

**STATE OF RHODE ISLAND
PROVIDENCE, SC.**

SUPREME COURT

NICOLE SOLAS,
Appellant,

v.

**C.A. No.: SU-2025-0006-A
(PC-2022-04727)**

**SOUTH KINGSTOWN
SCHOOL COMMITTEE,**
Appellee.

**RULE 12A COUNTER-STATEMENT OF APPELLEE,
SOUTH KINGSTOWN SCHOOL COMMITTEE**

Now comes the South Kingstown School Committee (the “School Committee”), Appellee in the instant matter, and hereby respectfully submits the within Rule 12A Counter-Statement in the above-captioned matter in accordance with the Rhode Island Supreme Court Rules of Appellate Procedure.

Statement of the Case

Appellant, Nicole Solas (“Solas”), sought relief in Superior Court pursuant to R.I. Gen. Laws § 42-46-1, *et seq.*, The Open Meetings Act (the “OMA”), in the nature of a declaration that the BIPOC Advisory Board (the “BIPOC Board”), an informal group of volunteers created and facilitated by a private, non-profit organization contracted by the School Committee, was a “public body” in accordance with the OMA, and thus all meetings, minutes and other activities were subject to the requirements of the Open Meetings Act. Notably, prior to initiating the action in the trial court, Solas filed an OMA complaint with the Office of the

Attorney General. However after considering the arguments set forth by the parties, the Attorney General determined that the BIPOC Board was not a public body, and thus no OMA violation was found. *See. Exh. A.*

By way of explanation, in an effort to ensure that the District was “participating in equity” and not operating “a racist school system,” the School Committee voted “to create an equity and antiracist advisory board, crated *[sic]* and charged by Robin Wildman and Jonathan Lewis.” *See. Exh. B* at 13:16-21; *See also. Exh. C.* Wildman is the Executive Director of Nonviolent Schools RI (“NSRI”), a private, non-profit organization the School Committee contracted with to facilitate BIPOC Board meetings and provide conflict reconciliation training in the District. *See. Exh. D* at 11:11-18; 12:23-13:2; 82:11-20. Wildman’s facilitation of the BIPOC Board included recruiting members, planning agendas, setting dates for meetings and securing meeting spaces. *Id.* at 31:12-33:18. The School Committee had no role in selecting BIPOC Board members. *See. Exh. B* at 62:22-24.

The purpose of the BIPOC Board was for members to discuss experiences that people of color had in relation to the School District. *See Exh. D* at 18:25-19:1. The members later decided to review the policies they thought related to their experiences and it became an opportunity for the BIPOC community to offer their perspectives with respect to how the School Committee’s policies impacted them.

See. Exh. E at 24:20-25:3; *See also. Exh. B* at 13:3-9. The BIPOC Board had no set membership; it was composed of volunteers from the community who received no compensation. *See. Exh. B* at 14:8-9; *See also. Exh. E* at 15:2-20. No School Committee members or District Administrators sat on the BIPOC Board. *See. Exh. B* at 22:16-17. Consistent with this informal nature, Board members did not hold official positions, they took no votes nor did they pass any resolutions. *See. Exh. E* at 16:9-21. In fact, the BIPOC Board did not even have specific agendas, and while at the outset, the meetings occurred weekly, they became increasingly more infrequent as less people attended the meetings. *See. Exh. D* at 42:1-24.

Initially, Wildman requested that non-BIPOC individuals interested in joining the BIPOC Board wait until they were able to gather the experiences of the BIPOC members before they began attending meetings, and then she opened the meetings to those who did not identify as BIPOC. *See. Exh. D* at 45:1-9;115:12-20. The School Committee was not involved in the decision to ask non-BIPOC individuals to “hold-off” on attending meetings. *See. Exh. B* at 28:1-18. Wildman’s decision to deny Solas’s request to attend BIPOC Board meetings was completely unrelated to whether or not Solas identified as BIPOC; rather, it was the result of Solas harassing her on social media and using unkind words against BIPOC Board members that caused them to become afraid and stop attending meetings. *See. Exh. D* at 112:16-116:22.

While the School Committee did not regard the BIPOC Board as an entity over which it had control, it was interested in learning how its policies impacted BIPOC community members, so it added two (2) seats on the Policy Subcommittee for use by the BIPOC Board so that individuals who identify as BIPOC could provide their perspectives. *See. Exh. B* at 92:14-20; 15:6-14. The Policy Subcommittee is a subset of the School Committee that was established pursuant to the School Committee's Bylaws. *See. Exh. F*. All subcommittees have between one and three (3) School Committee members who sit on them. *See. Exh. F*. Subcommittees are charged with fact-finding, studying issues, and/or making recommendations to the full Committee; however they do not make decisions for the District. *See. Id. See. also. Exh. B* at 32:24-33:9.

In coordination with the District's legal counsel, the Policy Subcommittee reviews and drafts policies based on public policy and laws and regulations for consideration of the School Committee. *See. Exh. B* at 35:5-36:8; 36:25-37:6. All policy development requires "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. Exh. F*. A new policy or policy amendment may only be adopted after it has been considered at two (2) separate School Committee meetings. *See Id.* All Policy Subcommittee meetings are open to the public, livestreamed and recorded for later viewing. *See.*

Exh. G at 59:3-5. Therefore, members of the public have the opportunity to provide input regarding policies at Policy Subcommittee meetings and at least two (2) full School Committee meetings. *See Id.* at 109:18-21.

The BIPOC Board would offer suggestions regarding policies and then a member would bring them to the Policy Subcommittee, which would draft the policy as a group. *See. Exh. E* at 26:16-28:14;52:2-16. The Policy Subcommittee created a new Anti-Racism Policy which at the outset, incorporated suggestions made by the BIPOC Board, including the grant of advisory power to the Board; however, after multiple revisions at the Policy Subcommittee level and after being sent back two times by the full Committee, ultimately, the suggestions made by the BIPOC Board were omitted from the final policy. *See Exhs. H-M.*

A draft Suspension Policy was presented to the Policy Subcommittee by the High School Principal and revised by legal counsel prior to going to the School Committee for second reading. *See. Exhs. N and O.* During the second reading, the BIPOC Board requested “involvement in further discussion” regarding the Policy, and the School Committee denied the request and passed the Policy that night. *See. Exh. P.* The BIPOC Board also made suggestions to the Policy Subcommittee regarding the Hiring Policy; however, the School Committee did not adopt the requested changes. *See. Exhs. Q and R.*

The BIPOC Board never recommended specific curricula to the District, nor did it write or rewrite any curriculum for the District. *See. Exh. D* at 52:1-53:24; 118:25-119:3. While a group can share their feelings about curricula, it does not mean that the District has the ability to change the curricula because the State determines the list of curricula that the District can use. *See. Exh. G* at 19:10-20.

NSRI stopped facilitating BIPOC Board meetings prior to September, 2021 and around that time, the name, as well as the composition of the Board changed. *See. Exh. D* at 87:25-89:3.

Summary of the Issues on Appeal

- (1) The Superior Court did not err in determining that the undisputed facts in this matter are analogous to those set forth in Pontarelli v. Rhode Island Board Council on Elementary and Secondary Education¹; therefore, consistent with this Honorable Court’s holding therein, the BIPOC Board is not a public body subject to the OMA.***

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

¹ 151 A.3d 301 (R.I. 2016).

discussed matters over which the public body has “supervision, control, jurisdiction, or advisory power.” R.I.G.L. § 42-46-2(1). 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. R.I.G.L. § 42-46-2(5).

In *Pontarelli*, the most recent and controlling Supreme Court decision regarding the applicability of the OMA’s definition of “public body” to an entity, this Court held that the Rhode Island Department of Education’s (“RIDE”) Compensation Review Committee (“CRC”) was not a public body with the definition set forth in the OMA. 151 A.3d at 103. The CRC was created to convene and review requested and proposed salary adjustments for RIDE employees, was chaired by the Deputy Commissioner, and composed of division chiefs, the Chief of Staff and the Human Resources Coordinator. *Id.* at 303. The CRC was described as an “informal, *ad hoc* working group with a strictly advisory role and no legal status or authority,” and while it created a charter, it did not have regular meetings, post public notices or keep written minutes.” *Id.* In support of its holding, this 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). Additionally, this Court explained that even though the CRC “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.* Also, this Court emphasized the fact that the CRC’s sole function was to advise the Commissioner, who in turn had to make a recommendation to the Council, and explained that if the Commissioner decided to present any proposal to the Council for its approval, the public would have the opportunity to be informed of and object to such a proposal. *Id.*

Here, the trial court correctly held that the BIPOC Board is akin to the CRC in *Pontarelli*, “in that it operates as an informal ad hoc working group,” which “is evident by the nature of its meetings and membership.” *See. Exh. S* at p. 13. Further, the trial court noted that Wildman facilitated the meetings and was not a member of the BIPOC Board, members did not hold official positions or vote on matters, the Board was not comprised of any School Committee members, and the Committee had no role in selecting Board members. *See Id.* at pp. 13-14.

The lower court noted that the record indicates that the School Committee, the Policy Subcommittee and the BIPOC Board all understood that “the role of the Board was limited to an advisory and suggestive nature,” and emphasized the fact that the BIPOC Board did not possess voting or veto power to override the School

Committee’s or the Policy Subcommittee’s decisions and “any recommendation or suggestion made by the Board to the Policy Subcommittee were never blanketly adopted by the School Committee.” *Id.* at pp. 16-17.

Based on the totality of the submitted evidence, it was apparent to the trial court that the BIPOC Board was strictly advisory in nature as:

It [was] undisputed that both the Policy Subcommittee and the School Committee are governed by the Open Meetings Act, a framework which provides the public two opportunities to stay informed and voice concerns about the Board’s policy proposals; first during the Policy Subcommittee meetings, and second at the School Committee meetings.

A requirement, therefore, that the board hold open meetings for a sporadic group of volunteers making recommendations would exceed the scope of the OMA as envisioned by the General Assembly. *Id.* at p. 22.

Moreover, the extremely limited and strictly advisory nature of the BIPOC Board is evident 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.

(2) *The Superior Court rightly concluded that this Court’s holding in Solas v. Emergency Hiring Council of the State of Rhode Island² is inapplicable to the instant matter.*

In *Solas*, a case that has been distinguished by *Pontarelli*, the Supreme Court determined that an Emergency Hiring Council (the “EHC”), which was created by

² 774 A.2d 820 (R.I. 2001).

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 OMA. 774 A.2d at 823. Therein, pursuant to a series of executive orders, no new positions, vacant positions, or promotions could be created or filled without authorization from the EHC, and the EHC had the duty to make suggestions to the Governor related to reforms to the State personnel system. *Id.* at 824. The EHC consisted of high-level cabinet members and according to this Court, it “had been granted significant influence and veto power over ... positions in state government...” *Id.*

Here, the trial court correctly noted that while the EHC was created by executive order, the BIPOC Board was created, assembled and managed by NSRI. *See. Exh. S* at pp. 12-13. Moreover, once again, unlike the EHC, the BIPOC Board did not possess any voting or veto power to override the School Committee’s or Policy Subcommittee’s decisions, and any recommendations or suggestions made by the Board were never blanketly adopted by the School Committee. *Id.* at p. 17. As such, the stark dichotomy of authority between the EHC and the BIPOC Board clearly demonstrates that the latter is more akin to the CRC in *Pontarelli*.

Conclusion

For the foregoing reasons, the School Committee respectfully requests that this Honorable Court affirm the trial court’s decision in the instant matter.

Respectfully submitted,

Appellee,

SOUTH KINGSTOWN
SCHOOL COMMITTEE,

By its Attorney,

/s/ Deidre E. Carreno

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401.424.5224
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Dated: February 7, 2025

**CERTIFICATION OF WORD COUNT AND
COMPLIANCE WITH RULE 18(B)**

1. This Rule 12A Counter-Statement contains 2,352 words, excluding the parts exempted from the word count by Rule 18(b).
2. This Rule 12A Counter-Statement complies with the font, spacing and type size requirements stated in Rule 18(b).

/s/ Deidre E. Carreno

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of **February, 2025**, I filed and served this document through the electronic filing system on the following:

Gregory P. Piccirilli, Esq.

gregory@splawri.com

Jonathan Riches, Esq.
litigation@goldwaterinstitute.org

Giovanni D. Cicione, Esq.
g@cicione.law

The document electronically served is available for viewing and/or downloading from the Rhode Island Judiciary's Electronic Filing System.

/s/ Deidre E. Carreno

Exhibit A

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.*

1. Attached hereto as Exhibit A 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, Exhibit B).
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

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 Solas, 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 Exhibit B).
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 Exhibit B)

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.

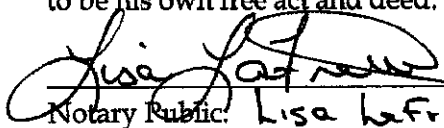
As to any legal arguments:



Andrew Henneous, Esq.
Attorney, South Kingstown School Committee

State of Rhode Island
County of PROVIDENCE

In the City of Providence, on the 1 day of July, 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.


Notary Public: Lisa LaFratta
My Comm. Exp: 8/9/22

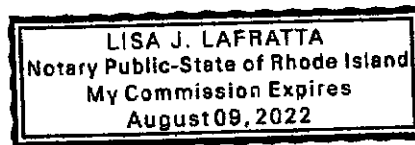


EXHIBIT A



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.

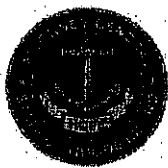
In accordance with our procedure, kindly provide a substantive response within ten (10) business days. Any factual representations must be supported by evidence, such as an affidavit. Your substantive response, as well as any documents provided as part of your response, must also be sent to the Complainant, 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



STATE OF RHODE ISLAND

OFFICE OF THE ATTORNEY GENERAL

150 South Main Street • Providence, RI 02908
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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

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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: Nicole Solas
To: Open Government
Subject: OMA Violation by South Kingstown School Committee
Date: Thursday, May 20, 2021 1:29:47 PM
Attachments:



[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 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 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 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-justice-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:

<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

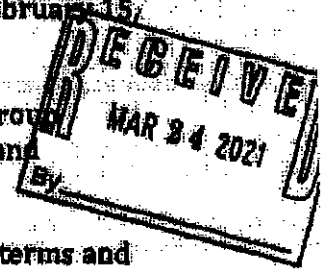
The rest of the BIPOC Advisory Committee's work can be viewed at the link below. Please see documents under 5. School Committee Business on May 20th.

<https://go.boarddocs.com/ri/soki/Board.nsf/Public>

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 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

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

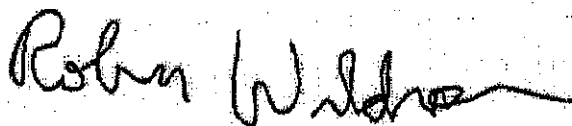
- Each party agrees to indemnify and hold harmless the other and all their respective associates in any matter that may result from or arise out of any act of omission of one of the parties. This indemnification will survive the term of this agreement.

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

DATE March 24, 2021



FOR NONVIOLENT SCHOOLS RI

NAME



DATE

For South Kingstown School Dept.

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
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)

Case Number: PC-2022-04727
Filed in Providence/Bristol County Superior Court
Submitted: 8/11/2022 3:58 PM
Envelope: 3744276
Reviewer: Maureen D



08/14/2021 09:42
SCHOOL DEPARTMENT
VENDOR FISCAL YEAR SUMMARY

FISCAL YEAR: 2021 07/01/20 TO 06/30/21
MINIMUM: .00
F.I.D. / SOC. SEC. #
VENDOR NAME
7535 NONVIOLENT SCHOOLS RI
ADDRESS
PO BOX 496
WEST KINGSTON, RI 02892
YTD PURCHASES
7,474.00
YTD PAYMENTS
7,474.00
1 VENDORS
REPORT TOTALS
7,474.00

** END OF REPORT - Generated by Raquel Pellerin **

Public Presence at BIPOC

Advisory Committee Meetings



Inbox



days ago

to Robin ▾



Robin,

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



days ago

to Robin ▾





Robin Wildman 2 days ago
to me ▾

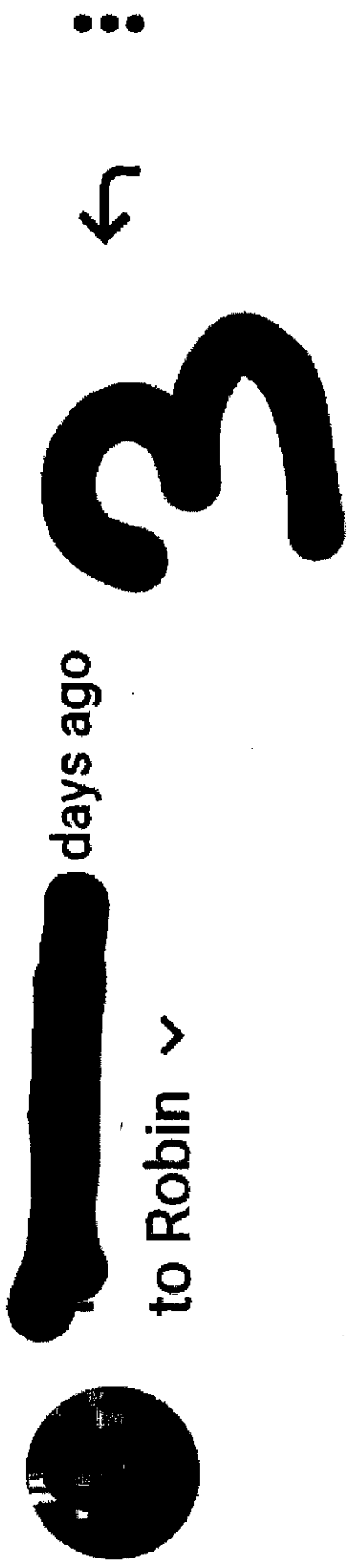
2 ←

Hi Nicole,
I haven't forgotten about you and your friends. My parents came to stay for a few days and so I was busy visiting with them.

I am a private vendor, hired by SK school district, Nonviolent Schools RI is permitted to have closed meetings. At this time the board meetings aren't open to the public. You can look on the district's website for information about the board and their work. It should be posted soon.



Robin Wildman
Executive Director
Nonviolent Schools RI
www.nonviolentschoolsri.org
P.O. Box 496
East Kingston, RI 02892
"Building Compassionate School Communities"



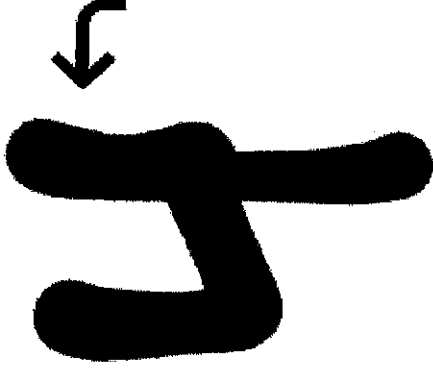
Hi Robin,

There is nothing prohibiting you from having open and transparent meetings and you have not provided me with a reason why you should keep these meetings closed. You must know the work of your committee is controversial and looked upon with scrutiny. What better way to gain the trust of parents like me than to welcome us with open arms into your open meetings?

Nicole

8:03 AM

to Robin, Linda, Melissa ▾



Robin,

Please explain why your committee has been meeting secretly for a year but has accepted and benefited from thousands of dollars of taxpayer money? Your committee is not a private vendor. It is a public body. You get paid to lead that public body in your advisory committee position.

Further, your secret committee meetings produced work which now lands on the agenda of the school committee.

That is a huge problem.

Nicole



email: lsavastano@skad-d.net

Linda Savastano
Superintendent

A

From: Nicole Solas
To: Open Government
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,



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

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,

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 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 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 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-

[justice-equity-in-south-kingstown/article_bdb09c2c-4ec4-11eb-8967-573001b29b0d.html](https://www.southkingstownri.gov/justice-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:

<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>

EXHIBIT B

AFFIDAVIT AND RESPONSE OF ROBIN WILDMAN

I, Robin Wildman, do hereby depose and say that:

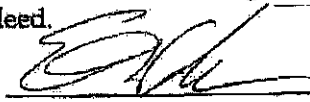
1. I was approached then Superintendent Linda Savastano with the idea to form a BIPOC Task Force, now called the Beloved Community Advisory Board of SK.
2. The Board is voluntary. I gathered people by word of mouth.
3. I facilitate the meetings. I am not a member of the Board.
4. None of the current Board members are members of the South Kingstown School Committee.
5. The members came together, initially about 15 people, once a week, to share personal stories, and to outline a mission statement and goals.
6. 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.

