend all regularly scheduled Committee meetings, and become informed on issues to be considered.
- 15. Regularly participate in professional development opportunities.

The Committee may convene a duly posted meeting, under the provisions of RIGL §§ 42-46-2 (a) and 42-46-5 (a) (1), to sanction a member who does not comply with the individual limits, responsibilities and ethical standards set forth in this article.

Section 5.4 Ethics and Conflicts of Interest

Committee members are expected to understand and comply with the language and spirit of the Rhode Island Code of Ethics in Government Act and disclose in writing to both the ethics commission and the Committee chair any personal interests or ties prior to acting or voting on any matter before the Committee. Committee members are also required to disclose to the Committee itself any actual or potential conflict of interest prior to discussion of the matter by the Committee.

Pursuant to the state Code of Ethics, a Committee member has an interest which is in substantial conflict with the proper discharge of his or her duties or employment in the public interest and of his or her responsibilities as prescribed in the laws of this state, if he or she has reason to believe or expect that he or she or any person within his or her family or any business associate, or any business by which the person is employed or which the person represents will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his or her official activity.

Committee members must at all times be aware of any official acts or decisions that can reasonably be expected to directly result in an economic benefit to the Committee member, his or her spouse, any dependent children, business associates, or business interests. Specific attention should be paid to items involving personnel, purchasing, or votes requiring expenditure of funds. Committee members are expected to recuse themselves from all real or potential conflicts, as required under law.

Committee members are expected to avoid being placed in a position of conflict of interest, and refrain from using the Committee position for personal gain. Information acquired by the Committee member in the course of his or her official duties is, therefore, to be treated as confidential and is not to be used for personal gain, pecuniary or otherwise, or to benefit family members, business associates, or personal business interests. If the Committee member is in doubt about a possible conflict, an advisory opinion may be requested from the Ethics Commission. For a full enumeration of prohibited activities, Committee members should consult RIGL § 36-14-5.

5ection 5.5 Remuneration

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Reviewer: Maureen D.

South Kingstown School Committee Bylaws

Each Committee member shall receive a stipend set as follows: 5 members at \$2,000 each, the Vice-Chair at \$2,500, and the Chair at \$3,000 per year.

Members of the Committee are not reimbursed for additional expenditures incurred except for beginning in the 2007-2008 school year, a total of \$8,000 will be available for professional development. Each reimbursement shall be approved by the Committee in accordance with the Committee's professional development plan.

ARTICLE 6 MEETINGS

The Committee meets publicly in open session, as required by law, and in executive session, as permitted by law. Committee meetings consist of discussion among its members and administrative staff or invited individuals. Meetings provide the vehicle for all Committee decision-making. All meetings must be in held in compliance with RIGL § 42-46-1 et seq. (http://www.rilin.state.ri.us/Statutes/TITLE42/42-46/42-46-2.HTM).

The Committee, in accordance with <u>RIGL § 42-46-6</u>, recognizes and welcomes its responsibility to receive input from the public. At the same time, responsiveness to community input must be balanced with the Committee's responsibility to fulfill its mission and to ensure the integrity of its meetings so they are both orderly and efficient. This requires an understanding that Committee meetings are meetings held before the public but are not meetings with the public.

All Committee meetings shall be posted and conducted in accordance with applicable sections of the state's open meetings act, <u>RIGL Title 42</u>, <u>Chapter 46</u>. Unless otherwise specified in these bylaws, all meetings will be conducted in accordance with the current edition of Robert's Rules of Order (revised).

Section 6.1 Quorum

A majority of the entire Committee shall constitute a quorum. In the event that the Chair determines that a quorum will not be present, the Chair shall have the responsibility to postpone the meeting.

Section 6.2 Posting of Meetings

The Superintendent shall be responsible for posting all Committee meetings in accordance with RIGL § 42-46-6 and these bylaws. Written notice of dates, times and places of regularly scheduled meetings shall be provided at the beginning of each calendar year on the Department's website, to public members upon request and electronically transmitted to the R. I. Secretary of State. Every regular meeting agenda shall be posted on the Department website, Secretary of State website, the Department's web-based management system, at the town hall and at the district administrative building.

Section 6.3 Adjournment

Meetings shall be adjourned upon a motion when seconded and approved by the members present.

Section 6.4 Types of Meetings

Section 6.4.1 Regular Meetings

The regular business meeting of the Committee shall generally be held on the second Tuesday of each month at 7:00 PM in the high school cafeteria or a location determined by the 5chool Committee.

Section 6.4.2 Work Sessions

Work sessions shall generally be scheduled for the fourth Tuesday of the month and shall be posted and advertised in the same manner as regular meetings.

Work sessions shall be held to provide Committee members with opportunities for discussion, knowledge sharing and planning without formal action requiring a vote. Schools may be asked to serve as host sites for a work session.

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South Kingstown School Committee Bylaws

Business items may be included on the agenda as needed to allow the Committee to conduct district business. The posting shall include the workshop topics for discussion, any business items, and only those topics shall be discussed in accordance with RIGL § 42-46

Section 6.4.3 Special Meetings

A special meeting shall be called whenever the Chair considers such a meeting necessary or at the request of four members. The notice shall state the special matter or matters to be considered, and be posted in the manner that regular meetings are posted. At such meetings only the business for which the meeting was called will be in order. All special meetings will be posted and advertised.