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

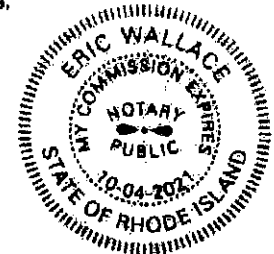

Robin Wildman

State of Rhode Island
County of Washington

In the Town of South Kingstown 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:



Case Number: BC-2023-00007A
Filed in Providence, Bristol County Superior Court
Case Number: BC-2022-0017
Submitted: 7/12/2023 4:35 PM
Filed in Providence, Bristol County Superior Court
Envelope: 4998974
Submitted: 8/11/2022 3:58 PM
Reviewer: Maureen D.
Envelope: 3744270
Reviewer: Maureen D.

A

Exhibit 5

A



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.

Adam 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

July 28, 2021
Page 3 of 6

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.

July 28, 2021

Page 4 of 6

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 ¶ 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 on a regular basis and instead convened “as-needed” 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

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).

Adam Roach, Esq.

July 28, 2021

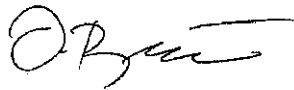
Page 6 of 6

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 jriches@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

cc. Taylor O'Brien; tobrien@riag.ri.gov
Andrew Henneous, Esq.; ahenneous@hcllawri.com

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 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).

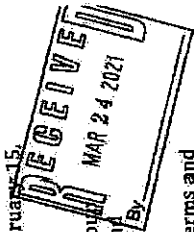
Reimbursement to Contractor will be received not more than one month from the completion of each service that is provided.

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



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

DATE March 24, 2021

Robin Wildman

FOR NONVIOLENT SCHOOLS RI

NAME

DATE

Maureen D.

For South Kingstown School Dept.

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
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 (add \$35/person for additional participants)	\$35 x 10 person = \$350/book club

Case Number: PC-2022-04727
Filed in Providence/Bristol County Superior Court
Submitted: 8/11/2022 3:58 PM
Envelope: 3744276
Reviewer: Maureen D



SOUTH KINGSTOWN SCHOOL DEPARTMENT
307 CURTIS CORNER ROAD, WAKEFIELD, RI 02879-2106

(401) 360-1307
FAX (401) 360-1330
TTY 1 800 745-5555
email: leavastano@sksd-ri.net

Linda Savastano
SUPERINTENDENT OF SCHOOLS

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.*

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.treg.rh.gov.

Sincerely,

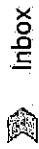

Linda Savastano
Superintendent

The South Kingstown School Department does not discriminate on the basis of race, religion, color, sex (including pregnancy), gender (identity, and sexual orientation), parental status, national origin, age, disability, family medical history or genetic information, political affiliation, military service, or other non-employment based factors, in accordance with applicable laws and regulations.

Exhibit 3



Public Presence at BIPOC Advisory Committee Meetings ☆



days ago



to Robin ▾

Robin,

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



days ago



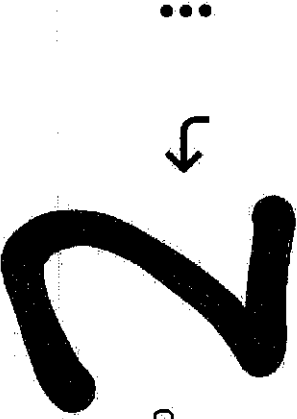
to Robin ▾

Other parents and taxpayers are still waiting on your response.



Robin Wildman 2 days ago

to me ▾



Hello Nicole,

I haven't forgotten about you and your friends. My parents came to stay for a few days and so I was busy visiting with them.

As a private vendor, hired by SK school district, Nonviolent Schools RI is permitted to have closed meetings. At this time the board meetings aren't open to the public. You can look on the district's website for information about the board and their work. It should be posted soon.

Robin Wildman

Executive Director

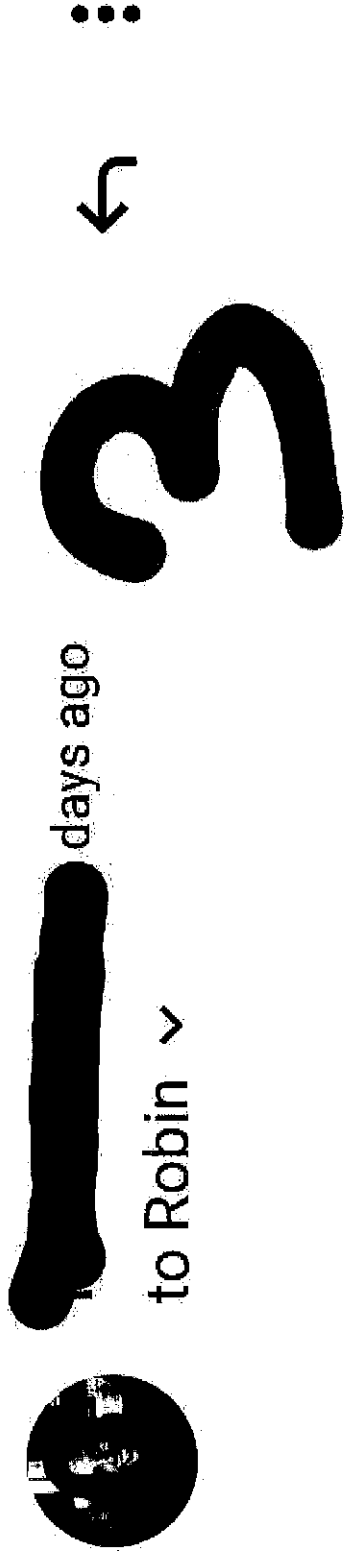
Nonviolent Schools RI

www.nonviolentschoolsri.org

P.O. Box 496

West Kingston, RI 02892

"Building Compassionate School Communities"



Hi Robin,

There is nothing prohibiting you from having open and transparent meetings and you have not provided me with a reason why you should keep these meetings closed. You must know the work of your committee is controversial and looked upon with scrutiny. What better way to gain the trust of parents like me than to welcome us with open arms into your open meetings?

Nicole



Robin,

Please explain why your committee has been meeting secretly for a year but has accepted and benefited from thousands of dollars of taxpayer money? Your committee is not a private vendor. It is a public body. You get paid to lead that public body in your advisory committee position.

Further, your secret committee meetings produced work which now lands on the agenda of the school committee.

That is a huge problem.

Nicole

Case Number: BC-2023-00007A
Filed in Providence/Bristol County Superior Court
Submitted: 7/7/2023 12:50 PM
Case Number: PC-2022-04727
Envelope: 4944927
Filed in Providence/Bristol County Superior Court
Submitted: 6/17/2022 3:58 PM
Envelope: 3744276
Reviewer: Maureen D.

A

Community Spotlight: Robin Wildman

The Collective May 12, 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, anti-racist 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 I 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 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.

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!

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!

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, education 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.

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-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 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.

Exhibit 6

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:

IVIII. District Protocol

I. District Protocols

A. The School District shall adopt the following protocol with respect to the _____ hiring of personnel: ~~Include the following:~~

1. ~~The 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.~~

~~(From the Antiracism policy)~~

2. Teachers and Other Personnel at Individual Schools

a. 4. The principal at each school shall convene a hiring team _____ made up of the principal and additional interested parties, _____ including members who identify as BIPOC. _____

b. No member of the hiring team shall participate in the interview of any candidate with whom they have a personal relationship. ~~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 community ~~POC~~ will participate on the hiring team in the following numbers: For ~~Aa~~ hiring team of five (5), there shall be three (3) members of the -BIPOC community. For a hiring team representation 3, a hiring team of seven (7), there shall be four (4) members of the BIPOC community. ~~7-For BIPOC representation 4, 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. -BIPOC representation 4, and a hiring team of 11- BIPOC representation 5.~~

d. The hiring team shall review all applications and interview candidates whom they agree meet the qualifications for the position pursuant to the job description for the position posted.

e. 4. 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.

f. 5. Each member of the hiring team shall keep a score sheet associated with each candidate, broken down by question. Said sheets shall be kept by the District for at least one (1) year.

g. 6. After review of the tallied score sheets from the hiring team, and in consultation with the site-based school improvement team, the building principal shall recommend the hiring of all teachers, ~~athletic coaches,~~ instructional or administrative aides, and other personnel assigned to the school, to the ~~s~~-superintendent. Said recommendation shall be consistent with 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. ~~(For procedures for hiring coaches, see the Coaches Policy)~~

_____ h. 7. The superintendent shall appoint, at the recommendation 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 bargaining _____ agreement under which they fall.

_____ j. 9. Compensation for personnel assigned to individual schools, _____ who are not covered by a collective bargaining agreement, _____ shall be determined by the School Committee.

_____ k. 10. 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.

3. School Principals

_____ a. The principal at each school shall convene a hiring team made up of the principal and additional interested parties, including members who identify as BIPOC.

_____ 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 hiring team of five (5), there shall be three (3) members 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), 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

- 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 hiring team of five (5), there shall be three (3) members

_____ 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), _____ 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
interview _____ candidates whom they agree meet the
qualifications for the _____ position pursuant to the job
description for the position _____ posted.

_____ e. 4. _____ The hiring team shall develop and ask a uniform set
of _____ questions to each candidate for a position, based on
the job _____ description for that position.

_____ f. 5. _____ Each member of the hiring team shall keep a score
sheet _____ associated with each candidate, broken down by
question. _____ Said sheets shall be kept by the District for at
least one (1) _____ year.

_____ g. 6. _____ After review of the tallied score sheets from the hiring
team, _____ the superintendent shall appoint administrators and
other _____ personnel not assigned to individual schools within
the _____ District.

_____ h. 7. _____ Compensation for administrators and other 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.

_____ i. 8. _____ Compensation for administrators and other personnel
not _____ assigned to individual schools, who are not covered

by a _____ collective bargaining agreement, shall be determined
by the _____ School Committee.

_____ j. 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.

Case Number: BC-2023-00087A
Filed in Providence/Bristol County Superior Court
Case Number: BC-2023-04727
Submitted: 7/12/23 12:36 PM
Filed in Providence/Bristol County Superior Court
Envelope: 3744276
Submitted: 8/11/2022 3:58 PM
Reviewer: Maureen D.
Envelope: 3744276
Reviewer: Maureen D.

A

Exhibit 7

A

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.

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

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 of 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.

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:

I. Policy Communication

- 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.
- B. Each school in the District shall **post a public statement against racism 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."*

- 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 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 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):
 - 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 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, 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. **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

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.).

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

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 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.

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.

VII. INVESTIGATION

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

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.

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.
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.
 - 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
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: BC-2023-00007A
Filed in Providence/Bristol County Superior Court
Case Number: BC-2022-04727
Submitted in Providence/Bristol County Superior Court
Envelope: 42968944
Submitted: 8/11/2022 3:58 PM
Reviewer: Maureen D.
Envelope: 3741276
Reviewer: Maureen D.

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Exhibit 8

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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 Title 16, 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;
15. 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.

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.

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.
5. 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.

Section 5.5 Remuneration

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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 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 RIGL § 42-46-6, 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, RIGL Title 42, Chapter 46. 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 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.
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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- 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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- 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:
 - Title 16 Education Code
 - Title 42, Chapter 46 Open Meetings Act
 - 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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VIA EMAIL ONLY

May 10, 2022
OM 22-25

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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”).¹ 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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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 *Solas*² 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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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

By: Katherine Sadeck
Special Assistant Attorney General

Exhibit B

STATE OF RHODE ISLAND,
PROVIDENCE, SC.

SUPERIOR COURT

NICOLE SOLAS,

Plaintiff,

vs.

SOUTH KINGSTOWN SCHOOL COMMITTEE,

Defendants.

C.A. No.
PC-2022-04727

30(b)(6) DEPOSITION OF SOUTH KINGSTOWN SCHOOL COMMITTEE
BY KATHERINE MACINANTI

Kingston, Rhode Island

October 3, 2023

Prepared by:

Gerard T. Coash, RPR, RMR
Certified Reporter
Certification No. 50503

**CERTIFIED
TRANSCRIPT**

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

Page 14 1 said that the understanding was it would be a volunteer 2 position. 3 Q. Okay. Was the position -- when you say 4 "volunteer," you're referring to Ms. Robin Wildman, who 5 was -- 6 A. Um -- 7 Q. -- for the BIPOC Advisory Board? 8 A. For everybody on the BIPOC Advisory Board, that 9 their participation in the board would be volunteer. 10 Q. I see. What about Ms. -- Ms. Wildman? Was it 11 your understanding that her participation on the BIPOC 12 Advisory Board would be volunteer? 13 A. From that meeting, yes, that was my 14 understanding. 15 Q. Is it your understanding that Ms. Wildman later 16 served in a volunteer capacity or did she receive 17 compensation from the school committee? 18 A. I later learned that she was being compensated by 19 our school district. 20 Q. So the school committee never voted to compensate 21 Ms. Wildman? 22 A. Not to my knowledge. 23 Q. All right. You testified that the -- one of the 24 functions of the BIPOC Advisory Board was to assist the 25 school committee with anti-racism policies. Is that	Page 15 1 correct? 2 A. Yes. 3 Q. Was the advisory board established to study 4 anti-racism policies or issues and then present that 5 information to school officials? 6 A. To my knowledge, it was to give their perspective 7 as a community of Black, Indigenous, and people of color, 8 to give their perspective as to how our policies impacted 9 them. 10 Q. Was one of the purposes of the BIPOC Advisory 11 Board to make recommendations to the school committee 12 regarding anti-racism policies within the district? 13 A. My understanding is that they would advise us on 14 their perspective, yes. 15 Q. And that is -- is that specifically with respect 16 to school district policies? 17 A. Yes. 18 Q. Do you recall if the BIPOC Advisory Board was 19 previously called something else? 20 A. I'm -- to be honest, I'm not a hundred percent 21 sure of that. I know there was something called TASK. I 22 don't know what TASK stands for, but I do not know if they 23 are the same organization. 24 Q. Are you aware if it was recommendations of a 25 school committee member to refer to the advisory board as
Page 16 1 an advisory board? 2 A. Can you repeat that? 3 Q. Do you know if it was a school committee member 4 who made the recommendation to refer to the BIPOC Advisory 5 Board as an advisory board? 6 A. I -- I don't have a recollection of that. 7 Q. In the minutes here, it indicates that the board 8 would be, quote, charged by Robin Wildman and Jonathan 9 Lewis. Do you see that? 10 A. Yes. 11 Q. Who's -- do you know who Robin Wildman is? 12 A. I do. I know that she was a teacher in our 13 school district for a period of time. 14 Q. Do you know how it is that she came to be charged 15 with -- with administering the BIPOC Advisory Board? 16 A. I do not. 17 Q. Did you have any communications with Ms. Wildman 18 prior to the school committee creating the BIPOC Advisory 19 Board? 20 A. I -- only from the aspect that I knew she was a 21 teacher. I had never experienced her as a teacher of one 22 of my children. I had never had any kind of -- I'll say 23 social interaction with her at all. I just knew who she 24 was and that she was a teacher in our district. 25 Q. Do you know if other school committee members	Page 17 1 were in contact with Ms. Wildman about her serving as a 2 facilitator for the BIPOC Advisory Board prior to the 3 school committee creating the advisory board? 4 A. I don't have any firsthand knowledge of that, no. 5 MR. RICHES: All right. Jerry, if we could 6 mark the next -- the next exhibit, it's Defendant's 04667. 7 (Deposition Exhibit 2 was marked for 8 identification.) 9 BY MR. RICHES: 10 Q. Okay. Ms. Macinanti, can you see Exhibit 2 on 11 your screen? 12 A. I can, yes. 13 Q. And this looks to be an email from Nonviolent 14 Schools Rhode Island. Do you see that? 15 A. I do. 16 Q. Do you understand that email account to be Robin 17 Wildman's email account? 18 A. I do. 19 Q. And it looks like she sent some BIPOC Advisory 20 Board meeting minutes to various school officials, 21 yourself included. Is that correct? 22 A. Yes. 23 Q. Are those -- can you look at the "To" line. Are 24 those individuals on the "To" line all school committee 25 members?

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1 A. We have the seven school committee members, plus 2 our superintendent, Ms. Savastano at the time, and our -- 3 I think she was the director of curriculum maybe, Gina 4 Masiello. 5 Q. Okay. Ms. Masiello was the director of 6 curriculum to your recollection? 7 A. At that time, yes. 8 Q. Is Ms. Masiello still employed by the school 9 district? 10 A. She is not. 11 Q. What led to her departure? 12 MS. CARRENO: Objection. 13 MR. RICHES: Go ahead. 14 THE WITNESS: She took a personal leave of 15 absence, to my knowledge, and then resigned from the 16 district. I believe it was in -- what are we in, '23? I 17 believe that occurred in -- I can't recall the exact -- I 18 think it was '22. 19 BY MR. RICHES: 20 Q. Okay. What about Linda Savastano, is she still 21 employed by the school district? 22 A. She is not. 23 Q. What led to her departure from the district? 24 MS. CARRENO: Objection. 25 MR. RICHES: Go ahead.	1 THE WITNESS: What led to Linda's departure? 2 We came to a separation agreement. She -- she submitted 3 her resignation, and we came to an agreement to part ways. 4 BY MR. RICHES: 5 Q. Did she -- did she resign on good terms with 6 the -- 7 MS. CARRENO: Objection. This exceeds the 8 scope of the 30(b)(6). 9 MR. RICHES: I'm not sure it does. We're 10 trying to figure out the individuals that are on this 11 email string, their relation to the BIPOC Advisory Board, 12 their relation to the school committee, when they were 13 employed by the school committee, when they left the 14 school committee, the circumstances of when they left, all 15 that's relevant. 16 MS. CARRENO: Well, I maintain my objection 17 that the circumstances in which these individuals left is 18 not relevant to this matter. 19 BY MR. RICHES: 20 Q. Did Ms. Savastano's resignation have anything to 21 do with the school committee's creation of the BIPOC 22 Advisory Board? 23 A. Did -- Can you repeat that, please? 24 Q. Yeah. Did Ms. Savastano's resignation from the 25 school district have anything to do with the school
Page 20	Page 21
1 committee's creation or interaction with the BIPOC 2 Advisory Board? 3 A. No, it did not. 4 Q. Okay. In this email, Ms. Wildman sends the 5 school committee members and Ms. Savastano and 6 Ms. Masiello minutes from the first meeting of the BIPOC 7 Advisory Board. Do you see that? 8 A. I do. 9 Q. Do you know if the school committee still has a 10 copy of those minutes? 11 A. I do not know. 12 Q. Do you remember receiving those? 13 A. I remember receiving emails from Ms. Wildman. I 14 was not involved with any of the advisory board 15 interactions, so I never reviewed any of the minutes. So 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 18 located or anything about them. 19 Q. Do you know why Ms. Wildman sent the advisory 20 board minutes to the school committee members and the two 21 school officials? 22 A. I do not know. 23 Q. Did she have -- are you aware if she had any 24 obligations to send minutes of the board's activities to 25 the school committee?	1 A. I have no knowledge of that. 2 MR. RICHES: All right. Jerry, if we can 3 mark the next exhibit. It's Defendant's 04665. 4 (Deposition Exhibit 3 was marked for 5 identification.) 6 BY MR. RICHES: 7 Q. Do you see Exhibit 3 on your screen? 8 A. I see it, yes. 9 Q. This appears to be another email from Ms. Wildman 10 to the school committee members and the two other school 11 officials -- two school district officials. Do you 12 recall -- looks like you're a recipient on this email as 13 well. Do you recall receiving this? 14 A. I don't recall receiving this specific one. I 15 see that it was sent to me. And as I stated before, I 16 typically didn't -- didn't -- didn't read these because I 17 wasn't part of the board. So I don't recall this 18 particular email itself. 19 Q. No problem. It looks like here Ms. Wildman 20 states that "Here is [an] invite to our next advisory 21 board meeting. Feel free to share with BIPOC community 22 members, students, staff [and] families." Do you see 23 that? 24 A. I do, yup. 25 Q. Is it your understanding that Ms. Wildman was

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

Page 26 1 as a function advising the school committee on various 2 school district policies? 3 MS. CARRENO: Objection. 4 MR. RICHES: Go ahead. 5 THE WITNESS: I am unsure of that. I 6 wouldn't be able to make a definitive answer with that. 7 BY MR. RICHES: 8 Q. As you sit here today, can you recall any other 9 entity that received school funding and then provided the 10 recommendations on policy to the school committee? 11 A. I have no recollection of any. 12 MR. RICHES: Okay. All right. Jerry, if we 13 could mark the next exhibit, it's Defendant's 06835. 14 (Deposition Exhibit 5 was marked for 15 identification.) 16 BY MR. RICHES: 17 Q. This is an email string between Robin Wildman and 18 Emily Cumiskey. Do you see that? 19 A. I do. 20 Q. Who's Emily Cumiskey? 21 A. At the time, she was a member of the school 22 committee. And I believe at this time she was our chair. 23 Q. Okay. It looks like they're having a discussion 24 about somebody who's interested in participating on the 25 BIPOC Advisory Board, a man named Marc Ladin. Do you see	Page 27 1 his name there on your screen? 2 A. I see it. 3 Q. Do you know who Marc Ladin is? 4 A. I recognize the name only because we're a small 5 community, but I do not know him. 6 Q. Do you know anything of him? Or how do you 7 recognize the name? 8 A. Just he's a local person, and I'm a local person. 9 Q. Okay. Did you have any -- did you have any 10 interactions with him as a member of the school committee? 11 A. Not that I can recall. We have many members of 12 our community come to various meetings over the course of 13 seven years. But we have lots of people who come and 14 speak. So I -- I cannot recall him specifically at the 15 moment. 16 Q. Okay. In this email he's asking, you know, what 17 sort of service he can provide as part of the advisory 18 board. And here it looks like Ms. Wildman is 19 communicating, in this case with Ms. Cumiskey, and she 20 says, "The advisory board is for BIPOC only." Do you see 21 that? 22 A. I see that. 23 Q. Do you know what she meant by that? 24 A. I do not know what she meant by that other than 25 what is spelled out here.
Page 28 1 Q. What does BIPOC stand for? 2 A. Black, Indigenous, and people of color. 3 Q. Was it your understanding that at this time, in 4 October of 2020, the advisory board was open for 5 membership only if the individuals were Black, Indigenous, 6 or people of color? 7 A. At that time, I was not aware of that. 8 Q. Did you later become aware of that? 9 A. Only by reading this that you put in front of me 10 right now. 11 Q. So this is the first time that you were aware 12 that the BIPOC Advisory Board was only open to Black, 13 Indigenous, or people of color? 14 A. Correct. 15 Q. Are you aware that Ms. Wildman informed Mr. Ladin 16 that he couldn't participate on the advisory board because 17 he was not BIPOC? 18 A. I'm -- I was not aware of that, no. 19 Q. With the school committee -- could the school 20 committee restrict any of its various working groups or 21 task forces on the basis of race? 22 MS. CARRENO: Objection. 23 THE WITNESS: Can you repeat the question? 24 BY MR. RICHES: 25 Q. Yeah. You indicated that the school committee	Page 29 1 interacts with, you know, various working groups and 2 things like that. Could the school committee -- if the 3 committee set up an entity to advise the committee on 4 policies, would it be within the school committee's 5 authority to restrict that -- that committee based on 6 race? 7 MS. CARRENO: Objection. 8 THE WITNESS: No. We would not be allowed 9 to restrict that based on race. 10 BY MR. RICHES: 11 Q. And it appears here, though, that the advisory 12 board was restricted based on race. 13 A. To my knowledge -- 14 MS. CARRENO: Objection. 15 MR. RICHES: I'm sorry, go ahead. 16 THE WITNESS: To my knowledge, we -- the 17 school committee did not implement that policy for them. 18 As an advisory board, they're their own organization. 19 BY MR. RICHES: 20 Q. Was the school committee aware of this 21 restriction based on race? 22 A. Not to my knowledge. 23 Q. I'm going to pull back Exhibit 3. Do you see 24 that on your screen? 25 (An off-the-record discussion ensued.)

Page 30 1 BY MR. RICHES: 2 Q. Okay. I put Exhibit 3 back on your screen. 3 Do you recall this -- this email between 4 Robin Wildman and the school committee members regarding 5 an invitation to BIPOC Advisory Board meetings? 6 A. That you showed earlier, yes. 7 Q. And it looks here as though Ms. Wildman says, 8 "Feel free to share with BIPOC community members, 9 students, staff, [and] families." Do you see that? 10 A. I see that, yes. 11 Q. Is it your understanding that when she said feel 12 free to share with BIPOC community members, that meant 13 that this should not be shared with community members who 14 were not BIPOC? 15 A. I -- I don't know her intention outside of what 16 she spelled out here. 17 Q. Do you recall receiving this email? 18 A. As I stated before, I recall receiving emails 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 21 the board. 22 MR. RICHES: Okay. All right. Let's mark 23 the next exhibit. This one also doesn't have a Bates 24 stamp. But at the top, it's South Kingstown School 25 Committee Bylaws.	Page 31 1 (Deposition Exhibit 6 was marked for 2 identification.) 3 BY MR. RICHES: 4 Q. All right. Ma'am, do you see Exhibit 6 on your 5 screen? 6 A. I do. 7 Q. Do you recognize this document? 8 A. I do. 9 Q. What is it? 10 A. It is our South Kingstown School Committee 11 Bylaws. 12 Q. What -- what legal effect did the bylaws have on 13 the school committee? 14 MS. CARRENO: Objection. 15 MR. RICHES: Go ahead. 16 THE WITNESS: They are the -- basically the 17 guardrails that our school committee agrees upon within 18 itself to stay within. 19 BY MR. RICHES: 20 Q. How are the bylaws created? 21 A. How are the bylaws created? They are created -- 22 to be honest with you, I don't know who originally created 23 the bylaws. I do know that every year the school 24 committee has two members who are supposed to meet, review 25 them, make sure that they're up-to-date and still
Page 32 1 relevant. And then the school committee -- it comes in 2 front of the school committee and we vote to accept them 3 either as-is or if updates have been made. 4 Q. Once the bylaws have been accepted by the school 5 committee, do they bind the school committee in its 6 activities? 7 A. Yes, that is their intention. 8 Q. Can the bylaws be amended by the school 9 committee? 10 A. The bylaws can be amended. 11 Q. Do you know the process for amendment? 12 A. I personally do not know the process for 13 amendment. 14 Q. You don't know if it's by simple majority vote or 15 some other standard? 16 MS. CARRENO: Objection. 17 THE WITNESS: Amendment? I would assume it 18 would be by majority vote, but I'm personally not 19 familiar. 20 BY MR. RICHES: 21 Q. Okay. Does the school committee under its bylaws 22 have authority to establish subcommittees? 23 A. Yes. 24 Q. What is a subcommittee? 25 A. A subcommittee is a subcommittee of the school	Page 33 1 committee that typically has between one to three members 2 of the school committee sit on it. And then we invite 3 other members of the community to apply to be part of the 4 subcommittee. They are -- again, they are advisory by 5 nature. They don't make district decisions. They put 6 together -- they review policy, they review different 7 circumstances and make recommendations to the full school 8 committee, but they do not -- again, they're advisory by 9 nature. They do not make district decisions. 10 BY MR. RICHES: 11 Q. Understood. Is it fair to say then that one of 12 the functions of a subcommittee is to assist the school 13 committee in completing the school committee's business? 14 A. Of a subcommittee? 15 MS. CARRENO: Objection. 16 MR. RICHES: Correct. 17 THE WITNESS: Yes. 18 BY MR. RICHES: 19 Q. Is it fair to say that one of the purposes of a 20 subcommittee is to make recommendations regarding school 21 policies to the full school committee? 22 A. Yes. 23 Q. And is it correct to say that one of the purposes 24 of the subcommittee is to study issues, specific issues, 25 and then make recommendations regarding those issues to

Page 34 1 the full school committee? 2 A. Study issues? I don't know that I would use that 3 word. But to make -- to have robust discussion around 4 whatever their charge is and then, yes, make 5 recommendations to the full body. 6 Q. Do you know if subcommittees of the school 7 committee -- if their meetings are open to the public 8 under Rhode Island's Open Meetings law? 9 MS. CARRENO: Objection. 10 THE WITNESS: Sorry. To my knowledge, yes, 11 they are. 12 BY MR. RICHES: 13 Q. So if the BIPOC Advisory Board was established as 14 a school subcommittee, its meetings would be subject to 15 the Open Meetings law? 16 MS. CARRENO: Objection. 17 THE WITNESS: If it was a subcommittee, yes. 18 BY MR. RICHES: 19 Q. I'm going to scroll down to the section here on 20 subcommittees. Here we are. 21 Okay. Do you see the section on 22 subcommittees here? 23 A. I do. 24 Q. If the school committee established a 25 subcommittee for one of the purposes articulated in this	Page 35 1 section, could the school committee restrict the 2 membership of the subcommittee based on race? 3 MS. CARRENO: Objection. 4 THE WITNESS: No. 5 BY MR. RICHES: 6 Q. Why is that? 7 MS. CARRENO: Objection. 8 THE WITNESS: I don't think you can restrict 9 anything based on race. 10 BY MR. RICHES: 11 Q. You described earlier your understanding of the 12 BIPOC Advisory Board, and one of its functions was to 13 provide recommendations to the school committee regarding 14 the anti-racist policy. Is that correct? 15 A. Yes. 16 Q. Do you also know if -- if any school committee 17 members -- I'm sorry -- if any members of the BIPOC 18 Advisory Board also served as members of the policy 19 subcommittee? 20 A. Yes. 21 Q. So is it true then that members of the BIPOC 22 Advisory Board were also voting members of the policy 23 subcommittee? 24 A. They were, yes. 25 Q. What's the function of the policy subcommittee?
Page 36 1 A. The policy subcommittee reviews our district 2 policies and/or they have -- they can make a 3 recommendation to create a new policy, and they work with 4 our legal team to put that together. And they make a 5 recommendation to the full body, the full school committee 6 body. And then the full committee body then does its own 7 procedural and determines whether they will adopt it or 8 not. 9 Q. Got it. If a policy -- if a subcommittee is 10 established by the school committee to assist it in the 11 completion of its business and to make recommendations on 12 various school policies, that sounds very similar to the 13 function of the BIPOC Advisory Board. Is that an accurate 14 statement? 15 MS. CARRENO: Objection. 16 THE WITNESS: No. 17 BY MR. RICHES: 18 Q. Is it correct that you testified earlier that one 19 of the functions of the BIPOC Advisory Board was to assist 20 the school committee in implementing anti-racist policies? 21 MS. CARRENO: Objection. 22 THE WITNESS: To give their perspective, 23 yes. 24 BY MR. RICHES: 25 Q. And the purpose of the subcommittee is to assist	Page 37 1 the school committee on various issues, including making 2 recommendations to the school committee. Is that correct? 3 A. Yes. But it's not from their personal 4 perspective, it's through policy and general law. 5 And members of the school committee actually sit on the 6 subcommittees. 7 Q. Why not just establish the BIPOC Advisory Board 8 as a subcommittee? 9 A. I have no idea. I wasn't involved in that 10 determination at that point. 11 Q. Do you know if anybody ever made that 12 recommendation? 13 A. I have no -- I have no idea. 14 MR. RICHES: Okay. All right. We can mark 15 the next exhibit, SKSD.00169. 16 (Deposition Exhibit 7 was marked for 17 identification.) 18 BY MR. RICHES: 19 Q. Okay. Do you see Exhibit 7 on your screen, 20 ma'am? 21 A. I do. 22 Q. And do you recognize this document? 23 A. I recognize that as one of our meeting minutes, 24 yes. 25 Q. And it looks like it's meetings minutes from

Page 42 1 would constitute a quorum of the school committee. So 2 we're limited to one, two, or three. 3 Q. Why would it be significant if it constituted a 4 quorum of the school committee? 5 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. 9 Q. Do you know how members of the subcommittee are 10 appointed? 11 A. Members of our subcommittees are appointed by the 12 chair of our school committee. 13 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. 16 So the member -- the members of the 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	Page 43 1 are they voted on by the full school committee? 2 A. They are officially appointed by the chair. 3 They -- they are -- they are looked at by the full school 4 committee -- again, we give our -- we may give our 5 opinion, but it is a chair position appointment. 6 Q. Would the school committee ever vote to add a 7 member to the policy subcommittee? 8 A. Would a school committee vote to add a member? 9 Not to my knowledge. 10 Q. So to your knowledge, the chair can, in his or 11 her own discretion, appoint community members to the 12 policy subcommittee. Is that correct? 13 A. That is -- that is the intention, if I'm not 14 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 17 policy committee? 18 MS. CARRENO: Objection. 19 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? 23 MS. CARRENO: Objection. 24 THE WITNESS: Yes, it is aware of the work 25 of the policy subcommittee.
Page 44 1 BY MR. RICHES: 2 Q. How is it that the school committee is made aware 3 of the policy subcommittee's work? 4 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. 7 Q. And what's -- how does that process work? 8 A. It's a simple report out at a public meeting. 9 Q. 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. 14 (An off-the-record discussion ensued.) 15 BY MR. RICHES: 16 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? 19 A. To my -- to my knowledge, there's no -- there's 20 no predetermined frequency. 21 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	Page 45 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? 4 MS. CARRENO: Objection. 5 THE WITNESS: I do. 6 BY MR. RICHES: 7 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? 12 A. I was not a member of the policy subcommittee, so 13 I was not aware of what they were doing until they came 14 and presented to us at the full body. 15 Q. When you say "they," do you mean the policy 16 subcommittee? 17 A. Correct. 18 MR. RICHES: All right. Let's look at the 19 next exhibit. All right. Jerry, can we mark Defendant's 20 00863? 21 (Deposition Exhibit 9 was marked for 22 identification.) 23 BY MR. RICHES: 24 Q. Do you see Exhibit 9 on your screen? 25 A. I do.

Page 50 1 might review other people's -- other school districts' 2 policies, and our legal team might bring forward other 3 districts' policies to review at the subcommittee for 4 discussion. 5 BY MR. RICHES: 6 Q. What about a member of the community, like 7 Ms. Wildman, communicating directly with school committee 8 members to get an item agendized for discussion in the 9 policy subcommittee, is that unusual? 10 MS. CARRENO: Objection. 11 THE WITNESS: It's not unusual to make a 12 suggestion. We have other subcommittees where community 13 members -- again, they get to -- they have -- they are 14 part of our public meetings. They can make community 15 comment. They can email us at any time. They can make 16 suggestions. That part is not unusual. 17 BY MR. RICHES: 18 Q. What's the unusual part? 19 MS. CARRENO: Objection. 20 THE WITNESS: It's unusual that they created 21 a draft policy and then it was brought forward. 22 BY MR. RICHES: 23 Q. In your seven years on the school committee, have 24 you ever seen another instance in which a community group 25 created a draft policy that was then agendized on the	Page 51 1 policy subcommittee's agenda? 2 A. Not to my knowledge. 3 MR. RICHES: All right. We're at about an 4 hour. Why don't take -- if it works for everybody -- a 5 ten-minute break? 6 MS. CARRENO: Sure. 7 (A recess ensued.) 8 BY MR. RICHES: 9 Q. I'm going to try and share my screen again. 10 All right. Can you see the document I just 11 shared, ma'am? 12 A. I can, yes. 13 MR. RICHES: Jerry, could we mark the next 14 exhibit, SKSD.00233. 15 (Deposition Exhibit 11 was marked for 16 identification.) 17 BY MR. RICHES: 18 Q. All right. Do you recognize Exhibit 11? 19 A. I recognize it as -- it's stated as South 20 Kingstown school policy subcommittee meeting minutes 21 document. 22 Q. And do you see that these are meeting minutes 23 from January 7th, 2021? 24 A. I do. 25 Q. Do you recall from your earlier testimony that
Page 52 1 this was the school committee -- I'm sorry -- the policy 2 subcommittee meeting at which the director of curriculum 3 was going to agendize the anti-racism policy that 4 Ms. Wildman had sent to her? 5 A. I do, yes. 6 Q. I'm want to draw your attention to item 4. Do 7 you see that where it's discussing the staff-to-staff, 8 student-to-student racism policy? 9 A. I do see that, yes. 10 Q. And it looks like there's been a presentation by 11 the BIPOC Advisory Board. Is that your understanding? 12 A. That is what it demonstrates, yes. 13 Q. And then the minutes go on to reflect that Robin 14 Wildman shared the draft policy and the rationale behind 15 it. Do you see that? 16 A. I do see that. 17 Q. Is it your understanding that this draft policy 18 that's referenced here is the same one that Ms. Wildman 19 had previously emailed to you and the other school 20 committee members? 21 MS. CARRENO: Objection. 22 THE WITNESS: That's an assumption I would 23 make from what you presented so far, yes. 24 BY MR. RICHES: 25 Q. And is it your understanding that the BIPOC	Page 53 1 Advisory Board is the entity that drafted that racism 2 policy? 3 A. According to the email stream you shared already, 4 yes. 5 Q. There's two other items reflected here in the 6 minutes. 3(a), where it discusses a coach hiring policy. 7 Do you see that? 8 A. I do. 9 Q. Do you know if the BIPOC Advisory Board also made 10 recommendations to the policy subcommittee regarding the 11 coach hiring policy? 12 A. I don't know that. 13 Q. Item B discusses a suspension policy, and the 14 minutes reflect that a "Recommendation was made for all 15 building principals to meet with BIPOC to address 16 questions still outstanding." Do you see that? 17 A. I see that, yes. 18 Q. Do you know if the BIPOC Advisory Board made 19 recommendations to the policy subcommittee regarding 20 school suspension policies? 21 A. I do not know that information. 22 Q. Do you know what it means when the minutes 23 reflect that all building principals are to meet with 24 BIPOC to address questions still outstanding? 25 A. I personally do not know what that means.

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1 MR. RICHES: All right. Jerry, if we could
2 mark the next exhibit, SKSD.00096.
3 (Deposition Exhibit 12 was marked for
4 identification.)
5 BY MR. RICHES:
6 Q. Do you see Exhibit 12 on your screen?
7 A. I do.
8 Q. And this appears to be minutes of the school
9 committee from February 9, 2021. Is that correct?
10 A. That is correct.
11 Q. And you're reflected here as an attendee -- a
12 voting attendee at that meeting?
13 A. Yes.
14 Q. Let's see here. I want to draw your attention to
15 item 11. Do you see item 11 where it says, "move to
16 appoint a third seat for the policy subcommittee and BIPOC
17 Advisory"?
18 A. I do see that.
19 Q. What's your understanding of what that action
20 item was?
21 A. My understanding would be that we directed the
22 chair at the time to appoint a third seat for the policy
23 subcommittee and BIPOC advisory.
24 Q. Does that mean that the school committee directed
25 the chair to appoint a member of the BIPOC Advisory Board

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1 it. Do you know why that's the case?
2 A. Why -- why this was on the agenda? I do not know
3 as far as the appointment. It -- it would be the chair
4 who does this, this action. So it's a -- it's a -- it
5 really is a direction to the chair to create that third
6 seat.
7 Q. Okay. Well, the minutes reflect that the motion
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
10 that way?
11 A. I read that. But our bylaws -- we act based on
12 our bylaws.
13 Q. Okay. During your time on the school committee,
14 do you recall any other instance in which the school
15 committee appointed an additional person to the policy
16 subcommittee?
17 A. Specifically to the policy subcommittee?
18 Q. Correct.
19 A. The membership of our subcommittees changes
20 often. We often do vote to expand or add depending on if
21 somebody departs. We don't necessarily specify who that
22 person is. We may say that -- and I'm only reflecting to
23 a recent meeting -- we may say we need another community
24 member to be part of that committee, but we don't dictate
25 who it is.

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1 to the policy subcommittee?
2 A. Just from reading that, I'm just seeing a third
3 seat for the policy subcommittee. I'm trying to recall
4 the details behind it, but it was a while ago.
5 Q. Okay. Does this -- to the best of your
6 recollection, does this mean that the school committee
7 moved to appoint a BIPOC Advisory Board member to the
8 policy subcommittee or that the school committee just
9 added a third seat to the policy subcommittee?
10 MS. CARRENO: Objection.
11 THE WITNESS: If I'm -- from what I'm seeing
12 here, it would be a BIPOC advisory third seat to the
13 subcommittee.
14 BY MR. RICHES:
15 Q. So is it your understanding then that the school
16 committee voted that a member of the BIPOC Advisory Board
17 would also be on the policy subcommittee and occupy a
18 third seat on the policy committee?
19 A. That is my understanding of this, yes.
20 Q. I think you testified earlier that the school
21 committee chair is the entity that's responsible for
22 appointing community members to the policy subcommittee.
23 Is that correct?
24 A. That is correct, yes.
25 Q. But here the full school committee is voting on

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1 Q. Okay. During your time on the school committee,
2 do you recollect another instance in which the school
3 committee appointed a member from a community advisory
4 group to the policy subcommittee?
5 A. Not to my knowledge.
6 Q. Do you have any recollection of why it was the
7 school committee added a third seat to the policy
8 subcommittee from the BIPOC Advisory Board?
9 A. At this point in time, I do not recall.
10 MR. RICHES: Okay. Jerry, if we could mark
11 the next exhibit as SKSD.00022.
12 (Deposition Exhibit 13 was marked for
13 identification.)
14 BY MR. RICHES:
15 Q. Do you see Exhibit 13 on your screen?
16 A. I do.
17 Q. Do you recognize this document?
18 A. I recognize it only in that you're showing it and
19 I'm reading what it is, but I've never seen it before.
20 Q. What does it appear to be?
21 A. It appears to be an RFP for professional
22 development of nonviolence conflict reconciliation with
23 Nonviolent Schools Rhode Island; contact person, Robin
24 Wildman.
25 Q. What's an RFP?