Section 6.4.4 Public Hearings

The Committee may convene a meeting to conduct a public hearing to solicit opinions and information from the community on a specific topic. All Committee public hearings will be posted as would a regular meeting, in accordance with law.

Section 6.4.5 Executive Sessions

An Executive Session (closed meeting) may be called by the Chair provided that such is listed on the posted agenda for one or more of the following purposes in compliance with state law:

- 1. Any discussions of the job performance, character, or physical or mental health of a person or persons provided that such person or persons affected shall have been notified in advance in writing and advised that they may require that the discussion be held at an open meeting.
 - Failure to provide such notification shall render any action taken against the person or persons affected
 null and void. Before going into a closed meeting pursuant to this subsection, the Committee shall state
 for the record that any persons to be discussed have been so notified and this statement shall be noted in
 the minutes of the meeting.
- 2. Sessions pertaining to collective bargaining or litigation, or work sessions pertaining to collective bargaining or litigation.
- 3. Discussion regarding the matter of security including but not limited to the deployment of security personnel or devices.
- 4. Any investigative proceedings regarding allegations of misconduct, either civil or criminal.
- 5. Any discussions or considerations related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.
- 6. Any discussions related to or concerning a prospective business or industry locating in the state of Rhode Island when an open meeting would have a detrimental effect on the interest of the public.
- 7. A matter related to the question of the investment of public funds where the premature disclosure would adversely affect the public interest. Public funds shall include any investment plan or matter related thereto, including but not limited to state lottery plans for new promotions.
- 8. Any executive sessions exclusively for the purposes (a) of conducting student disciplinary hearings or (b) of reviewing other matters which relate to the privacy of students and their records, provided, however, that any affected student shall have been notified in advance in writing and advised that he or she may require that the discussion be held in an open meeting;

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South Kingstown School Committee Bylaws

- Failure to provide such notification shall render any action taken against the student or students affected
 null and void. Before going into a closed meeting pursuant to this subsection, the public body shall state
 for the record that any students to be discussed have been so notified and this statement shall be noted
 in the minutes of the meeting:
- 9. Any hearings on, or discussions of, a grievance filed pursuant to a collective bargaining agreement.

The motion shall include the reason (s) to hold the Executive Session and the Chair shall cite the applicable subsection of RIGL 42-46-5 (http://www.rilin.state.ri.us/Statutes/TITLE 42/42-46/42-46.5.HTM) which authorizes the exception to open session.

There shall be a majority vote by members to convene in Executive Session and the vote of each member shall be recorded in the open meeting minutes. All discussions shall be considered confidential, except when the Committee as a whole has agreed to publication of the matters discussed. Any action taken at this meeting will be reported in open session, subject to certain exceptions. All executive sessions will be posted and advertised. Final action shall be taken only in open meeting (Town Charter).

Section 6.4.6 Emergency Meetings

The Chair may call an emergency meeting on less than 48 hours' notice to address an unexpected occurrence that requires immediate action to protect the public.

Reasonable effort shall be made to notify all members of the Committee. In accordance with RIGL § 42-46-6 (c), the holding of such meeting shall be approved by a majority vote of the members at the time and place that the Committee assembles to meet, provided there is a quorum present. The vote of each member and the reason for holding the meeting in less than 48 hours shall be recorded in the minutes. As soon as practical, the meeting notice and agenda shall be posted in the manner that regular meetings are posted and shall be electronically filed with the secretary of state.

Section 6.4.7 Sub-committee Meetings

Sub-committee meetings may be held to conduct the work charged to them by the full Committee. All such meetings shall be posted.

Section 6.5 Minutes

The Committee shall keep written minutes of its meetings. The purpose of minutes is to record what gets done at meetings not what gets said per Robert's Rules of Order. In accordance with § RIGL 42-46-7, minutes shall include but not be limited to:

- The type of meeting, time and place, members present, approval of the minutes of any preceding meeting(s).
- A record of all actions taken to include motion, names of the members making the motion and seconding it;
 and a record of the vote, with the vote of each member recorded.
- A record of all business that comes before the Committee through reports of the superintendent.
- A record that an executive session was held and the reason for the session.
- The record of adjournment.
- Committee members may request to have their reasons for particular votes recorded in the minutes "for the record."

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South Kingstown School Committee Bylaws

Committee members may request substantive discussion points likely to inform future decision-making and/or concepts that require follow-up by staff be included in the minutes "for the record."

The Committee delegates to the Superintendent, as its chief administrative officer, the duty of keeping record of all meetings in accordance with RIGL § 42-46-7.