Page 62 1 various activities for the school committee prior to this 2 RFP being submitted? 3 A. That would be my assumption, yes, based on the 4 date of this. 5 Q. Is it unusual to have a service provider perform 6 functions for a school district prior to an RFP being 7 awarded? 8 MS. CARRERO: Objection. 9 THE WITNESS: Can you repeat that? 10 BY MR. RICHES: 11 Q. Yeah. Is it unusual for a service provider to 12 provide services to the district prior to an RFP being 13 awarded? 14 A. I -- I wouldn't be able to speak to how usual or 15 unusual it is. This -- We obviously had interacted with 16 these people prior to this particular service that this 17 RFP is surrounded by -- or surrounding, I should say. 18 Q. Okay. In this RFP, Ms. Wildman goes on to 19 identify the members of the BIPOC Advisory Board. Do you 20 see that? 21 A. I do. 22 Q. Did the school committee ever have any role in 23 selecting members of the BIPOC Advisory Board? 24 A. Not to my knowledge. 25 Q. Okay. Let's see here.	Page 63 1 One of the services identified in this RFP 2 is continued facilitation of the weekly meetings to revise 3 and edit all policies that should reflect an anti-racism 4 lens. Do you see that? 5 A. I do see that. 6 Q. Was it your understanding that the BIPOC Advisory 7 Board, one of its functions was to revise and edit all 8 school policies to reflect an anti-racism lens? 9 A. That was not my understanding, no. 10 Q. What was your understanding? 11 A. My understanding would be that they would give 12 their perspective while reviewing certain policies and 13 things that were discussed at their board meetings. 14 MR. RICHES: Okay. All right. If we can 15 mark the next exhibit, SKSD.00002. 16 (Deposition Exhibit 14 was marked for 17 identification.) 18 BY MR. RICHES: 19 Q. All right. Do you see Exhibit 14 on your screen? 20 A. I do. 21 Q. And do you recognize this document? 22 A. I've never seen it before it was displayed here. 23 Q. This is the first time you've seen this? 24 A. I'm sorry. It was part of what my -- the lawyer 25 shared with me, and I read it like an hour before here,
Page 64 1 before this started. But yes, today is the first time 2 I've seen this. 3 Q. Okay. So you saw this -- this document an hour 4 before you started your deposition. Is that correct? 5 A. Yes. 6 Q. And that was the first time you'd seen it? 7 A. Correct. 8 Q. Okay. What do you recognize this document to be? 9 A. As I'm reading it, I see that it's an agreement 10 between Nonviolent Schools RI and the South Kingstown 11 School Department. 12 Q. Okay. And the document appears to be an 13 agreement between Robin Wildman and the South Kingstown 14 School Department. Do you see that? 15 A. I do. 16 Q. Do you recognize the signature for the South 17 Kingstown School Department? 18 A. I do. 19 Q. And who is that? 20 A. Linda -- excuse me -- Linda Savastano. 21 Q. Did -- Was it your understanding that Linda 22 Savastano had authority to enter into vendor agreements of 23 this sort? 24 A. It would depend on the cost. If it was below our 25 cutoff, she could sign her name. If it was above the	Page 65 1 cutoff, she would have to bring that to school committee. 2 Q. Okay. Do you know if the school committee ever 3 received this contract? 4 A. I personally have never seen this contract 5 before. 6 Q. And again, it appears to be -- it appears to be 7 dated March 24th, 2021. Is that correct? 8 A. That is what I'm seeing, yes. 9 Q. And the BIPOC Advisory Board was created all the 10 way back -- let's see -- the BIPOC Advisory Board was 11 created and approved by the school committee on July 22nd, 12 2020. Is that correct? 13 A. That is correct. 14 Q. Why would we have a contract for services between 15 the school district and a vendor several months after 16 those services are purportedly -- or have purportedly been 17 performed? 18 A. My understanding is -- just from reading what you 19 put in front of me is -- maybe this is not -- maybe I'm 20 confusing this with Exhibit 13. 21 Q. This is the -- this is the contract itself. So 22 this would be the approval of the school district for the 23 services to which the RFP was submitted. 24 A. So if it's related to Exhibit 13, the RFP, then 25 my understanding would -- just from reading -- seeing

Page 74 1 antiracism/anti-discrimination policy that Ms. Wildman 2 indicated the BIPOC Advisory Board had drafted? 3 A. I have no knowledge of that, no. 4 Q. Do you know if the BIPOC Advisory Board drafted 5 an anti-racism/anti-discrimination policy that was subject 6 to this -- to this agenda item? 7 A. I -- I'm not familiar with this meeting or 8 agenda, so I don't know. 9 Q. And it appears as though a motion was made to 10 recommend the antiracism, anti-discrimination, and 11 anti-harassment policy to the school committee. Do you 12 see that? 13 A. I do, yes. 14 Q. Okay. Are you aware of any revisions that may 15 have been made to the antiracism/anti-discrimination 16 policy that the policy subcommittee previously considered 17 in January of 2021? 18 MS. CARRENO: Objection. 19 THE WITNESS: In relation to this particular 20 meeting and this particular draft? 21 MR. RICHES: Correct. 22 THE WITNESS: I have no information about 23 it. 24 BY MR. RICHES: 25 Q. I want to show you a document after we get it	Page 75 1 marked. 2 MR. RICHES: Jerry, could we mark 3 Defendant's 09744? 4 (Deposition Exhibit 16 was marked for 5 identification.) 6 BY MR. RICHES: 7 Q. Do you see Exhibit 16 on your screen? 8 A. I do. 9 Q. This is the antiracism/anti-discrimination policy 10 that the policy subcommittee recommended to the school 11 committee. Do you recognize this document? 12 A. I do. 13 Q. And have you seen it before? 14 A. I don't know if it was this exact draft, but one 15 similar to it was brought in front of the full school 16 committee. 17 Q. And do you remember the full school committee 18 considering this policy? 19 A. I do. 20 Q. Do you know if the school committee made any 21 revisions to the anti-racism policy that the policy 22 subcommittee recommended to the school committee? 23 A. We revised this, yes. This particular draft did 24 not -- did not -- is not our standing policy at the 25 moment.
Page 76 1 Q. Do you know what revisions were made? 2 A. There were multiple revisions. 3 Q. Do you recall -- do you recall what those were? 4 A. We have since removed any reference to the BIPOC 5 Advisory Board. Basically, it was not -- it wasn't 6 specific to any one entity. It was a matter of pulling 7 out of district policy reference to a specific group or 8 organization because it's policy. So that can change over 9 time. And the idea behind it is we don't want to -- we 10 weren't interested in specifying because organizations 11 change over time. So the policy needed to be more general 12 and not specific. 13 Q. Okay. Let's see if maybe we can -- let's see if 14 we can discuss that with more specificity. 15 MR. RICHES: Jerry, could you mark 16 SKSD.00267? 17 (Deposition Exhibit 17 was marked for 18 identification.) 19 BY MR. RICHES: 20 Q. Okay. Do you see Exhibit 17, ma'am? 21 A. I do. 22 Q. And these are minutes of the South Kingstown 23 school committee from December 14, 2021. Is that correct? 24 A. That is correct. 25 Q. And you're identified as an attendee at that	Page 77 1 meeting? 2 A. I am, yes. 3 Q. I would like to draw your attention to item 4 number 2. Do you see that? 5 A. I do. 6 Q. And there's a motion to approve the antiracism, 7 anti-discrimination, and anti-harassment policy. Is that 8 correct? 9 A. That is correct. 10 Q. Do you remember this motion? 11 A. I do. 12 Q. Do you remember voting in favor of it? 13 A. I do. 14 Q. And do you remember reviewing the antiracism, 15 and-discrimination, and anti-harassment policy that's the 16 subject of this motion? 17 A. I do. It's a different version than what you 18 just showed. 19 Q. So in -- December 14th -- 20 A. Yes. 21 Q. December 14th, 2021, were revisions made to the 22 antiracism policy that the policy committee forwarded to 23 the school committee? 24 A. There were -- yes. Because our current policy 25 was adopted on December 14th, 2021, and it's different

Page 78	Page 79
1 than the draft that you just showed in Exhibit 16. 2 Q. Is that the only -- How were those revisions 3 made? 4 A. They were made in policy subcommittee, to my 5 knowledge. 6 Q. In the policy subcommittee? 7 A. I believe so, yes. They would have had to in 8 order to come in front of the full committee. 9 Q. Okay. Did the school committee have any 10 authority to make revisions on its own or under any other 11 process? 12 A. Not on the fly like that, no. It has to -- it 13 went through policy and came back to us. We -- we voted 14 to send -- at some point prior to this approval, we voted 15 to send it back to policy and make more revisions, and it 16 came back to us. So our current policy is published on 17 our district policy repository, and it's different than 18 what you were showing. 19 Q. Okay. Did the, to your knowledge, school 20 committee make any revisions subsequent to December 14th, 21 2021 to the anti-racism policy? 22 A. Like, since then? 23 Q. Yes. 24 A. No. It's -- it has -- the date stamp, I believe, 25 is adopted December 14th. And then -- I can't remember	1 the word -- that's when it was revised and adopted. 2 MR. RICHES: Okay. All right. Jerry, could 3 we mark Defendant's 09757? 4 (Deposition Exhibit 18 was marked for 5 identification.) 6 BY MR. RICHES: 7 Q. Do you recognize Exhibit 18? 8 A. I see it as a version or a draft of our 9 antiracism/anti-discrimination/anti-harassment policy. 10 But it doesn't have a date stamp on it, so I don't know 11 what draft this is. 12 Q. Okay. Do you know if this -- does this appear to 13 be a final approved policy that the school committee 14 approved? 15 A. If you can keep going down -- policy, 16 communications -- this -- keep going -- district -- yeah, 17 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 19 version or draft this one is, but it is not the one that 20 is currently our district policy. 21 Q. Okay. According to the documents we received, 22 this was the policy that was approved on December 14th -- 23 A. Can you scroll up just a smidge? 24 Q. Sure. 25 A. A little bit more to A there. Go up a little
Page 80	Page 81
1 further -- shall implement -- my understanding -- my 2 understanding is that -- maybe -- we -- my understanding 3 is we pulled out that we were explicit in "shall implement 4 Kingian nonviolence" because it was a specific program 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. 7 But my recollection of our policy is that 8 there is not a specific program that's specified. We 9 refer to Kingian nonviolence to say such as, but my 10 understanding is that we did not specify. 11 Q. Okay. 12 A. I don't have it memorized word for word. But, 13 like, see how in B it says -- yeah, don't have reference 14 to BIPOC Advisory Board overseeing our -- in our current 15 December 14th. 16 Q. Okay. So let me just make sure I understand 17 this, then. 18 So I understood from the documents we 19 received that this was the policy that the school 20 committee approved on December 14th, 2021. If you look at 21 subsection C where it says, "Each school shall organize a 22 standing social justice and equity committee" -- do you 23 see that? 24 A. I do. 25 Q. And this committee consists of students,	1 faculty/staff, stakeholders and members of the BIPOC 2 Advisory Board. 3 Is it your understanding that this provision 4 was part of the policy that was approved by the school 5 committee on December 14th, 2021? 6 A. This is -- 7 MS. CARRENO: Objection. 8 THE WITNESS: This is my understanding, yes. 9 BY MR. RICHES: 10 Q. That the school committee approved this? 11 A. No, no. We did not -- we removed -- before 12 approving the final approval, we removed reference to 13 specific boards and programs outside of using them as an 14 example. My understanding is BIPOC Advisory Board is not 15 in our current policy. 16 Q. Okay. And so it's your understanding that 17 there's no reference to the BIPOC Advisory Board in the 18 school committee's current anti-racism policy -- 19 A. I believe so. 20 (An off-the-record discussion ensued.) 21 BY MR. RICHES: 22 Q. Are you aware of any revisions being made to the 23 anti-racism policy after December 14th, 2021? 24 A. Not that I'm aware of. If that's our final 25 policy that's posted on our board docs policy repository,

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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. 5 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. 19 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: 24 Q. Do you recognize Exhibit 20? 25 A. I see this as Appointment and Hiring Policy, yes.	1 Q. Do you know if this was the same appointment and 2 hiring policy that the subcommittee forwarded for the 3 school committee's consideration? 4 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. 7 Q. Does reviewing it help refresh your recollection 8 at all? 9 A. Again, I've seen this. Whether it's a draft or 10 the final policy, I'm not fully certain. 11 Q. Do you know what role the BIPOC Advisory Board 12 had in drafting or editing this policy? 13 A. This particular version, I do not know. 14 MR. RICHES: Okay. Jerry, if we could mark 15 SKSD.00217. 16 (Deposition Exhibit 21 was marked for 17 identification.) 18 BY MR. RICHES: 19 Q. Do you recognize Exhibit 21? 20 A. I do. 21 Q. And these appear to be minutes from the school 22 committee meeting on August 23rd, 2022. Is that correct? 23 A. That's correct. 24 Q. And you're an attendee at that meeting. Is that 25 correct?
Page 88	Page 89
1 A. That is correct. 2 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? 6 A. I do. 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. 21 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 --	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. 5 Q. Do you remember what those were? 6 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 9 then a reference to race as part of the interview 10 committee. Because you can't -- we couldn't -- we can't 11 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 15 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. 24 Q. Okay. So the policy that was ultimately approved 25 by the school committee removed a requirement for

Page 90 1 race-based percentage of interviewers. Is that correct? 2 A. Correct. 3 Q. Okay. Do you know if Nicole Solas ever requested 4 to observe meetings of the BIPOC Advisory Board? 5 A. I have no idea outside of -- I'm not -- I was not 6 part of that advisory board or the leadership of it, so I 7 don't know what Nicole Solas did. 8 Q. In your capacity as a school committee member, 9 have you ever received information about Nicole Solas 10 asking to observe meetings of the BIPOC Advisory Board? 11 A. I have no -- I have no recollection of that. 12 Since we don't -- we don't -- we're not in charge of who's 13 on the board, so . . . 14 Q. Do you -- are you aware of any other members of 15 the public asking to observe meetings of the BIPOC 16 Advisory Board? 17 A. Observe meetings, I -- no, I have no knowledge of 18 any of that. 19 MR. RICHES: Okay. I want to mark the next 20 exhibit in order. Jerry, could we mark Defendant's 07916. 21 (Deposition Exhibit 22 was marked for 22 identification.) 23 BY MR. RICHES: 24 Q. Do you see Exhibit 22 on your screen? 25 A. I do.	Page 91 1 Q. It's an email string from Sarah Markey in July 2 2021 and various other individuals. Who's Sarah Markey? 3 A. Sarah Markey was a member of our school 4 committee. I think at one point she was our vice chair, I 5 believe so. Yes, she was our vice chair at some point. 6 Q. Who's Paula Whitford? 7 A. Paula Whitford is a member of our school 8 committee. 9 Q. I want to scroll down to this email from Nicole 10 Solas on May 20, 2021. And she's informing the recipients 11 that the BIPOC advisory committee met secretly and that 12 the meetings were never open and the public was never 13 notified. Do you see that? 14 A. I see that, yes. 15 Q. She goes on to write that "I asked Wildman to 16 open meetings and her answer was no." Do you see that? 17 A. I do. 18 Q. And then she goes on to state that Linda 19 Savastano directed her to Nonviolent Schools Rhode Island 20 to obtain public information about what she characterizes 21 as this public body or the BIPOC Advisory Board. Do you 22 see that? 23 A. I do. 24 Q. Do you recall Ms. Solas seeking public -- seeking 25 public records about the BIPOC Advisory Board?
Page 92 1 MS. CARRENO: Objection. 2 THE WITNESS: I personally don't recall. 3 I'm familiar with Ms. Solas and some of the public 4 statements she's made. But I personally do not recall any 5 of this. I, again, wasn't part of the advisory board, not 6 connected with Wildman, and I don't -- I don't recall any 7 of this. 8 BY MR. RICHES: 9 Q. Do you have any recollection of Linda Savastano 10 directing Ms. Solas to Robin Wildman to request to attend 11 meetings of the BIPOC Advisory Board? 12 A. I have no information about that. I wouldn't 13 know. 14 Q. Do you know if the school committee would have 15 the authority to authorize members of the public to attend 16 meetings of the BIPOC Advisory Board? 17 A. I -- it's -- I mean, my -- it's not a -- it's not 18 a South Kingstown school committee entity. We -- I 19 don't -- I don't see where we could -- we could dictate 20 that. 21 Q. Do you feel that members of the public -- knowing 22 what you know now, that the BIPOC Advisory Board was 23 funded by the district and that its function was to make 24 recommendations to the district about district policies, 25 do you feel like members of the public should have an	Page 93 1 opportunity to observe the discussion of the BIPOC 2 Advisory Board regarding those policies? 3 MS. CARRENO: Objection. 4 THE WITNESS: I mean, you're asking me my 5 personal sentiment on it? Sure, yes. 6 BY MR. RICHES: 7 Q. Are you concerned that members of the public were 8 not allowed to observe meetings of the BIPOC Advisory 9 Board? 10 MS. CARRENO: Objection. 11 THE WITNESS: Am I concerned? I would say 12 yes, that's concerning. 13 BY MR. RICHES: 14 Q. Do you think members of the public should have 15 been allowed to attend meetings of the BIPOC Advisory 16 Board? 17 MS. CARRENO: Objection. 18 THE WITNESS: I would say yes, they should 19 have been allowed to, yes. 20 BY MR. RICHES: 21 Q. And why is that? 22 MS. CARRENO: Objection. 23 THE WITNESS: It's supposedly a public 24 group, so I would assume the public should be privy to the 25 discussion.

Exhibit C

**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
Marianne 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



1. 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

**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

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

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 what students 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 graduate, 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 Sperdelozzi 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. Sperdelozzi 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. Sperdelozzi 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.

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 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.

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 in, 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
Vote: 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: Emily Cumiskey
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).

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

Ms. Cumiskey 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.

MSV (9) move to create a plan to ensure 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 Superintendent would review documents and that contracts would have to be negotiated and brought back to the Committee if there is an issue.

H. Discussion / Action: Creation of plan to ensure the public data sharing (1) discipline data (all incidents, all grade levels), (2) workforce (including coaches), and (3) programs (AP, honors and dual language immersion)

MSV (10) move to create a plan to ensure public data sharing for discipline data, workforce, and programs.

Motion made by: Sarah Markey

Motion seconded by: Emily Cummiskey

Vote: Unanimously Approved

Ms. Collins spoke about privilege and the DLI program. Ms. Brousseau asked if any student was allowed to take an AP or honors course if they wanted. Dr. McGair confirmed that they could.

Ms. Cummiskey suggested we create a tab on the district website about the work being done on antiracism so that it is easy for the community to find the information.

I. Discussion / Action: Creation of equity & 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 Cummiskey

Vote: Unanimously Approved

Ms. Markey asked who would be on the advisory board. Ms. Macinanti asked if Ms. Wildman would be a paid consultant or a volunteer. Attorney Henneous stated it was his understanding it would be a volunteer position; and if paid, he would have to look at it closely. Ms. Markey stated that Robin and Jonathan would set up the structure, member, and process and then get compensated.

Robin Wildman advised that they want to center the advisory board around the experts and experiences of the BIPOC community. She noted that students are on the list as well.

J. Discussion: Student Resource Officer Agreement

Ms. Savastano advised that this is an agreement that she has used with our SROs since she has arrived; and that you need to have an understanding of their roles.

Ms. Macinanti commented that the SRO position has evolved. She quested if we have data from our school district demonstrating positive/negative interactions of SROs past and current? She stated that she has witnessed students approaching SROs in a happy manner; and that she wants to make sure that we are making data-driven decisions. She also stated that she is not discounting anyone's decision.

Ms. Canter stated that if the underlying 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 are data points.