Article 7 **AGENDA**

Section 7.1 Agenda Development

The Chair and the Clerk-Vice Chair, with input from the Superintendent, shall prepare the agenda for all meetings of the Committee. The agenda shall specify all items to be discussed. In developing the agenda, determinations of what items to include, including those requested by members of the Committee, shall be based on the following criteria:

- Items requiring action by the Committee (per RIGL or other requirement)
- Data updates requested by the Committee to support Committee goals and decision making
- Items reflected in the Committee's strategic planning calendar
- Information updates brought to the Committee by the Superintendent as needed
- Resolution of issues that could not be resolved through other appropriate District channels

Section 7.2 Agenda

The order of business at regular meetings may include:

- Call to Order
- Delegations
- Superintendent's Report
- Consent Agenda
- Community Comments
- **Committee Business**
- **Comments from Committee Members**
- Adjournment

The order of business for any meeting may be altered with the consent of the members present. Under provisions of RIGL § 42-46, items may be added to a published agenda up to 48 hours before the meeting.

In accordance with the Open Meeting Act, RIGL § 42-46, the Committee is prohibited from discussing items that are not listed on the published agenda. It is the responsibility of the Chair to focus discussion on posted agenda topics, clarify issues, keep discussion relevant, and maintain reasonable time limitations.

- Each agenda item shall include a reference to related policies, if applicable.
- Any action item shall include a resolution which may be accepted, rejected or amended by the Committee.
- Data updates shall include a narrative interpretation and context as well as providing reference to the Committee's goals.

Section 7.2.1 Delegations and Presentations

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South Kingstown School Committee Bylaws

Delegations shall appear before to the Committee to recognize and commend faculty and staff and highlight accomplishments/interests of the District.

Section 7.2.2 Superintendent's Report

The Superintendent's Report shall provide district news and informational updates.

Section 7.2.3 Consent Agenda

The Consent Agenda shall consist of routine items which require action by the Committee and may include:

- Committee Minutes
- Personnel Actions
- Bid Awards
- Expenditures Greater Than (\$10,000) or current policy
- Field Trips
- Exchange Students
- Home Schooling
- Other Routine Business

Members may ask for clarification of items on the consent agenda, or they may ask to have an item removed from the consent agenda for discussion at a later part of the meeting. Approval of the Consent Agenda shall be fully equivalent to approval of each item within the Consent Agenda as if they had been acted upon individually.

Section 7.2.4 Business Meeting Community Comment Protocol

Each regular business meeting of the Committee shall include a public comment period of up to 30 minutes. The purpose of community comments is to provide an opportunity for members of the public to make a statement regarding agenda items or matters of general policy for which the Committee has responsibility or jurisdiction.

During regular business meetings, members of the public shall be invited to address the Committee during Comments from the Community given the following protocol:

- Speakers shall introduce themselves
- Speakers shall limit individual comments to 3 minutes
- Speaker comments shall be brief and focused on the issue(s)
- Speakers are encouraged to write down their thoughts before approaching the Committee
- Community comments is not a time to engage in a question and answer dialogue
- Groups/organizations are encouraged to appoint a spokesperson
- Individuals are welcome to submit and/or add comments in writing
- Individuals may address the Committee once during community comments

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South Kingstown School Committee Bylaws

At the Committee's discretion, a time clock shall be available to cue a member of the public on their speaking time.

At the Committee's discretion, the comment period may be extended beyond 30 minutes or continued at a latter portion of the meeting.

The Chair may respond to matters proposed by a member of the public and is responsible for directing Committee and superintendent interactions at his/her discretion.

Additional public comments may be elicited by the Chair prior to action on any item.

Section 7.2.5 Committee Business

Each regular meeting of the Committee shall include a period for Committee Business. Committee business shall include but not be limited to:

- Items requiring action by the Committee
- Data updates requested by the Committee to support Committee goals
- Planning and monitoring activities of the Committee

Section 7.2.6 Comments from Committee Members

Comments from Committee members provide an opportunity for Committee members to recognize accomplishments of members of the school community, bring forward announcements of interest to the school community, assess meeting expectations and process, and request information to bring back to the Committee for future discussion. Comments shall be limited to 3 minutes per School Committee member.

ARTICLE 8 SCHOOL COMMITTEE PROFESSIONAL DEVELOPMENT

The purpose of professional development is to ensure that Committee members develop and improve their knowledge, skills, and abilities to enhance their leadership role in the district.

Section 8.1 Expectations

All members of the Committee are expected to engage in continuous professional development to provide the greatest service to the community. Professional development shall include:

- Orientation Sessions
- Team Building
- Annual School Committee Retreat
- Continuing Education in RIASC and NSBA
- Chair Leadership
- Committee Self-Evaluation

Section 8.2 Professional Development Opportunities

Section 8.2.1 Orientation

Access to orientation sessions shall be available within the first 30 days of service for all newly elected members. The initial orientation shall include:

- Overview of District Goals and Priorities
- Overview of Committee By-laws and Policies
- Overview of RIGL and Legal Obligations, including:
 - Title 16 Education Code
 - o Title 42, Chapter 46 Open Meetings Act
 - o Title 36, Chapter 14 Rhode Island Code of Ethics in Government Act

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South Kingstown School Committee Bylaws

Overview of Parliamentary Procedures

Just-in-time training shall be provided as needs are identified during the first year and subsequent years of service.

Section 8.2.2 School Committee Annual Retreat

In May of each year, the Committee shall determine the date, or dates, of its annual retreat for all members and the superintendent. The annual retreat work session shall include team building, goal setting as well as the development and review of the Committee strategic planning calendar.

A mid-year check-in on status of goals and the strategic planning calendar shall be scheduled during the following February to adjust or modify as needed.

Section 8.2.3 Continuing Education

Professional development for members shall be provided through an array of continuing education opportunities such as:

- District Work Sessions
- Regional, State, and National Training Sessions
- College/University or Online Courses
- Coaching and Mentoring Opportunities

Committee members are required to annually undertake a minimum of six (6) hours of professional development as set forth and described in RIGL Title 16-2-9.

At the end of June each year, each School Committee member will complete a report detailing the Professional Development completed for the preceding year.

Continuing education shall also be scheduled in conjunction with the regular business meeting. Committee members are encouraged to attend regional, state, and national workshops, conventions, and conferences. Any discussion of public business shall be merely incidental to the convention or workshop.

Section 8.3 Chair Leadership

The Committee Chair and Clerk - Vice Chair shall engage in continuing education specifically related to the leadership duties of the Committee.

Section 8.4 Recognition and Commendation

The Committee shall annually recognize its members and the superintendent for engagement in leadership training. Special commendation shall be provided to members who design and/or lead training for local, regional, state, and/or national professional development.

ARTICLE 9 POLICY PROCESS

Among the powers and duties of Committees is the responsibility to develop education policies to meet the needs of the community. The goal of such policy is to ensure that each learner receives an education of the highest quality in a positive environment with caring, dedicated, and effective teaching and administrative staff.

Policies are principles adopted by the Committee to chart a course of action. Written policy is the means by which the Committee informs the community of these principles.

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South Kingstown School Committee Bylaws

Adopted policies serve as a guide for the administration and help to promote common understanding and uniformity in the basic procedures and operations for all district personnel. Within the context of current law, the School Department shall be guided by the adopted, written policies that are available and accessible online to staff members, parents, students, and community residents.

Effective policies:

- Clarify the operation of the school system
- Create understanding and good will
- Give clear and coherent direction
- Facilitate control and efficiency

Section 9.1 Policy Development and Analysis

A new policy or policy amendment may be proposed by Committee members or the superintendent.

All policy development shall require an analysis that includes:

- Clear identification of the problem, issue, or need for new policy or policy amendment
- Relevant data to support new policy or policy amendment as appropriate
- Information and input from multiple sources within the school district and community at-large
- Statement of financial implications (if appropriate)
- Alignment with district's stated philosophy, mission, and goals
- Coherence with state and federal law, local and district policies and regulations

Public comment shall be invited on all new policy and policy amendments via oral, written, and electronic formats.

Section 9.2 Policy Review

The policy review process shall be based on guiding questions:

- -Did we do what we said we would do?
- -Did it work?
- -How do we know?
- What is the evidence?
- If it did not work, what should be changed?

A policy review shall be considered with the introduction of new programs and/or revisions to established programs. All new and revised policies shall include a monitoring schedule and evaluation criteria as appropriate for policy review.

South Kingstown School Committee Bylaws

Section 9.3 Policy Adoption

A new policy or a policy amendment shall be considered at two separate meetings before adoption. Official Committee action may be taken at the second meeting.

Unless otherwise specified, a new policy or policy amendment will be effective upon the date of adoption by the Committee and will supersede all previous policies in that area. Unless otherwise specified, the repeal of a policy will be effective on the date the Committee takes such action.

The Committee shall make exceptions to the above requirements when the immediate adoption, amendment or repeal of a policy is in the best interest of the district.

The Committee shall suspend its rules by a vote of four members and bring up a proposal for immediate action.

Section 9.4 Policy Distribution

All policies shall be accessible online for district staff and all members of the public. A hard copy record of all policies shall be maintained in the superintendent's office.

ARTICLE 10 ACCOUNTABILITY

The Committee shall provide oversight of the district to guarantee the integrity of management processes and systems informed by three key questions:

- How well are students in the school system doing?
- 2. How well is the school district supporting learning and achievement?
- 3. How well is the school district managed?

The Committee shall hold itself accountable to engage in effective governance practices.

A. Annual Practices

- · Superintendent Evaluation
 - Committee Self-Assessment
- Retreat Planning

B. Biennial Practices

- New Committee Member Orientation
- Committee Bylaw Review

Adopted: September 13, 2005 Updated: November 2006 Updated: September 23, 2008 Updated: September 4, 2012 Updated: October 14, 2014 Updated: May 10, 2016

Relevant Laws

R.I. Gen. Laws § 36-14-1 et seq. – The Rhode Island Code of Ethics in Government Act

R.I. Gen. Laws § 42-46-1 et seq. – The Rhode Island Open Meetings Act

R.I. Gen. Laws § 16-2-1 et seq. – Rhode Island Education Laws concerning Committees and Superintendents

R.I. Gen. Laws § 16-2-9 – General Powers and Duties of School Committees

R.I. Gen. Laws § 16-2-9.1 – Code of Basic Management Principles and Ethical School Standards.