Ms. Cummiskey stated that it is a conversation 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 forward we will be managing our own substitutes, as last year we paid an agency and the substitutes were receiving only a portion of the pay. She advised that the rate would increase to \$100.00 per day. Ms. Savastano also advised that she would increase the hourly rate for TA, clerical subs, and school nurse teachers.

MSV (12) move to increase the substitute 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

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.

6. Adjournment

A. Adjourn

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

Motion made by: Jacy Northup

Motion seconded by: Sarah Markey

Vote: Unanimously Approved

Exhibit D

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

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1	STATE OF RHODE ISLAND,	SUPERIOR COURT
2	PROVIDENCE, SC.	
3	NICOLE SOLAS,	)
4	Plaintiff,	)
5	vs.	) C.A. No.
6	SOUTH KINGSTOWN SCHOOL COMMITTEE,	) PC-2022-04727
7	Defendants.	)
8		

9
10 VIDEOTAPED DEPOSITION OF ROBIN WILDMAN

11 West Kingston, Rhode Island

12 September 29, 2023

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23 Prepared by:

24 Gerard T. Coash, RPR, RMR
25 Certified Reporter
Certification No. 50503

**CERTIFIED
TRANSCRIPT**

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

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1 provided to you by -- by some other organization? 2 A. So as I mentioned before, Bernard Lafayette 3 created the modules. And then with his help, I adapted 4 some of them so that they would be applicable to 5 educators. But for the most part, it goes along with the 6 training program that he's created and has taught 7 basically internationally. 8 Q. Were you previously employed by the South 9 Kingstown School District? 10 A. Yes. 11 Q. In what capacity? 12 A. I was a fifth grade teacher. 13 Q. What period of time were you a fifth grade 14 teacher for? 15 A. 25 of my 28-year career. 16 Q. You were a teacher for 28 years? 17 A. Yes. 18 Q. Was that whole time spent within the South 19 Kingstown School District? 20 A. Yes. 21 Q. How did your employment end? 22 A. I retired in 2019. 23 Q. And then when did you become the executive 24 director of Nonviolent Schools Rhode Island? 25 A. That was in 2000 -- well, we started in 2017.	1 (Deposition Exhibit 1 was marked for 2 identification.) 3 BY MR. RICHES: 4 Q. Ms. Wildman, I'm showing you meeting minutes of 5 the South Kingstown School Committee meeting from 6 June 23rd, 2020. Do you recall -- do you recall attending 7 a meeting of the South Kingstown School District on that 8 date? 9 A. I -- I couldn't say the date is correct, but I 10 have attended school committee meetings. 11 Q. This was a meeting at which you presented, during 12 a work session, regarding Nonviolent Schools Rhode Island, 13 and maybe some services that could be provided by that 14 organization to the school committee. Do you remember 15 that? 16 A. Yes. 17 Q. Do you recall how -- if you were invited to that 18 meeting? 19 A. I couldn't exactly say how I was invited. Like, 20 are you asking by email or conver- -- 21 Q. Were there -- were there school officials who 22 contacted you and asked you to present at this meeting? 23 A. I'm sure there were, yes. 24 Q. Do you have a recollection as to who -- who those 25 were?
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1 But we became a 501(c)(3) in 2018. 2 Q. So you started the organization and received its 3 501(c)(3) status while you were still employed with the 4 South Kingstown School District? 5 A. Yes. 6 Q. I want to ask you about the creation of the BIPOC 7 Advisory Board. When I say BIPOC Advisory Board, do you 8 know what I'm referring to? 9 A. Yes. 10 Q. And what's your understanding of that? 11 A. Of the creation of it? 12 Q. Of the BIPOC Advisory Board. What is that? 13 A. That was -- it started as a committee, I guess. 14 I don't know -- no, task force we called it -- to process 15 the feelings and opinions and experiences of BIPOC 16 residents. 17 And we had a couple of educators from the 18 district, and students, so that we could bring forward to 19 the school committee the experiences that people were 20 having in the district. 21 MR. RICHES: Jerry, if we could -- see if I 22 can share my screen here. There we go. 23 (An off-the-record discussion ensued.) 24 MR. RICHES: I'd like to mark this as the 25 first exhibit. It's Bates stamped SKSD.00080.	1 A. I don't, sorry. 2 Q. Did you -- do you recall reaching out yourself to 3 any school officials and asking to present at this 4 meeting? 5 A. I don't recall, no. 6 Q. It looks like you made a presentation with 7 Dr. Robert Hicks. Who's that? 8 A. He -- Dr. Hicks is a former superintendent for 9 South Kingstown School District. Not the one before 10 Superintendent Savastano, but the one before that, I 11 believe. So yeah. 12 Q. It looks like from these minutes you explained a 13 two-tier approach for change. Do you remember doing that? 14 A. Yes. 15 Q. What were you referring to when you referred to a 16 two-tier approach for change? 17 A. I was referring to working on, like I said 18 before, this idea of conflict and how to address conflict 19 amongst students, staff, teachers, leadership, and hoping 20 to be -- I'm looking for a word -- a conduit for people to 21 learn those important skills. 22 Q. What's -- what's the two tiers? Is there -- is 23 there a difference between one tier and another, and if 24 so, what's -- 25 A. Yes.

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

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Page 30 1 BY MR. RICHES: 2 Q. What were those? 3 A. We had offered to do some of those teacher 4 trainings that I mentioned earlier. We offered to do some 5 workshops for the school committee. We offered to do book 6 clubs for teachers. And quite a few of those, almost 7 nearly all of them, we never had the opportunity to 8 proceed with. 9 Q. Do you recall the school committee formally 10 approving the BIPOC Advisory Board? 11 A. Yes. 12 MS. SOUSA: Objection. 13 MS. CARRENO: Objection. 14 MS. SOUSA: Theresa objected. 15 MS. CARRENO: As did Deidre. 16 BY MR. RICHES: 17 Q. What's your understanding of what action the 18 school committee took on July 22nd, 2020 to approve or 19 create the BIPOC Advisory Board? 20 A. What do you mean by action? 21 Q. What -- what official -- do you recall the school 22 committee taking any official action with respect to the 23 creation of the BIPOC Advisory Board? 24 MS. CARRENO: Objection. Deidre. 25 THE WITNESS: I still am not sure what you	Page 32 1 (Deposition Exhibit 4 was marked for 2 identification.) 3 BY MR. RICHES: 4 Q. Okay. Do you see on your screen, Ms. Wildman, 5 the highlighted portion of the document which is 6 identified as agenda item 11, "move to create an equity 7 and anti-racist advisory board"? 8 A. I see it. 9 Q. Is it your understanding that the school 10 committee then as part of this action created the BIPOC 11 Advisory Board? 12 A. No. 13 Q. What's your understanding of this action? 14 A. The action was that we -- that my organization 15 would recruit or request of people to join and that they 16 were approving that action on our behalf. 17 Q. Okay. Why would the school committee need to 18 approve who you would invite to join the BIPOC Advisory 19 Board? 20 MS. CARRENO: Objection. Deidre. 21 MS. SOUSA: Objection. Theresa. 22 THE WITNESS: They weren't -- they weren't 23 voting to approve that. They were voting -- in my 24 understanding, they were voting to -- to have us go 25 forward with this advisory board.
Page 31 1 mean by action. 2 MR. RICHES: Go ahead. 3 THE WITNESS: Go ahead. 4 BY MR. RICHES: 5 Q. Is it your understanding that the school 6 committee voted to create the BIPOC Advisory Board on 7 July 22nd, 2020? 8 A. I know they voted, but I don't know the date. 9 Q. What is your understanding of what they voted to 10 do with respect to the BIPOC Advisory Board? 11 A. That's a good question. 12 I think they voted to approve that 13 Nonviolent Schools Rhode Island would facilitate the 14 meetings for the advisory board. 15 Q. Why would the school committee need to vote for 16 Nonviolent Schools Rhode Island to facilitate the 17 meetings? 18 MS. SOUSA: Objection, Theresa. 19 MR. RICHES: You can go ahead and answer. 20 THE WITNESS: I don't know why they would. 21 I don't know what their proceeding responsibilities are. 22 MR. RICHES: Jerry, if we could mark the 23 next exhibit. It's not Bates stamped, but it's identified 24 as the Wednesday, July 22nd, 2020 South Kingstown School 25 Committee Business Meeting.	Page 33 1 BY MR. RICHES: 2 Q. Why is it that the school committee would need to 3 vote to have you go forward with your advisory board? 4 MS. CARRENO: Objection. Deidre. 5 MS. SOUSA: Objection. Theresa. 6 THE WITNESS: I don't know, you'd have to 7 ask them. 8 BY MR. RICHES: 9 Q. What was your understanding of your roles and 10 responsibility in being a facilitator for the BIPOC 11 Advisory Board with respect to the school committee? 12 A. So our job was to gather members, to plan 13 agendas, to set dates for meetings, to send out the Zoom 14 links, or to -- before Covid we met in person -- to secure 15 a place -- actually, I think Covid was maybe already in -- 16 happening. I don't know. And to -- to have a safe place 17 for people to be able to share their traumas and 18 experiences. 19 Q. When the school committee took this action in 20 July of 2020, what was your understanding of your 21 responsibility, if any, to the school committee? 22 A. I think I had hoped at the time, and I didn't 23 know if this would happen, is that we would -- I would be 24 able to come to the school committee and talk about what 25 we'd been doing.

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Page 34 1 Q. And what was your hope with respect to talking 2 about what you were doing was -- Let me rephrase. 3 When you say that you hoped that you could 4 come and speak to the school committee, is that on behalf 5 of the BIPOC Advisory Board? 6 A. Yes. 7 Q. And was part of your intent to provide 8 recommendations to the school committee regarding 9 anti-racist policies within the school committee? 10 A. Not at this date and at that time. 11 Q. Did that later become part of the intent of the 12 BIPOC Advisory Board? 13 MS. CARRENO: Objection. Deldra. 14 THE WITNESS: Can you repeat that? 15 BY MR. RICHES: 16 Q. Did it later become part of the intent or purpose 17 of the BIPOC Advisory Board to provide recommendations to 18 the school committee on things like anti-racist policies 19 within the school committee? 20 A. Yes. But I will also add that the 21 recommendations were just suggestions. 22 MR. RICHES: All right. All right. If we 23 can mark the next exhibit, Jerry. It's defendant's 05788. 24 (Deposition Exhibit 5 was marked for 25 identification.)	Page 36 1 Q. When you say "we," are you referring to you, 2 Sarah Markey, Stephanie Canter, and Linda Savastano? 3 A. When I said "we" about the conflict training, 4 that was Nonviolent Schools. 5 Q. When you state -- when you say "we" in this 6 email, are you referring to you and the recipients of the 7 email? 8 A. Yes. 9 Q. Do you still have a copy of the document that's 10 linked to this email? 11 A. I -- I don't know what that document is, no. 12 Q. Can you tell from the URL where that document is 13 stored? 14 A. I don't know what that means, sorry. 15 Q. You still have access to your Nonviolent Schools 16 Gmail account, I believe you testified earlier that you 17 did? 18 A. Yes, I do. 19 Q. And do you still have emails that are preserved 20 within that email account? 21 A. Yes. 22 Q. Do you know if this email was preserved in that 23 email account? 24 A. I don't know. 25 MR. RICHES: All right. Jerry, could we
Page 35 1 BY MR. RICHES: 2 Q. Ms. Wildman, do you see Exhibit 5 on your screen? 3 A. I do. 4 Q. And this looks like it's an email from you to 5 Sarah Markey, Stephanie Canter, and Linda Savastano. Do 6 you see that? 7 A. Yes. 8 Q. And in this email, you link an article or a 9 document and you say, "I came across this today. If you 10 haven't seen it, I think it speaks to the work we are 11 trying to do in SK." Do you see that? 12 A. Yes. 13 Q. Do you remember sending this email? 14 A. No. 15 Q. When you referenced SK, were you referring to 16 South Kingstown School District? 17 A. Yes. 18 Q. And you state that the document that you link 19 "speaks to the work we are trying to do." Do you see 20 that? 21 A. I do. 22 Q. What did you mean by that? 23 A. I think I meant the work of the advisory board 24 and trying to hopefully do some of this conflict 25 reconciliation training as well.	Page 37 1 mark the next exhibit, 04667? 2 (Deposition Exhibit 6 was marked for 3 identification.) 4 BY MR. RICHES: 5 Q. Okay. Do you see Exhibit 6 on your screen, 6 Ms. Wildman? 7 A. Yup. 8 Q. And this is an email from you to -- looks like 9 various school officials. Do you -- can you identify the 10 recipients of this email? 11 A. Yes. 12 Q. Who are they? 13 A. Do you want me to name them? 14 Q. You could name them and then identify what their 15 role within the school committee is. 16 A. Well, Linda Savastano is the superintendent. 17 Stephanie Canter, Sarah Markey, Kate Macinanti, Emily 18 Cumiskey, Alycia Collins, J. Northup, and M. Brousseau 19 are school committee people, and then Ginamarie Masiello 20 was the maybe director of curriculum, I think, or 21 something like that. 22 Q. So this is an email from you to the school 23 committee members and the school superintendent and who 24 you believe to be the director of curriculum. Is that 25 correct?

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1 A. Yeah. 2 Q. And it appears as though you're sending minutes 3 "from our first meeting." Is this you sending minutes 4 from the first meeting of the BIPOC Advisory Board to 5 these recipients? 6 A. Yes. That's what it says. 7 Q. Why is it that you were sending the school 8 committee minutes of the advisory board's meeting? 9 A. I thought it would be nice for them to -- to know 10 that we had had a meeting and to let them know that things 11 were moving forward, that people had come, and we were 12 starting to have some conversations. 13 Q. Why did you feel like you had to let them know 14 that? 15 A. I didn't feel like I had to. 16 Q. Why did you send the email? 17 A. As I said, I thought it would be a nice gesture 18 so they knew that we had started meeting. 19 Q. Okay. Do you still have a copy of the minutes of 20 this meeting? 21 A. Most likely somewhere on my computer, I would 22 think so. 23 MR. RICHES: Okay. Next exhibit, please, 24 Jerry. It's Defendant's 04665. 25	1 Q. Who were you -- who were you hoping they would 2 invite when you sent this email? 3 A. Mostly if they knew of any students or staff. 4 But I know that some of these folks live in town, so if 5 they knew other people that might be interested that they 6 could invite them. 7 Q. Did any school committee members ever attend a 8 BIPOC Advisory Board meeting? 9 A. No. No. Not that -- oh, actually, I think Linda 10 came to one. 11 Q. Linda Savastano came to an advisory board 12 meeting? 13 A. Yes. 14 Q. And she was the superintendent at that time? 15 A. Yes. 16 Q. How many meetings did she come to? 17 A. Just one. 18 Q. Did any other school officials attend meetings of 19 the BIPOC Advisory Board? 20 A. Not that I can recall. 21 I'm sorry, I believe Ginamarie came with her 22 on that day. 23 Q. Okay. So it's your recollection that Ginamarie 24 Masiello also attended a BIPOC Advisory Board meeting? 25 A. Yeah.
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1 (Deposition Exhibit 7 was marked for 2 identification.) 3 BY MR. RICHES: 4 Q. Okay. Ms. Wildman, do you see the email on your 5 screen? 6 A. I do. 7 Q. And this is, again, an email from you to the -- 8 to the same recipients. Do you see that? 9 A. Yup. 10 Q. And it appears as though you're inviting the 11 school committee members and superintendent and the 12 director of curriculum to -- to a BIPOC Advisory Board 13 meeting. Is that correct? 14 A. No. That is -- 15 MS. CARRENO: Objection. Deidre. 16 THE WITNESS: -- not correct. 17 BY MR. RICHES: 18 Q. What's the -- what's the email here for? 19 A. It was for them to be able to share it with 20 people that they knew. 21 Q. So the -- the objective here was for you to 22 notify school officials of the meeting so that they could 23 invite other individual -- other individuals to the BIPOC 24 Advisory Board? 25 A. That's right.	1 Q. Did they participate in that meeting? 2 A. I think they mostly listened, and maybe people 3 thanked them for coming. And they -- I don't recall if 4 they said anything. 5 MR. RICHES: Jerry, if we could mark the 6 next exhibit, Defendant's 07138. 7 (Deposition Exhibit 8 was marked for 8 identification.) 9 BY MR. RICHES: 10 Q. You see the -- do you see Exhibit 8 on your 11 screen, Ms. Wildman? 12 A. I do. 13 (An off-the-record discussion ensued.) 14 BY MR. RICHES: 15 Q. Can you see Exhibit 8 on your screen? 16 A. I can. 17 Q. This again is an email from you to the school 18 committee members and school committee officials. And in 19 it you state that you had your second meeting yesterday. 20 Do you see that? 21 A. Uh-huh. 22 Q. And then you also state that you'll be meeting 23 virtually next week and then in person again the following 24 week. Do you see that? 25 A. I do.

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1 Q. How often was the BIPOC Advisory Board meeting at 2 this time? 3 A. At this time, it was once a week. And then it 4 ended up being every other week, and then it kind of was 5 at like -- we had less people coming, so we met less times 6 than what -- you know. We started at once a week though. 7 Q. From what period of time to what period of time 8 was the BIPOC Advisory Board meeting once a week? 9 A. I would have to guess at that. I know we 10 started -- 11 MS. SOUSA: I don't -- let me interject. 12 Nobody wants you to guess. 13 THE WITNESS: Okay. Then I couldn't say. 14 MS. SOUSA: That was Theresa. 15 BY MR. RICHES: 16 Q. Can you estimate over what period of time the 17 BIPOC Advisory Board was meeting on a weekly basis? 18 A. Eight months maybe. That's an estimate. 19 Q. And would that have been starting in August 2020 20 when the board first met to approximately eight months 21 after that date? 22 A. Well, I definitely remember starting in August. 23 That's for sure. But I really can't be sure about the 24 rest of that statement. 25 Q. All right. In this email, it looks like you also	1 A. He was the former principal of Peace Dale 2 Elementary School and is a community member now. 3 Q. Okay. And it looks like he was -- he had 4 expressed some interest in participating in the BIPOC 5 Advisory Board. Do you remember that? 6 A. Yes. 7 Q. What's your understanding of what -- what he 8 wanted to participate with regarding the advisory board? 9 A. I -- I'm not -- I'm not exactly sure. I couldn't 10 speak for him. I think he was helping -- hoping to help 11 in some way with the charge of what the advisory group was 12 trying to do. 13 Q. Okay. And did he end up participating with the 14 BIPOC Advisory Board? 15 A. He did not. 16 Q. Do you know why? 17 A. Well, initially, it was for BIPOC people, and 18 then we changed that to open it up to community members. 19 And I don't know if I reached out to him again. I might 20 not have. 21 Q. Okay. When you say initially the advisory board 22 was for BIPOC people, what do you mean? 23 A. So it was a group created for people who 24 identified as BIPOC. 25 Q. What does "BIPOC" mean?
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1 linked to minutes of the BIPOC Advisory Board meeting. Do 2 you see that? 3 A. I see it. 4 Q. Do you recognize the Google document link there 5 that you sent? 6 A. No. 7 Q. Do you still have access to the minutes from the 8 September 9th, 2020 advisory board meeting? 9 A. It's possible. I would have to check. 10 MR. RICHES: All right. Jerry, if we could 11 mark the next exhibit, Defendant's 06835. 12 (Deposition Exhibit 9 was marked for 13 identification.) 14 BY MR. RICHES: 15 Q. Okay. Do you see Exhibit 9 on your screen? It 16 appears to be an email from Emily Cumiskey to -- to you 17 from October 8th, 2020. 18 A. I see it. 19 Q. Do you remember receiving this email? 20 A. I do not. 21 Q. I want to draw your attention to a part -- it 22 looks like you and Ms. Cumiskey are discussing a man 23 named Marc Ladin. Do you remember that? 24 A. Yeah. 25 Q. Who's Marc Ladin?	1 A. Black, Indigenous, and people of color. 2 Q. So if somebody did not identify as a Black, 3 Indigenous, or a person of color, would they be prohibited 4 from participating on the advisory board? 5 A. We had asked them to wait for -- for the time 6 that we were going to use to gather the stories and 7 experiences of the BIPOC members, and then open the group 8 up to other community people. 9 Q. In this email you state, "The advisory board is 10 for BIPOC only." Do you see that? 11 A. I do. 12 Q. Is it your understanding at that time then that 13 if somebody was not BIPOC, they could not participate on 14 the advisory board at the time this email was sent in 15 October 2020? 16 A. Yes, at that time. 17 Q. How do you define a person of color? 18 A. I don't. I -- I think that's for everybody to 19 define themselves. 20 Q. So -- so it's just how an individual identifies 21 as to whether or not they're a person of color? 22 A. That's correct. 23 Q. Could a person with Caucasian heritage identify 24 as a person of color? 25 A. I don't know the answer to that.