South Kingstown Home Rule Charter § 4810 et seq. – Public Schools and the School Committee

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STATE OF RHODE ISLAND OFFICE OF THE ATTORNEY GENERAL

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> Peter F. Neronha Attorney General

VIA EMAIL ONLY

May 10, 2022 OM 22-25

Nicole Solas nicolesolas@gmail.com

Andrew Henneous, Esq.
Legal Counsel, South Kingstown School District ahenneous@hcllawri.com

Rc: Nicole Solas v. South Kingstown BIPOC Advisory Committee

Dear Ms. Solas and Attorney Henneous:

We have completed an investigation into the Open Meetings Act ("OMA") Complaint filed by Ms. Nicole Solas ("Complainant") against the South Kingstown BIPOC Advisory Committee ("BIPOC Committee"). For the reasons set forth herein, we find that the BIPOC Committee is not a "public body" under the OMA.

Background and Arguments

The Complaint

The Complainant contends that the BIPOC Committee is in violation of the OMA as it is a public body under R.I. Gen. Laws § 42-46-2(5) and is not holding open meetings pursuant to the OMA. The Complainant asserts that the BIPOC Committee is completely funded with public funds and "held secret meetings to revise and audit South Kingstown School District curriculum, hiring and firing policies, athletic policies, discipline policies, all employment contracts, and all school guidance." The Complainant acknowledges that it "may be true" that "[p]olicy decisions happen at public policy sub-committee meetings where recommendations are made to the School Committee, and then discussed publicly in School Committee meetings," "but the BIPOC

¹ We understand BIPOC to refer to Black, Indigenous and People of Color. The BIPOC Committee has changed its name over time but for ease of reference will be referred to in this finding as the BIPOC Committee. It is also sometimes referred to as the "Board" in the parties' submissions that are referenced in this finding.

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Nicole Solas v. South Kingstown BIPOC Advisory Committee OM 22-25

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Advisory Committee nevertheless is publicly funded and held secret meetings to produce their recommendations to the school committee." The Complaint attached documents showing that Robin Wildman, on behalf of "Nonviolent Schools RI" ("NSRI"), signed an agreement with the South Kingstown School Department to provide services, including "Facilitation of the BIPOC Advisory Board" for 25 meetings. The agreement specifically identified NSRI as an independent contractor, not an employee of the School Department and not a partner or joint venturer with the School Department. The Complaint also included a chart (seemingly related to the independent contractor agreement) showing pricing for different projects and listing the "BIPOC Advisory Board" as having a "unit price" of \$200/meeting for a total of \$5,000.

School Committee's Response

Attorney Andrew Henneous submitted a substantive response on behalf of the South Kingstown School Committee (the "School Committee"), which included an affidavit from the facilitator of the BIPOC Committee, Robin Wildman. The School Committee states that the BIPOC Committee was approved by the School Committee at a meeting dated July 22, 2020. The School Committee contends that the BIPOC Committee is not a public body subject to the OMA and "therefore is not required to advertise and hold its meetings in public."

The School Committee asserts that the purpose of the BIPOC Committee is "to advocate for equity in the education of students who identify as Black, Indigenous, and People of Color (BIPOC) in South Kingstown schools." The School Committee explains that the BIPOC Committee meets to discuss member's personal experiences and "reviews current School Committee policies through the lens of inclusivity and equity." The School Committee states that if the BIPOC Committee finds facts to lead it to believe that the policy being reviewed does not meet the goals of inclusivity and equity, "they bring those concerns to the School Committee Policy Sub-Committee" and "[i]f the Policy Sub-Committee does not approve of changes, they are not made." The School Committee asserts that the School Committee Policy Sub-Committee is a public body, and its meetings are conducted in accordance with the OMA.

The School Committee argues that the BIPOC Committee is not like the Hiring Council in Solas² v. Emergency Hiring Council, 774 A.2d 820 (R.I. 2001), which the Rhode Island Supreme Court determined to be a public body. In particular, the School Committee asserts that the BIPOC Committee "has absolutely no power other than to review policies and suggest revisions." The School Committee asserts that like the body in Ashaway Volunteer Fire Association, OM 98-33, the BIPOC Committee members "do not receive a salary, medical benefits, or a pension for their services."

Ms. Wildman states that she is not a member of the BIPOC Committee, but only facilitates its meetings. She describes the BIPOC Committee as a voluntary group who were gathered together "by word of mouth" and states that the members, along with NSRI, "informally" create the agenda for meetings. Ms. Wildman represents that the BIPOC Committee initially consisted of about 15

² The plaintiff in that case was Gregory Solas, not the Complainant in this case.

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Nicole Solas v. South Kingstown BIPOC Advisory Committee OM 22-25 Page 3

people who met once a week to share their personal stories and to outline goals and a mission statement, and then dropped to "about 7-8 regular members." Ms. Wildman also attests that the BIPOC Committee's "officers were not elected by the public or appointed by a subdivision of state or municipal government, but instead were volunteers elected by the members of the [BIPOC Committee] themselves." The BIPOC Committee reviews policies and includes two members who sit on the School Committee Policy Subcommittee and who bring the BIPOC Committee's suggestions to the Policy Sub-Committee's public meetings. Ms. Wildman states that the BIPOC Committee "has no decision-making authority whatsoever" and the Policy Sub-Committee has no obligation to consider suggestions made by the BIPOC Committee. Ms. Wildman attests that the BIPOC Committee "does not possess significant supervisory and executive veto power," and "does not and has not reviewed 'employment contracts' and 'all school guidance' as alleged."

Rebuttal and Supplemental Submissions

We acknowledge the Complainant's rebuttal and supplemental submissions, some of which were submitted by legal counsel on her behalf. The Complainant asserts that under the plain language of the OMA and cases interpreting it, the BIPOC Committee is a public body "that was established and funded by the School Committee, a political subdivision, for the express purpose of meeting 'to discuss' matters over which the [BIPOC Committee] has 'advisory power'." The Complainant argues that "[b]y the School Committee's own admission, the purpose of the Board is 'to review policies and to suggest revisions' to those Committee-wide policies. . . . In other words, the express purpose of the Board is to act in an advisory capacity to the Committee."

The Complainant provided a screenshot of a blog post with comments attributed to a voting member of the Policy Subcommittee who is also a member of the BIPOC Committee, who described how the BIPOC Committee:

"reviewed policies ranging from discipline and suspension to coaching & hiring. We are hard at work crafting a framework for all of these policies, which we are calling the Anti-Racism and Anti-Discrimination Policy. This policy will guide the language, process and the enforcement of all of the changes we make to all of the other policies. We are also working on opportunities for BIPOC representation in the hiring process, for mentorship and for cultural awareness within the district. All of this work has been a massive undertaking, a very heavy lift that the entire BIPOC Advisory Board has embraced and met weekly to work on, over the past eight months."

The Complainant also cites examples and argues that the "School Committee is also clearly implementing the Board's advice in revising its policies." The Complainant also contends that the BIPOC Committee's mission is a matter of significant public concern, the members are public officials, the BIPOC Committee has regular and recurring meetings, and the BIPOC Committee is

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funded by public funds. The Complainant additionally argues that the School Committee has no authority to appoint an "informal advisory" body like the BIPOC Committee.³

The Complainant provided an additional submission consisting of a vendor RFP provided by NSRI which included a description of some of the BIPOC Committee's work: "the [BIPOC Committee] has written an Antiracism/Anti-discrimination policy for the district, has provided recommendations for editing the Coaches and Suspension policies, and has chosen three Board members to be voting members of the district's Policy sub-committee." According to the RFP, the BIPOC Committee has also performed work on projects that will be implemented at a later date, such as an after-school "empowerment" club, and "[t]hrough NSRI's facilitation, members of the Advisory Board have been productive during the weekly Zoom meetings, which are attended by BIPOC students, teachers, parents, and community members[.]" This document also identifies various members of the BIPOC Committee by name⁴ and states that "[t]he Advisory Board will assist and advise in rewriting curriculum to uplift BIPOC throughout South Kingstown, the state, the country, and the world."

The Complainant provided additional supplemental submissions including a video clip of a BIPOC Committee member indicating that "I was invited by [school] administrators" to join the BIPOC Committee, which the Complainant asserts shows that the BIPOC Committee is a public body.

Applicable Law and Findings

When we examine an OMA complaint, our authority is to determine whether a violation of the OMA has occurred. See R.I. Gen. Laws § 42-46-8. In doing so, we must begin with the plain language of the OMA and relevant caselaw interpreting this statute.

For the OMA to apply, a "quorum" of a "public body" must convene for a "meeting" as these terms are defined by the OMA. See R.I. Gen. Laws § 42-46-3; see also Fischer v. Zoning Board for the Town of Charlestown, 723 A.2d 294 (R.I. 1999). As a threshold issue, we must determine whether the BIPOC Committee is a "public body" within the meaning of the OMA. The OMA defines a public body as "any department, agency, commission, committee, board, council, bureau, or authority or any subdivision thereof of state or municipal government[.]" R.I. Gen. Laws § 42-46-2(5).

We have previously noted that determining whether a particular entity is or is not a "public body" is "a fact-intensive question not subject to 'bright line' rules." GoLocalProv v. Providence City Council, OM 20-15.

³ This Office's authority under the OMA is to investigate alleged violations of the OMA. We do not opine on whether the School Committee has the authority to appoint an advisory body as that issue is outside of our purview under the OMA.

⁴ This seems to conflict with the statement in Ms. Wildman's affidavit that she "promised [the members] that I would never release their names or any other information to anyone."

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The Rhode Island Supreme Court considered the issue of what constitutes a public body in *Pontarelli v. Rhode Island Board Council on Elementary and Secondary Education*, 151 A.3d 301, 307-08 (R.I. 2016). There, the Rhode Island Board Council on Elementary and Secondary Education ("RIDE") created a Compensation Review Committee ("CRC"), which was tasked with reviewing requested and proposed salary adjustments to RIDE employees. *Id.* at 302-03. The CRC was described as an "informal, *ad hoc* working group with a strictly advisory role' and with no legal status or authority[,]" and which did not have regular meetings. *Id.* at 303. The Rhode Island Supreme Court held that the CRC was not a public body, stating:

"[T]he CRC in this case does not meet on a regular basis, nor was the CRC created by an executive order. Instead, the undisputed evidence in this case is that the CRC acted as an informal, strictly advisory committee. Although the CRC was composed of a group of high-level state officials and operated under a charter, these two factors alone are insufficient to place them into the 'public body' umbrella. Importantly, the CRC's sole function is to advise the commissioner of RIDE, who in turn has to make a recommendation to the council. At this point in the process, if the commissioner decided to present any proposal to the council for the council's required approval, the public would have an opportunity to be informed of and object to such proposal." *Id.* at 308.