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

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Page 54 1 members of the advisory board also participated in a 2 district policy committee meeting where they participated 3 in a discipline policy discussion." Do you see that? 4 A. Yeah. 5 Q. Did you participate in a district policy 6 discussion as -- as the facilitator of the BIPOC Advisory 7 Board? 8 A. In this instance of being at a policy committee 9 meeting? 10 Q. Right. 11 A. No. 12 Q. Are you aware of other BIPOC Advisory Board 13 members participating in a policy committee meeting where 14 discipline policy was discussed? 15 A. Yeah. 16 Q. Do you know what input the BIPOC Advisory Board 17 provided with respect to discipline policy? 18 A. I don't. 19 Q. Was it your hope that the BIPOC Advisory Board 20 would provide recommendations regarding discipline 21 policies to the policy subcommittee? 22 A. Can you repeat that? Sorry. 23 Q. Was it your hope that the BIPOC Advisory Board 24 would provide recommendations regarding discipline 25 policies within the school district to the policy	Page 56 1 BY MR. RICHES: 2 Q. During the school committee meeting, you informed 3 the school committee that you were looking at anti-racist 4 policies in other school districts and making 5 recommendations to Linda about what we've come up with. 6 Do you remember stating that to the school committee? 7 A. Yes. 8 Q. When you refer to Linda, are you referring to 9 Linda Savastano? 10 A. I am. 11 Q. What did you mean that you were looking at 12 anti-racist policies and making recommendations to Linda 13 about what you've come up with? 14 A. So there -- there were quite a few other 15 districts in -- not just Rhode Island, I believe we looked 16 at policies in other states as well, and then to have a 17 conversation with Linda about what those school districts 18 had written in their policies. 19 Q. When you said "what we have come up with," is the 20 "we" you're referring to the BIPOC Advisory Board? 21 A. Yes. 22 Q. Was the BIPOC Advisory Board drafting an 23 anti-racist policy for the school committee at this time? 24 A. No. 25 Q. What -- what is it that you were coming up with
Page 55 1 committee? 2 MS. SOUSA: Jon, if I can interject. Are 3 you talking about her personally or her -- the 501(c)(3)? 4 MR. RICHES: I'm referring to the role of 5 the BIPOC Advisory Board. So the -- 6 MS. SOUSA: When you -- when you say was it 7 her hope, I'm just trying to understand. Are you talking 8 about was it her personal hope? 9 MR. RICHES: I'll rephrase. 10 BY MR. RICHES: 11 Q. Was it your -- was it your intent that the BIPOC 12 Advisory Board provide recommendations regarding 13 discipline policies within the school district? 14 A. It was -- it was the people in -- on the advisory 15 board's intent. 16 Q. Okay. Let me see here. Okay. I'm going to try 17 and share my screen here once again. Let's see if this 18 works. 19 Okay. Okay. Can you see my screen -- 20 A. Yup. 21 Q. -- Ms. Wildman? 22 Okay. This is a video of the October 27, 23 2020 meeting that we were just discussing the minutes on. 24 I'm going to play a couple portions for you. 25 (Video being played.)	Page 57 1 then? 2 A. We were doing investigation work at that time. 3 Q. Did you -- did the BIPOC Advisory Board ever 4 draft an anti-racist policy for the school district? 5 A. Yes. 6 Q. And who drafted that? 7 A. The people on the committee. 8 (Video being played.) 9 BY MR. RICHES: 10 Q. Do you recognize that speaker? 11 A. Yup. 12 Q. Who is that? 13 A. That's Sarah Markey. 14 Q. She references the policy subcommittee. Do you 15 know what that is? 16 A. I do. 17 Q. What is it? 18 A. I believe it's made up of some school committee 19 members and some community volunteers, and they look at 20 district policies to see if revisions need to be made. 21 And then I think they give recommendations to the school 22 committee. 23 Q. And were members of the BIPOC Advisory Board on 24 the policy subcommittee? 25 A. Not initially. But then I think after this

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1 review advisory board research?" 2 A. Yes. 3 Q. It says the BIPOC Advisory Board will continue 4 this discussion and bring back to the policy subcommittee 5 at a later date. Do you see that? 6 A. I do. 7 Q. Do you know what the -- the minutes are referring 8 to there? 9 A. I -- I believe it would be the -- like the -- the 10 information that we had gathered. I'm not sure what the 11 TASK shared resources is. 12 Q. Was the idea that the BIPOC Advisory Board would 13 gather information regarding anti-racist policies to later 14 present to the policy subcommittee? 15 A. I don't think we were presenting them to the 16 subcommittee. 17 Q. Who were you presenting them to? 18 A. To ourselves. 19 Q. Okay. 20 A. Let me -- let me just read that again. Review 21 advisory board research and TASK shared resources. And 22 then I don't know what that word "New" means. What does 23 that mean at the end of that sentence -- at the end of 24 that line? New-BIPOC Advisory -- I don't know what -- I 25 don't know what this means. Sorry.	1 participated in the advisory board for a bit of time. 2 Q. Do you know if -- if Mr. Gitahi also participated 3 on the policy subcommittee? 4 A. I believe so. 5 Q. He states -- Mr. Gitahi states in this email that 6 the advisory board is still reviewing and doing some 7 research behind the coaching and suspension policies. Do 8 you see that? 9 A. I do. 10 Q. Was the BIPOC Advisory Board reviewing and 11 researching coaching and suspension policies during 12 November 2020? 13 A. I don't -- I don't know if that's exactly 14 correct, what he wrote. I think he meant we were 15 reviewing the South Kingstown coaching and suspension 16 policy. 17 Q. What were you reviewing those policies for? 18 A. We were looking at how they were worded to see if 19 they were inclusive of opening up -- for example, the 20 coaching, hiring of anybody who wanted to apply and to -- 21 and the suspension policy -- I think we were looking at 22 the suspension policy to see if it was in line with the 23 state suspension policies, which had changed in recent 24 times. 25 Q. Was part of the purpose of that review for the
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1 Q. Do you know what -- do you know what the minutes 2 are referring to when it says that the BIPOC Advisory 3 Board will bring back to the policy subcommittee its 4 research on these anti-racist policies? 5 A. I think -- I think that might be referring to 6 the -- a discussion -- BIPOC continuing this discussion -- 7 I -- I -- I'm sorry, I don't know what this is. 8 MR. RICHES: All right. Jerry, if we could 9 mark the next exhibit, Defendant's 03561. 10 (Deposition Exhibit 12 was marked for 11 identification.) 12 BY MR. RICHES: 13 Q. Do you see Exhibit 12 on your screen? 14 A. Yeah. 15 Q. This is an email from Jenna -- I believe it's 16 Ouellette -- to Mwangi Gitahi. Do you see that? 17 A. Yes. 18 Q. Do you know who Jenna Ouellette is? Or 19 Ouellette? 20 A. I have heard her name, but I don't know who she 21 is. 22 Q. Do you know who Mwangi Gitahi is? 23 A. Yes. 24 Q. And who's that? 25 A. He was a community member and a person who	1 BIPOC Advisory Board to provide recommendations to school 2 officials on the coaching and suspension policies? 3 A. No. It was -- those policies were being 4 discussed at the sub- -- at the subcommittee meeting. 5 Q. Did the BIPOC Advisory Board provide 6 recommendations to the policy subcommittee meeting based 7 on its review of the coaching and suspension policies? 8 A. I believe -- I wasn't present. So I believe when 9 the representatives were present at those meetings, there 10 was discussions that were held by everybody present. 11 Q. And do you know if the representatives of the 12 advisory board provided recommendations from the advisory 13 board regarding the coaching and suspension policies to 14 the policy subcommittee? 15 A. I believe they did, as well as everybody else at 16 the meeting. 17 MR. RICHES: Okay. Give me one moment here. 18 Okay. All right. Jerry, could we mark the 19 next, which is Defendant's 00916? 20 (Deposition Exhibit 13 was marked for 21 identification.) 22 BY MR. RICHES: 23 Q. All right. Ms. Wildman, do you see Exhibit 13 on 24 your screen? 25 A. Yeah.

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Page 66 1 Q. And this is an email from you to Emily Cumiskey 2 and Paula Whitford from December 22, 2020. Do you see 3 that? 4 A. I do. 5 Q. Who's Paula Whitford? 6 A. She's on the school committee. 7 Q. She was a school committee member? 8 A. Yeah. 9 Q. All right. In this email, you write to Emily and 10 Paula regarding some questions that the advisory board 11 has, and then you state, "As you know, the Board is 12 writing an anti-racism/anti-discrimination policy that 13 will go before the subcommittee on January 7th." Do you 14 see that? 15 I'm sorry, do you see that? 16 A. Yes, I do. 17 Q. Do you remember sending this email from 18 December 21st, 2020? 19 A. No. 20 Q. Do you remember the BIPOC Advisory Board writing 21 an anti-racism/anti-discrimination policy that later went 22 before the policy subcommittee? 23 A. Yes. 24 Q. Did the BIPOC Advisory Board draft the -- 25 draft -- provide a draft of the	Page 68 1 Q. This is an email from you to -- looks like a 2 couple school committee members and then Ginamarie 3 Masiello and Linda Savastano. Do you see that? 4 A. I do. 5 Q. And here it says -- you state "Attached is the 6 anti-racism/anti-discrimination policy that the BIPOC 7 Advisory Board created." Do you see that? 8 A. I do. 9 Q. Do you remember sending this email? 10 A. No. But I -- I know it's mine because my name's 11 on it. I don't remember sending it. 12 Q. Okay. When you say that "Attached is the 13 anti-racism/anti-discrimination policy that the BIPOC 14 Advisory Board created," are you referring to the same 15 document that you previously referenced, which was an 16 anti-racism/anti-discrimination policy that the BIPOC 17 Advisory Board initially drafted? 18 A. Yes. 19 Q. Why is it that you sent that document to the 20 recipients of this email? 21 A. I thought they would like to read it since it is 22 something that the subcommittee was discussing for the 23 purposes of bringing it to the school committee once the 24 subcommittee approved it. 25 Q. And you were sending it directly to some school
Page 67 1 anti-racism/anti-discrimination policy to the policy 2 subcommittee? 3 A. I believe so, yes. 4 Q. And that was written by members of the BIPOC 5 Advisory Board? 6 A. Yes. A lot of it was cut-and-pasted -- well, not 7 a lot of it, but parts of it were cut-and-pasted from 8 other districts' policies. 9 Q. The document that was ultimately presented to the 10 policy subcommittee on January 7th was prepared 11 exclusively by the BIPOC Advisory Board? 12 A. Yup. Yes. 13 MR. RICHES: All right. Okay. Jerry, if we 14 could mark the next exhibit. For some reason, I can't see 15 the Bates stamp. Give me a second, my Zoom -- the Zoom 16 task bar is in the way here. Give me one moment. 17 That's better I think. No, still not there. 18 Okay. Jerry, could we mark the exhibit here 19 which has a date of December 27th, 2020 at the top? 20 (Deposition Exhibit 14 was marked for 21 identification.) 22 BY MR. RICHES: 23 Q. Okay. Do you see Exhibit 14 on your screen, 24 Ms. -- Ms. Wildman? 25 A. Yes.	Page 69 1 committee members. Is that correct? 2 A. Yes. 3 Q. Why were you sending it to those school committee 4 members? 5 A. So they could review it and read it, just as a 6 courtesy. 7 Q. This document that you sent to the school 8 committee members in this email, is that the same document 9 that was later sent to the policy subcommittee for its 10 January 7th, 2021 meeting? 11 A. I'm not sure. Because I know that the district's 12 lawyer had a lot of input on that document, so I don't 13 know which one they were looking at. 14 Q. Looks like you provided another Google link in 15 this email. Do you still have a copy of this -- of this 16 policy? 17 A. I'm not sure I have a copy of that particular 18 one. 19 Q. Do you still access -- you testified earlier you 20 still have access to this email address, correct? 21 A. Yes. 22 Q. Okay. 23 A. But I -- I do just want to add that I -- it's -- 24 it's possible that I deleted the earlier versions of that 25 document.

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Page 78 1 lens through which the other policies would be viewed -- 2 or reviewed, but I'm just -- that's just an assumption, 3 it's not a fact. I don't know. 4 Q. Do you know if she's referring to the same 5 anti-racism policy that the BIPOC Advisory Board created 6 and then that the policy subcommittee considered later? 7 MS. CARRENO: Objection. Deidre. 8 THE WITNESS: I think you would have to ask 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. 11 MR. RICHES: Okay. All right. Next 12 exhibit, SKSD.00022. 13 (Deposition Exhibit 20 was marked for 14 identification.) 15 BY MR. RICHES: 16 Q. Okay. Do you see Exhibit 20 on your screen? 17 A. I do. 18 Q. Do you recognize this document? 19 A. I do. 20 Q. What is it? 21 A. That is the RFP proposal that I submitted to the 22 district. 23 Q. Did you prepare this proposal? 24 A. Yes, I did. 25 Q. Was -- was the proposal submitted in response to	Page 80 1 the district, like, professional development 2 opportunities. 3 Q. Did you also seek to submit an RFP to facilitate 4 the work of the BIPOC Advisory Board? 5 A. I don't know. Is it in here maybe? I don't -- I 6 don't remember. 7 Q. You don't remember submitting an RFP for purposes 8 of facilitating the work of the BIPOC Advisory Board? 9 A. I don't -- I don't know if it was an RFP. I'm 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. 12 Q. Okay. 13 A. I've written other RFPs for other districts, 14 though. I don't know. 15 Q. So to be clear, you asked the district if there 16 was available RFPs. No one from the district asked you to 17 submit an RFP or a response to an RFP? 18 A. I'm not sure I can -- I remember that. 19 Q. All right. I want to draw your attention to 20 page 19 of your response to the RFP. Do you see that on 21 your screen? 22 A. Yes. 23 Q. It says, "This section of the proposal focuses on 24 the continuation of the impactful work that the BIPOC 25 Advisory Board has accomplished in just 5 short months."
Page 79 1 a request for proposals? 2 A. I think that's what an RFP means, yeah. 3 Q. Okay. So is it your understanding that the 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. 23 Q. And what RFPs were you asking for when you said 24 are there RFPs available? 25 A. I think to do the professional development for	Page 81 1 Do you see that? 2 A. I do. 3 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 months? 6 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 BIPOC 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? 18 A. Yes. 19 Q. Do you know what the terms of that arrangement 20 were? 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. 25 Q. And the -- the school district ultimately

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Page 82 1 approved that proposal? 2 A. I -- I would -- I assume so, yes. 3 Q. Was your organization, Nonviolent Schools Rhode 4 Island, then being paid by the school district to 5 facilitate the work of the BIPOC Advisory Board prior -- 6 A. Yes. 7 Q. -- to submitting this RFP? 8 A. Yes. 9 Q. What were the terms of the compensation? 10 A. What do you mean by that? 11 Q. How much were they paying you? 12 A. Oh, how much? It was for \$4,999. 13 Q. And what were you expected to provide in exchange 14 for that \$4,999? 15 A. Part of that was to do -- I think was to do some 16 of this conflict reconciliation training. I would have to 17 look back at it to -- to know exactly the specifics. 18 Q. Was part of it also to facilitate the work of the 19 BIPOC Advisory Board? 20 A. Yeah, like I said before. 21 Q. Did the -- was the BIPOC Advisory Board or was 22 Nonviolent -- Let me rephrase that. 23 Was Nonviolent Schools Rhode Island 24 receiving any other compensation apart from that that was 25 provided by the district for facilitating the work of the	Page 84 1 curriculum? 2 A. Well, I think you're connecting the advisory 3 board to Nonviolent Schools Rhode Island. We were the 4 facilitators of meetings that we had where people would 5 discuss things. But the advisory board members could, on 6 their own time, assist in helping to rewrite curriculum 7 because of their expertise that they might have. 8 MR. RICHES: All right. Jerry, if we could 9 do the next exhibit, SKSD 0002. 10 (Deposition Exhibit 21 was marked for 11 identification.) 12 BY MR. RICHES: 13 Q. Okay. Do you recognize Exhibit 21? 14 A. Yes. 15 Q. And what is this document? 16 A. I believe it's called a contract. 17 Q. Do you recognize what contract this is? 18 A. I do. 19 Q. What is it? 20 A. It is the contract between Nonviolent Schools 21 Rhode Island and the South Kingstown School Department. 22 Q. Was this contract provided in response to your 23 response to the district's request for proposals that we 24 just discussed in Exhibit 20? 25 A. Yes.
Page 83 1 BIPOC Advisory Board? 2 A. No. 3 Q. Do you see the paragraph that's highlighted, "The 4 Advisory Board will assist and advise in rewriting 5 curriculum to uplift BIPOC"? 6 A. I do. 7 Q. Was part of your proposal that the BIPOC Advisory 8 Board would assist in rewriting curriculum for the school 9 committee? 10 A. That's what it says, yes. 11 Q. So you were proposing that the BIPOC Advisory 12 Board write curriculum for the school committee and that 13 the BIPOC Advisory Board be compensated for that service? 14 A. No. Nobody in the advisory board was being paid. 15 Q. I'm sorry. So that Nonviolent Schools Rhode 16 Island was compensated for that service? 17 A. No. We were -- we were paid to facilitate the 18 advisory board; the people doing that work, that's the 19 work that they volunteered to do. 20 Q. And Nonviolent Schools Rhode Island was being 21 compensated to facilitate the work of curriculum 22 rewriting? 23 A. No. No. That would be Ginamarie's purview. 24 Q. Tell me what you mean then when you proposed that 25 the advisory board will assist and advise in rewriting	Page 85 1 Q. Okay. And it appears as though you signed this 2 contract on March 24, 2021. Is that correct? 3 A. Yes. 4 Q. I'm sorry, I didn't hear your answer. 5 A. Yes. 6 Q. Is that your signature? 7 A. Yes, it is. 8 Q. And it looks like Linda Savastano signed it for 9 the school department. Is that correct? 10 A. I guess so. That could be. 11 Q. You don't recognize that signature? 12 A. I don't. It's a mess. 13 Q. Do you remember -- do you remember -- do you 14 remember who you were speaking with when you were deciding 15 whether to sign this contract within the school district? 16 A. It could have been Linda. 17 Q. Okay. Let's see here. Part of this contract is 18 facilitating the BIPOC Advisory Board. Do you see that? 19 A. I do. 20 Q. And the term for facilitating the BIPOC Advisory 21 Board was February to August 2021? 22 A. Yes. 23 Q. For 25 meetings. Is that correct? 24 A. Correct. 25 Q. Does that mean that the BIPOC Advisory Board was

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

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1 Q. And that's the BIPOC Advisory Board. Did the 2 name of it change after the school committee stopped 3 providing funding to Nonviolent Schools Rhode Island? 4 A. I don't -- I don't know when -- when the name was 5 changed. And as I said the -- the people who were 6 attending meetings fluctuated over time. And now it seems 7 like less of the original members are participating. It's 8 like a new -- like a new group, and they have a new focus, 9 I think. 10 Q. All right. So you testified that the BIPOC 11 Advisory Board originally drafted the anti-racism policy 12 and that draft was presented to the policy subcommittee. 13 Is that correct? 14 A. Yes. 15 Q. And you testified that the policy subcommittee 16 sent that anti-racism policy to the full school committee. 17 Is that correct? 18 A. I don't know what draft they sent, but some -- 19 some draft was sent, yes. 20 Q. And then the school committee ultimately approved 21 the anti-racism policy. Is that correct? 22 A. Correct. 23 MS. CARRENO: Objection. Deidre. 24 BY MR. RICHES: 25 Q. And we just went through some portions of the	1 Q. Do you remember the BIPOC Advisory Board 2 reviewing and providing edits and suggestions on the 3 hiring policy? 4 A. Yes. 5 Q. What was the nature of those edits and 6 suggestions? 7 A. When you say "nature," do you want, like, 8 specific examples? 9 Q. Well, did the BIPOC Advisory Board draft a 10 version of the hiring policy? 11 A. No. 12 Q. What -- what role did the BIPOC Advisory Board 13 have regarding the hiring policy -- reviewing the hiring 14 policy? 15 A. So the group looked at the policy and made 16 recommendations to bring to the subcommittee for some 17 revisions. And I think you can see there's one -- one 18 that's listed here that 40 percent of the hiring committee 19 would be BIPOC members. 20 Q. Were the revisions that the BIPOC Advisory Board 21 recommended ultimately adopted by the policy subcommittee? 22 A. I don't believe so. And I only -- I'm only 23 remembering this because I think there was a lot of back 24 and -- like, I think this topic was frequently discussed 25 at the subcommittee meetings, as I recall. And I don't
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1 anti-racism policy that the BIPOC Advisory Board drafted, 2 correct? 3 A. Yes. 4 Q. Is it safe to say that the BIPOC Advisory Board 5 drafted portions of the anti-racism policy that were then 6 ultimately approved by the school committee? 7 MS. CARRENO: Objection. Deidre. 8 THE WITNESS: Yes. 9 MR. RICHES: All right. Jerry, next 10 exhibit, SKSD.00176. 11 (Deposition Exhibit 25 was marked for 12 identification.) 13 BY MR. RICHES: 14 Q. Okay. Do you see Exhibit 25 on your screen? 15 A. I do. 16 Q. These are meeting minutes from the policy 17 committee for May 13th, 2021. I want to draw your 18 attention to item number 4. Do you see that? 19 A. Yes, I do. 20 Q. It says, "Discussion ensued regarding the latest 21 [sic] version of the hiring policy that was reviewed by 22 the BIPOC board. Mr. Gitahi [sic] provided the committee 23 with the 5.4.21 version which included BIPOC board edits 24 and suggestion." Do you see that? 25 A. I do.	1 believe they came to a conclusion, but you'd have to look 2 at the policy they have now to see. I'm not sure. 3 MR. RICHES: Let's do that. Jerry, next 4 exhibit, Defendant's 09733. 5 (Deposition Exhibit 26 was marked for 6 identification.) 7 BY MR. RICHES: 8 Q. Do you recognize this document? 9 A. Yes, but I don't recognize the title, Appointment 10 and Hiring Policy. I don't recognize the title, but I 11 know what it is, yeah. 12 Q. What is it? 13 A. I think it's how the district -- what -- what 14 rules the district follows when they hire employees. 15 Q. Is this the same hiring policy that the BIPOC 16 Advisory Board reviewed? 17 A. I don't know. I don't remember that. 18 Q. You want to take a moment to look through it? 19 A. That won't -- definitely won't jog my memory. I 20 don't -- I know we did look at the hiring policy, but I 21 don't remember what it -- yeah. 22 Oh, wait, can you go back? 23 Oh, I do remember this part. 24 Q. Okay. What do you remember? 25 A. Well, the reason why I remember this is because I

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Page 106 1 worked for the district. So I was familiar with the -- 2 what I -- what I remembered of the hiring policy where 3 there was a team and the principal is part of the team, 4 you know, and how they -- how they interviewed people. 5 Q. Okay. Do you remember the BIPOC Advisory Board 6 making any edits to this or any portions of it? 7 A. Can you go back down? 8 Yeah, stop. 9 All right. And can you go back up to, like, 10 3 -- 2 and 3? 11 Yeah -- no, I think -- I don't -- I don't 12 really remember, but I don't believe we made any revisions 13 to -- to this list of -- under A. 14 Q. Okay. Any other portions? 15 A. Hold on. Not -- no, I don't -- I don't think 16 that. Nope. I think the discussion was about -- about 17 the hiring team more than how to conduct the interviews 18 and stuff like that. 19 Q. Okay. What was the discussion regarding the 20 hiring team? 21 A. I think the discussion was about, like, number 2, 22 which says -- I -- I think it was what was in that -- the 23 minutes from that meeting about what the makeup of the 24 hiring teams would be as far as including BIPOC 25 individuals.	Page 108 1 reached out to me. They could have reached out to people 2 on the -- on the board. 3 Q. What about meetings of the BIPOC Advisory Board, 4 were those open to the public? 5 A. No. 6 Q. Did members of the public ever request to 7 participate in meetings of the BIPOC Advisory Board? 8 A. Yes. 9 Q. Who made those requests? 10 A. I believe the person you're representing. 11 Q. Ms. Solas? 12 A. Correct. 13 Q. Anyone else? 14 A. I don't think so, that I can remember. 15 Q. Do you remember Ms. Solas requesting to attend 16 meetings of the BIPOC Advisory Board? 17 A. Yes, via an email. 18 Q. Who did she send that request to? 19 A. To me. 20 Q. And what did you tell her? 21 A. I -- I believe she asked why I wasn't opening the 22 meeting to the public, and I responded that -- that we 23 were a vendor of the district and were not required to. 24 Q. Did you ever advertise meetings of the BIPOC 25 Advisory Board?
Page 107 1 Q. Okay. Okay. Give me one moment here. 2 Okay. We had a discussion earlier about 3 membership on the BIPOC Advisory Board. Was the BIPOC 4 Advisory Board open to members of the public? 5 A. Yeah. 6 Q. Was it open to all members of the public? 7 A. Not initially, no. 8 Q. Who decided who could participate as a member of 9 the BIPOC Advisory Board? 10 A. I think -- I -- I think myself -- it was like a 11 word-of-mouth thing more than anything. Like, I -- I 12 think I reached out to a few people I knew, and then they 13 reached out to people who reached out to people. And 14 that's -- that's what I remember from who came to our very 15 first gathering. 16 Q. Who ultimately had authority to decide who was a 17 member of the BIPOC Advisory Board? 18 A. That was probably me. 19 Q. Apart from Marc Ladin, did you tell anyone else 20 they couldn't participate as a member of the BIPOC 21 Advisory Board? 22 A. I -- I asked him to wait. I didn't say he 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	Page 109 1 A. No, I don't believe so. 2 Q. You never sent out emails or social media posts 3 regarding meetings of the BIPOC Advisory Board? 4 A. Well, to people on the board I did send email. 5 Q. How about more broadly to those not on the board? 6 A. No, I don't think so. 7 Oh, well, you saw that invitation that I 8 asked the superintendent to send out to people that she 9 knew. 10 Q. Right. In fact, you sent that to members of the 11 school committee and the superintendent. Is that correct? 12 A. Yes. 13 Q. And you testified earlier that you sent that 14 email so that they would share the invitation with others. 15 Is that correct? 16 A. Yes. 17 Q. Did you intend, then, for other members of the 18 public to join meetings of the BIPOC Advisory Board? 19 A. Yes. 20 Q. So meetings of the BIPOC Advisory Board were open 21 to members of the public? 22 MS. CARRENO: Objection. Deidre. 23 THE WITNESS: No. It was -- that was asking 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

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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."	1 she was not allowed to join meetings of the BIPOC Advisory 2 Board. Is that correct? 3 MS. SOUSA: Objection. 4 THE WITNESS: That -- those were the Zoom 5 meetings, not the in-person. 6 BY MR. RICHES: 7 Q. Did you -- did you inform Ms. Solas she could not 8 attend meetings of the BIPOC Advisory Board? 9 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 Iadin earlier. 16 Q. On what basis were you excluding Ms. Solas from 17 meetings of the BIPOC Advisory Board? 18 MS. SOUSA: Objection. 19 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. 25 MR. RICHES: Okay. I want to show you the
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1 Q. So is it your testimony then that 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? 4 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 she couldn't attend 15 meetings of the BIPOC Advisory Board? 16 MS. CARRENO: Objection. 17 THE 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: 21 Q. I'm not sure I understand. So you just testified 22 that membership on the BIPOC Advisory Board was open to 23 anybody who would show up in person. Is that correct? 24 A. That is correct. 25 Q. And then you testified that you told Ms. Solas	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. 11 Q. And she says, "Other parents and I would like to 12 be present at future BIPOC 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 BIPOC advisory committee? 22 A. Yes. 23 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?

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Page 114 1 A. Seems so, yes. 2 MR. RICHES: Okay. All right. Jerry, if we 3 could mark the next exhibit. 4 (Deposition Exhibit 28 was marked for 5 identification.) 6 BY MR. RICHES: 7 Q. Okay. Do you see Exhibit 28? 8 A. Yes. 9 Q. Is this your response to Ms. Solas' request for 10 her and other parents to be present at BIPOC Advisory 11 Board meetings? 12 A. Yes. 13 Q. And here you say as a private vendor hired by the 14 school district, Nonviolent Schools Rhode Island is 15 permitted to have closed meetings. Do you see that? 16 A. I do. 17 Q. And you also state, "At this time, the board 18 meetings aren't open to the public." Do you see that? 19 A. I do. 20 Q. So is it your testimony that when you sent this 21 email to Ms. Solas, meetings of the BIPOC Advisory Board 22 were not open to members of the public? 23 A. Not for observation, that's right. 24 Q. Were they open to members of public for 25 participation?	Page 116 1 now morphed into a different group and that group opened 2 up to other people who wanted to join. 3 Q. Did you ever inquire into Ms. Solas' ethnic 4 background? 5 A. No. 6 Q. Do you know if she's a member of the BIPOC 7 community? 8 A. I do not. 9 Q. If she had represented herself or identified as a 10 member of the BIPOC community, is it your testimony she'd 11 be permitted to participate on the BIPOC Advisory Board? 12 A. Most likely -- 13 MS. SOUSA: Objection. 14 THE WITNESS: Most likely not. 15 BY MR. RICHES: 16 Q. Why is that? 17 A. As I stated before, her harassment of me and 18 unkind words that she used against people who were on the 19 board made people afraid. And, in fact, when she started 20 sending those emails and posting things on social media, 21 we lost quite a few of our members because they were 22 afraid. 23 Q. Was there any point in time in which observation 24 of meetings of the BIPOC Advisory Board were open to 25 members of the public?
Page 115 1 A. What date was this? Do you know? 2 Q. Yeah, we do. These were sent in May of 2021. 3 A. May of 2021? 4 Q. Correct. 5 A. Can you repeat your question, please? 6 Q. As of May of 2021, is it your testimony that 7 meetings of the BIPOC Advisory Board were open to members 8 of the public? 9 A. If somebody wanted to join the group, which is 10 different than "I want to come and observe." So no, we 11 weren't open for observations. 12 Q. If Ms. Solas wanted to join the BIPOC Advisory 13 Board in May of 2021, would that be permitted? 14 A. I'd have to look and see when we opened -- I 15 don't remember if I was still facilitating when it -- when 16 it opened to anybody can join. So I would have to try and 17 figure out what dates that was. But at some point, if she 18 was interested in -- in joining and it was open to more 19 people, like Marc Ladin, then other people joined at that 20 time. 21 Q. Do you mean when it was opened to members -- was 22 open to individuals who you didn't perceive as members of 23 the BIPOC community? 24 A. That's correct. That I -- it's not my 25 determination, but theirs. So the group that started has	Page 117 1 A. No. 2 Q. So is it correct then that only meetings of the 3 BIPOC Advisory Board were attended by members of the BIPOC 4 Advisory Board? 5 A. No. Because there were a few times where school 6 committee members came because the people had questions 7 for them, and that time that the superintendent and the 8 director of curriculum came to one, I think. 9 Q. So meetings were open to individuals who weren't 10 members of the BIPOC Advisory Board if those individuals 11 were school officials? 12 A. Yes, for the purpose of gathering information 13 from them. 14 Q. To be clear, you opened meetings of the BIPOC 15 Advisory Board to school officials. Is that correct? 16 MS. CARRENO: Objection. 17 THE WITNESS: Well, I guess if you call 18 inviting somebody to come and -- so you can ask them 19 questions opening it. It's not really opening the 20 meeting. It's inviting them to come and answer your 21 questions. 22 BY MR. RICHES: 23 Q. Is it your testimony that you then invited and 24 allowed members -- member -- school officials to meetings 25 of the BIPOC Advisory Board?

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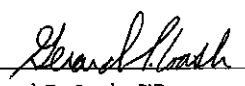
Page 118 1 MS. SOUSA: Objection. 2 THE WITNESS: To -- yes, to answer our 3 questions. 4 BY MR. RICHES: 5 Q. And you -- but you did not allow members of the 6 public to participate in meetings or observations of 7 meetings of the BIPOC Advisory Board? 8 MS. SOUSA: Objection. 9 THE WITNESS: Can you repeat that? 10 BY MR. RICHES: 11 Q. But you did not allow members of the public to 12 observe meetings of the BIPOC Advisory Board? 13 A. Right. 14 MR. RICHES: Okay. Okay. That's all the 15 questions I have. 16 MS. CARRENO: Can we just have a minute, 17 please. 18 MR. RICHES: I'm sorry, did you direct that 19 to me, Deidre? 20 MS. CARRENO: Yeah, I just want to see if I 21 have any questions. Thank you. 22 23 EXAMINATION 24 BY MS. CARRENO: 25 Q. Ms. Wildman, I just have one question for you.	Page 120 1 STATE OF ARIZONA) 2 COUNTY OF MARICOPA) 3 BE IT KNOWN the foregoing deposition was 4 taken by me pursuant to stipulation of counsel; that I was 5 then and there a Certified Reporter of the State of 6 Arizona, and by virtue thereof authorized to administer an 7 oath; that the witness before testifying was duly affirmed 8 by me to testify to the whole truth; signature by the 9 deponent was not requested; that the questions propounded 10 by counsel and the answers of the witness thereto were 11 taken down by me in shorthand and thereafter transcribed 12 into typewriting under my direction; that the foregoing 13 pages are a full, true, and accurate transcript of all 14 proceedings and testimony had and adduced upon the taking 15 of said deposition, all to the best of my skill and 16 ability. 17 I FURTHER CERTIFY that I am in no way related to 18 nor employed by any parties hereto nor am I in any way 19 interested in the outcome hereof. 20 DATED at Phoenix, Arizona, this 16th day of 21 October, 2023. 22 23  24 Gerard T. Coash, RMR 25 Certified Reporter #50503
Page 119 1 Did the BIPOC Advisory Board ever rewrite 2 any curricula for the school district? 3 A. No. 4 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 mute. 9 THE VIDEOGRAPHER: Oh, I'm sorry. 10 (An off-the-record discussion ensued.) 11 MS. SOUSA: I don't -- I don't have 12 anything. 13 THE VIDEOGRAPHER: Okay. All right. So 14 unless anyone else, we'll go off the record. Time on the 15 monitor is 3:41 p.m. Eastern time. This ends Volume 1, 16 Media Number 2 of the deposition of Robin Wildman. 17 (The deposition was concluded at 3:41 p.m.) 18 19 (Signature Not Requested.) 20 _____ 21 ROBIN WILDMAN 22 23 24 25	

Exhibit E

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December 19, 2023

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1 STATE OF RHODE ISLAND, SUPERIOR COURT
2 PROVIDENCE, SC.
3
4 NICOLE SOLAS,)
5 Plaintiff,)
6 vs.) C.A. No.
7 SOUTH KINGSTOWN SCHOOL COMMITTEE,) PC-2022-04727
8 Defendants.)
9