Although the Complainant cites *Solas* and argues that "'a council's exercise of advisory power,' like the Board exercises here, is by itself 'enough to bring it under the act's umbrella,'" *Pontarelli* demonstrates that an entity that has an advisory role is not necessarily a public body.

Other, non-exhaustive, factors to consider when determining whether an entity is a public body subject to the OMA were set forth in *Oliveira v. Independent Review Committee*, OM 04-10. These factors include the authority under which the entity was established, "the scope of its stated authority, the nature of the public business delegated to it, and its membership and composition. We have found each of these factors relevant, to varying degrees, in findings issued by this [Office]." See Oliveira v. Independent Review Committee, OM 04-10; see also Arditi v. Governor's State Equity Council, OM 21-32.

Applying these considerations to the BIPOC Committee is not straightforward because different considerations point in different directions.

Here, unlike in *Pontarelli*, the record indicates that the BIPOC Committee meets on a regular basis. Based on the evidence provided, from at least February 15, 2021 to August 31, 2021, the BIPOC Committee was scheduled under NSRI's contract to meet twenty-five (25) times for ninety (90) minutes; typically these meetings occurred once a week. The BIPOC Committee was created by a vote of the School Committee during its July 22, 2020 meeting and its mission, i.e, to "advocate for equity in the education of students who identify as [BIPOC][,]" was set forth by the School Committee. The School Committee clearly has a role in the creation and direction of the BIPOC Committee. Additionally, NSRI receives public funds to facilitate the meetings and work of the

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BIPOC Committee. These factors all weigh in favor of the BIPOC Committee being considered a public body.

Conversely, other factors are ambivalent or indicate that the BIPOC Committee is not a public body. In *Pontarelli*, the group was composed of high-level state officials, whereas here, the BIPOC Committee is comprised of volunteers, including former students and parents, and does not appear to have a set membership. Indeed, based on the record, even the number of members fluctuates over time. However, we do note evidence that some of the members are also members of the School Committee Policy Sub-Committee. Although NSRI is paid to facilitate these BIPOC Committee meetings, the members themselves do not receive pay or benefits related to their membership. *See Schmidt v. Ashaway Volunteer Fire Association*, OM 98-33 (finding entity to not be a public body and noting that members do not receive a salary or benefits for their services).

The evidence regarding the work of the BIPOC Committee is also mixed. Some of the evidence describes the BIPOC Committee as an informal group that gathers to discuss their personal experiences and ideas for improving their community. Other evidence characterizes the BIPOC Committee as having a somewhat formal function of engaging in rigorous work to review a wide variety of policies and to propose policy changes and implement new programs. The School Committee asserts, however, that the "[BIPOC Committee] has no decision-making authority whatsoever." "[T]he [BIPOC Committee] reviews current School Committee policies through the lens of inclusivity and equity. If the [BIPOC Committee] finds facts to lead it to believe that [the] policy being reviewed does not meet these goals, they bring those concerns to the School Committee Policy Sub-Committee[.]" The record indicates that the BIPOC Committee does not itself have the authority to expend public funds or to implement policy changes, and instead presents its proposals to the Policy Sub-Committee, which is a public body and which has authority to vote on the proposed changes. The BIPOC Committee's mission as described by the School Committee, i.e, to "advocate for equity in the education of students who identify as Black, Indigenous, and People of Color (BIPOC) in South Kingstown schools, inspiring a healthier and just community and school system for everyone," is also more focused on promoting general advocacy than on carrying out any particular role or authority that has been designated to it.

Our review of the School Committee minutes supports the notion that the BIPOC Committee presents its recommendations to the Policy Sub-Committee and the School Committee, which has ultimate authority over what, if any, actions to take. For example, at its February 25, 2021 meeting, the Policy Sub-Committee minutes note that the Policy Sub-Committee discussed and reviewed feedback related to the anti-racism policy and discussion followed regarding other policies that may potentially need revisions. At the same meeting, the Policy Sub-Committee minutes note that "the BIPOC Advisory Board will revisit the policy and will bring the *suggested* edits back to this committee." (Emphasis added). Additionally, the Policy Sub-Committee noted that "[n]ew or revised policies will come before this committee first. Once approved, this committee will vote to move them forward to the school committee for a first reading. If feedback is received the policy will come back to this committee for revision, otherwise, it will be moved for a second read by the school committee." This example supports the School Committee's representation that the BIPOC Committee is an advisory group that can make recommendations to the Policy Sub-Committee,

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but the Policy Sub-Committee has the authority to discuss and decide the proposed revisions that will eventually be submitted to the School Committee for final approval. Ms. Wildman attests that "the Policy Sub-Committee has no obligation to consider [the BIPOC Committee's] suggestions at all," and the School Committee asserts that if the Policy Sub-Committee does not approve of the suggested changes, then the changes are not made. The record thus indicates that the BIPOC Committee only makes suggestions and does not have authority over implementing its suggestions, or over whether its recommendations will even be considered.

During its April 15, 2021 meeting, the Policy Sub-Committee reviewed the anti-racism draft policy and a motion was made "to recommend the Anti Racism, Anti Discrimination, and Anti Harassment Policy to the School Committee." At the same meeting, the Policy Sub-Committee made a motion "to recommend deleting the Anti Discrimination and Anti Harassment Policy as stand-alone policy to the School Committee." On May 20, 2021, the School Committee's meeting minutes show that the School Committee took a unanimous vote to retire the Nondiscrimination and Anti-harassment policy and held discussion/first reading of the new Anti-racist, Anti-discrimination, & Anti-harassment Policy.

These illustrative examples support the School Committee's representation that the BIPOC Committee does not itself have authority delegated to it, but rather is an advisory group that can make recommendations to the Policy Sub-Committee, which will in turn make recommendations to the School Committee, and then the School Committee has ultimate authority over implementing these policies and suggestions.

The evidence that the BIPOC Committee does not have any independent authority over any particular matter or issue, but rather reviews and makes general recommendations about a variety of matters, weighs in favor of it not being considered a public body. See, e.g., Pontarelli, 151 A.3d 301 (finding CRC, which was a strictly advisory body without authority, did not constitute a public body); Howard v. Portsmouth Senior Center Focus Group, OM 21-22 (finding that a focus group that makes proposals that are subject to approval by the Town Council at open meetings is not subject to the OMA); Arditi v. Governor's State Equity Council, OM 21-32 (finding group that has no governmental decision-making authority but instead serves as a 'strictly advisory group" to not constitute a public body).

Here, based on the totality of the facts presented, the BIPOC Committee acts as an advisory group that makes recommendations but lacks any specific authority. We nonetheless emphasize that an advisory body can still be subject to the OMA. See Solas v. Emergency Hiring Council of State, 774 A.2d 820, 825 (R.I. 2001); see also R.I. Gen. Laws § 42-46-7(d) (referencing public bodies whose duties are "solely advisory in nature"). However, here the BIPOC Committee more closely resembles the advisory body in Pontarelli that reviewed certain matters but lacked any authority and was not a public body. See 151 A.3d at 303.

By contrast, in *Solas*, the "EHC" council at issue in that case had "been granted significant influence and veto power over creating positions in state government, promoting employees to existing positions and filling existing vacancies." 774 A.2d at 824. Thus, "at the very least, the

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EHC functions in an influential advisory capacity with veto power over a subject of significant public interest." Id. The Rhode Island Supreme Court described the authority of the EHC as follows: "The EHC was created by executive order on January 6, 1995, to manage and control the state's hiring practices and its fiscal resources. Pursuant to this directive, no new positions, vacant positions, or promotions could be created or filled without authorization from the EHC. In creating the EHC, the Governor stated that the intent of the order was to insure that 'no person or persons other than the Council shall have the authority to make any determinations in this regard." Id. at 823-24 (emphases added). Although the EHC was considered advisory in nature and appears to have been ultimately subject to the authority of the Governor (we note that the majority of its members were designated by the Governor), the EHC nonetheless had significant advisory influence over the matters within its purview.

As such, the EHC was an advisory body but one that had been delegated specific authority over a particular issue, including "veto" power over creating positions in state government. Although the BIPOC Committee clearly has some degree of influence and makes recommendations to the School Committee Policy Sub-Committee, there is insufficient evidence presented to this Office that the BIPOC Committee possesses the same type of authority or influence as the EHC that was the subject of the *Solas* decision.

Additionally, the EHC consisted of certain designated members, whereas the record indicates that the BIPOC Committee does not have a set number of members and that the individuals who make up the BIPOC Committee vary over time. The OMA applies when a quorum of a public body convenes for a meeting, see Fischer v. Zoning Board for the Town of Charlestown, 723 A.2d 294 (R.I. 1999), but here where there is no set membership or number of members, it is difficult to see how it could even be determined whether a quorum exists at any given time and whether a meeting is taking place. This further weighs against the BIPOC Committee being a public body.

Weighing the factors, we find that on balance the BIPOC Committee is not a public body under the OMA. As such, the OMA does not apply to the BIPOC Committee, and we find no violation. We note, however, that the OMA is a floor and not a ceiling. Even if an entity is not legally obligated to comply with the OMA, we encourage entities to adopt the types of measures set forth in the OMA when it is appropriate to do so to increase transparency.

Conclusion

Although the Attorney General has found no violation and will not file suit in this matter, nothing in the OMA precludes an individual from pursuing a complaint in the Superior Court as specified in the OMA. R.I. Gen. Laws § 42-46-8(c). The Complainant may pursue an OMA complaint within "ninety (90) days of the attorney general's closing of the complaint or within one hundred eighty (180) days of the alleged violation, whichever occurs later." *Id.* Please be advised that we are closing this file as of the date of this letter.

We thank you for your interest in keeping government open and accountable to the public.

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Sincerely,

PETER F. NERONHA ATTORNEY GENERAL

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