10 VIDEO-RECORDED DEPOSITION OF MWANGI GITAH
11

12 Rocky Mount, North Carolina
13

14 December 19, 2023
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23 Prepared by:

24 Gerard T. Coash, RPR, RMR
25 Certified Reporter
Certification No. 50503

**CERTIFIED
TRANSCRIPT**

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

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1 Q. Okay. Can you see that on -- on your screen? 2 A. Yes, I can. 3 MR. RICHES: All right. Jerry, could we 4 mark the first exhibit. It's not Bates numbered, but it 5 says South Kingstown School Committee Business Meeting, 6 Wednesday, July 22nd, 2020. 7 (Deposition Exhibit 1 was marked for 8 identification.) 9 (An off-the-record discussion ensued.) 10 BY MR. RICHES: 11 Q. Okay. Mr. Gitahi, I want to draw your attention 12 to item number 11 there. Do you see that on your screen? 13 A. Yes. 14 Q. And it looks like it's a -- a motion by the 15 school committee to "create an equity and antiracist 16 advisory board" -- I think that's supposed to be created 17 "and charged by Robin Wildman and Jonathan Lewis." Do you 18 see that? 19 A. Yes, I do. 20 Q. Is it your understanding that after reviewing 21 this that the school committee is the entity that created 22 the BIPOC Advisory Board? 23 MS. CARRRNO: Objection. 24 MR. RICHES: You can go ahead and answer. 25 THE WITNESS: No. I mean, I -- I -- I	1 doesn't mention the BIPOC Advisory Board. So it didn't -- 2 I don't believe it existed at the time. 3 Q. Do you have any idea as to when the BIPOC 4 Advisory Board was created? 5 A. I do not, no. Like I said, I was just invited -- 6 once it was created, I was invited to join. 7 Q. When was that? 8 A. That was -- this is the summer of 2020. So I 9 guess it would have to be after -- probably either late -- 10 probably early August of 2020. 11 Q. Okay. At the time you joined the BIPOC -- 12 A. Yeah. 13 Q. -- Advisory Board -- 14 A. Yeah. 15 Q. -- summer of 2020, what was your understanding of 16 the purpose and function of the -- of the board? 17 A. Yeah, it was -- it was to -- so the advisory part 18 of the BIPOC Advisory Board was to advise the school 19 district on the voices and the issues that concerned the 20 members of the BIPOC -- BIPOC members of the South 21 Kingstown community. 22 So it was a place for people to come and 23 talk about the issues that they had experienced in the 24 school district and to -- and to provide us with, like, 25 insight into that because we weren't all part of the
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1 remember this because this was an open meeting to the 2 public. And the move to create an equity and antiracist 3 advisory board was -- was approved, but -- but they didn't 4 mention the BIPOC Advisory Board in that meeting. So 5 that -- I don't know if there was -- this then resulted in 6 the BIPOC Advisory Board or if it was just -- I'm not 7 quite sure how this then led to the advisory board, that's 8 my point. 9 MR. RICHES: Okay. I see. 10 THE WITNESS: Yeah. 11 BY MR. RICHES: 12 Q. Did you -- did you attend this meeting? 13 A. I was listening in. I was just listening in as 14 a -- as a -- like a community member. 15 Q. Was it a virtual meeting? 16 A. Let's see, was it all virtual? I don't -- I 17 think, yes, actually it was all virtual, yes. 18 Q. What was your understanding at the time of this 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? 22 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	1 school district. And so then we could turn around and 2 advise the school committee on -- as -- you know, as 3 representatives of the BIPOC community, SK BIPOC 4 community, on what they were telling us. 5 Q. What sort of things would you advise the school 6 committee on as a member of the BIPOC Advisory Board? 7 A. So things like issues with discrim- -- you know, 8 issues with discrimination in the school -- in the school, 9 issues of harassment, issues of -- issues surrounding, 10 like, dismissals and -- basically any- -- anything. 11 Anything that they wanted to talk to us about, you know, 12 we were willing to listen. Issues of hiring, like, 13 practices -- hiring practices and representation in 14 hiring, things of that nature. So it was pretty open. 15 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. 19 Q. 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? 23 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 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.	1 Q. The National Education Association. 2 A. Can you repeat that question, please? 3 Q. Yeah. Were there any members or volunteers for 4 TASK who were also members or employees of NEA Rhode 5 Island? 6 A. Of TASK? I don't -- no, there weren't. 7 Q. You testified that one of the things that TASK 8 did was review school policies. Is that correct? 9 A. No, that's not correct. 10 TASK was -- we were trying to implement 11 changes to school policies, but we didn't actually review 12 the school -- school policies. We -- we came up with a 13 list of demands essentially, based on student feedback, 14 and then we took those demands to the school district. 15 But we weren't actually taking school policies and 16 reviewing them. 17 Q. When you joined the BIPOC Advisory Board, was one 18 of the functions of the BIPOC Advisory Board to review 19 school policies? 20 A. Not initially. That came about later. 21 We -- we first just started by listening to 22 feedback. And then we decided that we wanted to -- we 23 decided that we wanted to understand how the current 24 policies spoke to the issues that we were hearing. And so 25 that's when we started to review certain policies that we
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1 Q. And what was your role with TASK? 2 A. I was -- I was one of the co-founders. So there 3 were three of us who co-founded the group. And by 4 co-founding, I mean, we basically just gave students a 5 platform to express their views and then we -- we 6 organized them around -- around the issues that they were 7 interested in. So we were mainly facilitating, 8 coordinating, but the students were the voice. 9 Q. How many members did TASK have? 10 A. Oh, quite a few. I would -- I would say like 50 11 or 60 members. 12 Q. Were those all students? 13 A. Yeah, majority of them were students and parents 14 of students and just parents in the community. Might have 15 been some teachers there, some -- I'm not quite sure. 16 So again, it was another one of those open 17 groups that people could just join if they felt affiliated 18 or felt an interest in helping, you know, with it. 19 Q. Who were the co- -- who were the fellow 20 co-founders of TASK? 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? 25 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 11 include things or -- or exclude things, you know, based on 12 the feedback that we were getting from -- from the 13 community members that identified as BIPOC. And then the 14 goal 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 policy. We looked at -- might have looked at the 2 transportation policy because there was some issues with 3 discrimination even with transportation. 4 I'm just thinking about what else we looked 5 at. 6 Those are -- I would say those were the main 7 ones. Those are big ones. So we needed to take our time 8 with them. They're the big policies. They're like 9 multidocument policies that you can't just review in a day 10 or a week, yeah. 11 Q. Did members of the BIPOC Advisory Board also 12 draft policies for the South Kingstown School District? 13 A. Draft in the sense of create new policies? 14 Q. Correct. 15 A. No. No. We -- we -- our goal was to see how we 16 can adjust existing policies. But towards -- the work I 17 did on the subcommittee, we did actually come up with an 18 umbrella policy, which was a brand new policy, which would 19 encompass a lot of the other ones that we were discussing. 20 Q. What policy was that? 21 A. It was the antidiscrimination, antiharassment -- 22 antiracism, antiharassment, antidiscrimination policy. It 23 was supposed to be an umbrella policy. 24 Because the policies that we were looking at 25 seemed like they needed like an overarching guiding	Page 28 1 drafting the antidiscrimination/antiharassment/antiracism 2 policy? 3 A. No. That's not how it worked. We just -- we 4 just did it by committee. So it wasn't -- it wasn't 5 like -- it wasn't like one person was drafting it because 6 then that wouldn't be -- that wouldn't be fair, that 7 wouldn't be representative of the group. And so we did 8 it -- you know, there were documents that were shared. I 9 believe there were Google docs that were shared. And so 10 we would kind of look at it, make suggestions, you know, 11 make comments over to the right. And then when we got 12 together in subcommittee meetings, then we would discuss 13 those suggestions and see what needed to be included and 14 what didn't need to be included. 15 Q. Okay. We'll get back to that in a moment. 16 MR. RICHES: Jerry, can you mark the next 17 exhibit as Exhibit 2. It's Defendant's 06835. 18 (Deposition Exhibit 2 was marked for 19 identification.) 20 BY MR. RICHES: 21 Q. Okay. Mr. Gitahi, I want to show you what's been 22 marked as Exhibit 2. Do you see that on your screen? 23 A. Yes, I do. 24 Q. And it looks like it's an email from Emily 25 Cumiskey to Robin Wildman from October 8, 2020. Do you
Page 27 1 framework and so that's why we created it. 2 Q. When you say "we created it," who are you 3 referring to? 4 A. The subcommittee, the school committee 5 subcommittee. 6 Q. And the South Kingstown School Committee 7 subcommittee on policy? 8 A. That's -- yes. I was a member of that committee. 9 Q. And when you indicated that the subcommittee 10 created this antiracist/antidiscrimination/antiharassment 11 policy, were there specific members of the subcommittee 12 who drafted it? 13 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? 16 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. 24 Q. Was there a -- was there a primary person who -- 25 who was responsible for the primary responsibilities of	Page 29 1 see that? 2 A. Yes. 3 Q. Do you know who Emily Cumiskey is? 4 A. Yes, I do. 5 Q. Who is that? 6 A. She is a former member of the South Kingstown 7 School Committee. 8 Q. Okay. I'm going to draw your attention to an 9 email where it looks like Robin is having a conversation 10 with Emily Cumiskey about a member who wanted to 11 volunteer -- a person who wanted to volunteer to serve on 12 the BIPOC Advisory Board, and Ms. Wildman responds that 13 the advisory board is for BIPOC only. Do you see that? 14 A. I do see that. 15 Q. 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. 19 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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1 completely agree with it. Because we didn't -- no one, in 2 my experience, attempted to attend the meetings and was 3 denied attendance. So I can't say it was only for BIPOC. 4 But that was certainly the people that we were -- those 5 are certainly the people that we were -- that we wanted to 6 center in these meetings. 7 BY MR. RICHES: 8 Q. So is it your understanding that if somebody 9 was -- was not BIPOC and wanted to attend a BIPOC Advisory 10 Board meeting they could? 11 A. Yes, I do. I just don't -- I don't feel like it 12 would serve -- the purpose was to create a safe 13 nonjudgmental, you know, space for BIPOC members. So I 14 don't know if it would really achieve that if there were 15 members who weren't BIPOC who are attending these 16 meetings. Because then the conversations would not be 17 as -- as open, I believe, and as -- and as comfortable. 18 So I don't -- while we didn't exclude -- intentionally 19 exclude people, it would not have created that same 20 environment for people, for the members. 21 Q. Are you aware of any instances in which somebody 22 asked to attend a BIPOC Advisory Board meeting and was 23 told they could not? 24 A. No. I didn't see it and hear it. I wouldn't 25 have said that to someone if they had asked me. So no.	1 Q. Did individuals who were not BIPOC attend 2 meetings of the BIPOC Advisory Board during your time on 3 the board? 4 A. It's hard to say because we -- there were so many 5 meetings and people were coming and going. There might be 6 parents of BIPOC students who didn't identify -- they 7 themselves didn't identify as BIPOC, but they had BIPOC 8 students who attended the meetings. And then there was 9 one meeting that the superintendent attended. So I guess 10 the answer is yes, but it wasn't very common. It wasn't 11 very often. 12 Q. You indicated the super- -- the superintendent of 13 the school district attended a BIPOC Advisory Board 14 meeting? 15 A. She attended a meeting, yes. 16 Q. Do you know how that came about? 17 A. I do not know. No. 18 Q. Do you know why she attended? 19 A. Just to support, I think, basically. She 20 wasn't -- she was there to listen and that's basically 21 what she did. I think it seemed like she was just there 22 to support us. 23 Q. Did any other school officials attend any 24 meetings of the BIPOC Advisory Board? 25 A. So I'm not sure what her title was, but she
Page 31	Page 33
1 Q. Are you aware that the plaintiff in this case, 2 Nicole Solas, asked to attend meetings of the BIPOC 3 Advisory Board and was told she couldn't? 4 A. I only found out about that through the court 5 documents. So I didn't know that ahead of last week when 6 I read the court documents. 7 Q. So in this email string, it looks like a man 8 named Marc Ladin had reached out to Robin Wildman asking 9 about the BIPOC Advisory Board. Do you know who Marc 10 Ladin is? 11 A. No, I do not. 12 Q. And in this email, he looks to see if -- he 13 asked, "Is there still room on the committee and is there 14 still time to get involved?" Do you see that? 15 A. Yes, I do see that. 16 Q. And it looks like Ms. Cumiskey then forwards 17 that email to Robin Wildman, and that's when Robin Wildman 18 responds that the advisory board is for BIPOC only. Do 19 you see that? 20 A. Yes, I do see that. 21 Q. So did you have any knowledge that Marc Ladin was 22 told that he couldn't attend meetings of the BIPOC 23 Advisory Board because it was for BIPOC only? 24 A. No. No, I didn't. No. I don't even know who 25 he -- who he is.	1 eventually became the assistant -- in terms -- I'm trying 2 to remember her name. So she had someone with her from 3 the school district and who was her -- I guess her 4 assistant who attended. They attended one meeting. 5 I can find the name if you give me a second. 6 I -- 7 Q. That's okay. 8 A. -- can't remember. Okay. 9 MR. RICHES: All right. Jerry, can we mark 10 the next exhibit, SKSD 00169? 11 (Deposition Exhibit 3 was marked for 12 identification.) 13 BY MR. RICHES: 14 Q. Mr. Gitahi, can you see Exhibit 3 on your screen? 15 A. Yes, I can. 16 Q. Can you tell what this document is by looking at 17 it? 18 A. It looks like a record of a meeting. 19 Q. A meeting of the South Kingstown School 20 Committee? 21 A. Right. 22 Q. And you're listed as an attendee at that meeting. 23 Do you see that? 24 A. Yes, I do see that. 25 Q. And the affiliation they have listed for you is

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1 as BIPOC advisory committee member. Do you also see that? 2 A. I do see that. 3 Q. Do you recall attending this meeting in October 4 2020 as a member of the BIPOC Advisory Board? 5 A. I don't know what this meeting was about. But if 6 I did know then, I could try to remember. 7 Q. Let's scroll down here. 8 Okay. So it looks like item 2 A is a BIPOC 9 Advisory Board update. Do you see that? 10 A. Yes, I do. 11 Q. And it looks like Ms. Wildman provided the BIPOC 12 Advisory Board update? 13 A. Yes, I do see that. 14 Q. Do you remember the meeting now? 15 A. Yes. Okay, yes. That's the one that the 16 superintendent attended, yes. 17 Q. Okay. Do you know why Ms. Wildman was providing 18 an update to the school committee about the activities of 19 the BIPOC Advisory Board? 20 A. Because she was facilitating the board. 21 Q. Okay. Why is it that the school committee was 22 interested in the work of the BIPOC Advisory Board? 23 A. I believe they saw an interest in reviewing 24 school policies in the -- in the climate that we were in 25 and in the -- after the countless stories that they heard	1 Q. Do you know if those -- the nature of those 2 discussions were ever communicated with South Kingstown 3 school officials? 4 A. School officials? They were communicated in the 5 subcommittee meetings. 6 Q. So the -- the discussions that the BIPOC Advisory 7 Board had about school curriculum was later communicated 8 to the South Kingstown policy subcommittee. Is that 9 correct? 10 A. That's correct. 11 Q. How were they communicated to the subcommittee? 12 A. Just in meetings -- just in subcommittee 13 meetings. 14 Q. Did members of the BIPOC Advisory Board present 15 at those meetings? 16 A. Were they present? Or did they present? 17 Q. Did they present? Did they present information 18 to the policy subcommittee? 19 A. Yes, they -- yes, they did. 20 Q. Okay. Also, it says here next that, "Some 21 members of the advisory board also participated in a 22 District policy committee meeting where they participated 23 in a discipline policy discussion." Do you see that? 24 A. Yes, I do. 25 Q. Is it your understanding that some members of the
Page 35	Page 37
1 from students in public meetings about what the students 2 were experiencing. 3 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? 6 A. Yes, I do see that. 7 Q. Do you remember meetings of the advisory board 8 where discussions of school curriculum took place? 9 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 Q. What was the nature of those recommendations? 15 A. 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 2 discipline policies within the district to the policy 3 subcommittee? 4 A. That's correct. 5 Q. Who were those members? 6 A. Who were the members of -- Can you clarify? 7 Q. Which members of the BIPOC Advisory Board was 8 providing recommendations on the discipline policy to the 9 policy subcommittee? 10 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 13 Board. 14 Q. You were -- you were also a member of the policy 15 subcommittee. Is that correct? 16 A. That's correct. 17 Q. And Rob Cruz was as well. Is that correct? 18 A. Yes. 19 Q. How did you come to be a member of the -- of the 20 policy subcommittee? 21 A. From what I remember, the school committee wanted 22 to have representation from the BIPOC Advisory Board in 23 the policy subcommittee meetings. And so they -- "they" 24 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 1 the subcommittee meetings and invite the BIPOC Advisory 2 Board to delegate a representative or two to attend these 3 meetings and hopefully to -- in a voting capacity. But 4 even if not, just to be a voice in the room. 5 Q. So it's your understanding the school 6 committee -- the South Kingstown School Committee created 7 two seats on the policy subcommittee exclusively for 8 members of the BIPOC Advisory Board. Is that correct? 9 A. Initially it was one seat. It was -- actually, I 10 remember this. It was one seat. But we -- we petitioned 11 for an additional seat because the -- there were about six 12 or seven -- I'm not quite sure, maybe seven members of the 13 subcommittee. And we felt like one out of seven would not 14 give us enough of a voice. Because six people could vote 15 one way and we'd have one vote and it wouldn't make a 16 difference. So that's why we asked for an additional -- 17 additional seat. 18 Q. Okay. So it's your understanding that the school 19 committee initially created one seat on the policy -- 20 A. Right. 21 Q. -- subcommittee -- 22 A. Right. 23 Q. -- that was exclusively available for a BIPOC 24 Advisory Board member. Is that correct? 25 A. That's my recollection, yes.	Page 40 1 appointment or that position? How did that happen? 2 A. They just invited -- Well, I should clarify. 3 The -- the BIPOC Advisory Board asked for 4 volunteers and I volunteered. And then I was invited by 5 the subcommittee to attend the meetings. That's -- 6 Q. So -- 7 A. -- how. Yes. 8 Q. So were you selected as a member of the policy 9 subcommittee by members of the BIPOC Advisory Board? 10 A. Not officially, no. It wasn't like we voted. I 11 just volunteered and no one else was -- volunteered or 12 felt comfortable or, you know, knew -- knew whether or not 13 they wanted to be involved. And so I -- I was the first 14 to raise my hand and that's how I ended up on the 15 subcommittee. 16 Q. Was there a discussion at a BIPOC Advisory Board 17 meeting about who would be a member of the policy 18 subcommittee? 19 A. Yeah. We did -- we did discuss it, yes. So 20 everybody on the BIPOC Advisory Board was comfortable 21 with -- with it. 22 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? 25 A. Please repeat the question.
Page 39 1 Q. And then 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? 5 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 yeah. 9 Well, when you say "exclusively," I don't -- 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. 15 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? 18 A. Three members. I don't remember three, but -- I 19 just remember myself and Rob Cruz being the 20 representatives. 21 Q. Were you the first member of the BIPOC Advisory 22 Board that was also named as a member of the policy 23 subcommittee? 24 A. Yes, I was. 25 Q. How did you -- how did you receive that	Page 41 1 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 4 subcommittee? 5 A. That's -- yes, that's my understanding. 6 Q. While you were a member of the policy 7 subcommittee, were you also a voting member of the 8 subcommittee? 9 A. Not initially. But eventually, yes. 10 Q. When did you become a voting member of the policy 11 subcommittee? 12 A. I don't know the exact dates. But it was maybe 13 after three or four meetings they decided to create -- to 14 create the position as a voting position rather than just 15 someone who was attending the meetings. 16 Q. Who made that decision? 17 A. Again, I -- we -- we asked. I don't -- I don't 18 know. Honestly, I don't know how that -- how that was -- 19 who made the decision. I would imagine the superintendent 20 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 24 created, it was a second voting position. So by then, 25 the -- the BIPOC representation on the subcommittee was a

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Page 42 1 voting representation and they created a second voting 2 representation. 3 Q. What was your understanding of the -- the 4 responsibilities of the policy subcommittee? 5 A. My understanding was that the subcommittee was 6 responsible for reviewing all school policies and -- in 7 order to update -- update them. 8 Q. Would the policy committee then vote on making 9 recommendations to school policies? 10 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 on Exhibit 3. Do you see that it says "Discussion/Action: 19 Recommitment for the BIPOC Advisory Board"? 20 A. Yes, I do. 21 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	Page 44 1 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 I 4 was -- I attended. 5 Q. Does it look to be minutes from the policy 6 subcommittee meeting on November 5th, 2020? 7 A. Yes, it does. 8 Q. And it appears that you were in attendance at 9 this meeting. Is that correct? 10 A. Yeah, that's correct. 11 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? 15 A. Yes. 16 Q. And the minutes reflect that the "Advisory board 17 will continue this work and bring it back to subcommittee 18 at a later meeting." Do you see that? 19 A. Yes, I do. 20 Q. Do you know what that means? 21 A. Yes, I do. 22 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
Page 43 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: 24 Q. Do you see Exhibit 4 on your screen, Mr. Gitahi? 25 A. Yes, I do.	Page 45 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? 9 A. Yes, I do. 10 Q. Do you recall the BIPOC Advisory Board providing 11 recommendations regarding the hiring policy in the school 12 district? 13 A. Yes, I do. 14 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 23 changes -- to reflect these -- these -- these suggestions. 24 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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1 Q. Who's -- who's Paula Whitford? 2 A. Paula Whitford is the chair of the South 3 Kingstown School Committee. 4 Q. So it looks like Ms. Wildman emails Emily and 5 Paula, which would be the two school committee members. 6 Is that correct? 7 A. At the time, I don't think Paula was the chair. 8 But she was a member of the school committee, yes. 9 Q. And Ms. Wildman states, "As you know, the board 10 is writing an antiracism/anti-discrimination policy that 11 will go before the subcommittee on January 7th." Do you 12 see that? 13 A. Yes, I do. 14 Q. It was Ms. Wildman's understanding that the board 15 was writing an antiracism/anti-discrimination policy. Is 16 it also your understanding -- 17 MS. CARRENO: Objection. 18 BY MR. RICHES: 19 Q. -- that the BIPOC Advisory Board was writing an 20 antiracism/anti-discrimination policy? 21 MS. CARRENO: Objection. 22 THE WITNESS: I didn't hear your full 23 question. I'm sorry. 24 BY MR. RICHES: 25 Q. Is it your understanding that the BIPOC Advisory	1 BY MR. RICHES: 2 Q. Was part of making those suggestions drafting 3 portions or making revisions to the 4 antiracism/anti-discrimination policies that already 5 existed in the district? 6 A. Yeah, revisions and suggestions, yes. 7 Q. And did that include members of the BIPOC 8 Advisory Board actually writing and drafting revisions to 9 those policies? 10 A. No. No. The writing was done in subcommittee. 11 The BIPOC Advisory Board would offer 12 suggestions and then -- and then the -- the 13 representatives of the BIPOC Advisory Board to the 14 subcommittee would then incorporate those suggestions into 15 comments in the document itself and then that would go 16 before the subcommittee for consideration. 17 MR. RICHES: Okay. I'd like to mark the 18 next exhibit, Defendant's 00863. 19 (Deposition Exhibit 7 was marked for 20 identification.) 21 BY MR. RICHES: 22 Q. This is an email from January 27th, 2020 from 23 Robin Wildman to -- looks like various members of the 24 school committee and the school superintendent. Do you 25 see that?
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1 Board, at the time this email was sent, was writing an 2 antiracism/anti-discrimination policy for the policy 3 subcommittee? 4 MS. CARRENO: Objection. 5 THE WITNESS: We weren't writing the policy. 6 We were -- again, we were -- we were coming up with 7 suggestions for the current policy. And so I think 8 when -- I believe when she says that we were writing the 9 policy, we're not writing it from scratch. We were 10 reviewing the policy and we were making suggestions. And 11 I think that's just, like, a general way of saying that. 12 But we weren't -- we weren't creating -- we weren't 13 creating -- at this point, we weren't creating a -- a 14 brand new policy. 15 The antiracism/anti-discrimination policy -- 16 so -- so the umbrella policy I described earlier, which 17 was called the antiracism, anti-discrimination, and 18 antiharassment policy, that was created from -- basically 19 by the subcommittee from -- from scratch using elements of 20 earlier policies. But this one, I believe she's referring 21 to the existing antiracism/anti-discrimination policy, 22 which -- which -- which was already an existing policy. 23 And so we weren't creating a brand new one. We were 24 making suggestions to the current policy, if that makes 25 sense.	1 A. Yeah. It says "December," the 27th. 2 Q. I'm sorry, December 27, 2020. 3 A. Yes. 4 Q. And in this, Ms. Wildman states, "Attached is the 5 antiracism/anti-discrimination policy that the BIPOC 6 Advisory Board created." Do you see that? 7 A. Yes, I do. 8 Q. And it says, "They used, as a basis, policies 9 from other districts, so this reflects what other 10 districts are already doing." Do you see that? 11 A. Yes, I do. 12 Q. So is it correct to say that as of December 27, 13 2020, the BIPOC Advisory Board had created an 14 antiracism/anti-discrimination policy based on various 15 other districts' district policies? 16 MS. CARRENO: Objection. 17 THE WITNESS: It was -- it wasn't a 18 creation. It was -- it was a rewrite. So it was taking 19 elements of the existing policy and rewording them, 20 rewriting them, rephrasing them. We kept certain 21 elements. We -- so -- so it wasn't a brand new document, 22 that's my point. It was a document that was building upon 23 the existing antiracism/anti-discrimination policy. 24 BY MR. RICHES: 25 Q. Is it correct to say, then, that the BIPOC

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Page 78 1 ultimately approved a hiring policy that was sent to it by 2 the policy subcommittee? 3 A. That, I don't remember either. 4 MR. RICHES: Jerry, if you could mark 5 SKSD 00217. 6 (Deposition Exhibit 16 was marked for 7 identification.) 8 BY MR. RICHES: 9 Q. Mr. Gitahi, can you see Exhibit 16 on your 10 screen? 11 A. Yes. It looks like attendees of a school 12 committee meeting, executive session meeting. 13 Q. Okay. And see if I can find it. 14 Okay. And it looks like there's a motion 15 here to approve the appointment and hiring policy. Do you 16 see that? 17 A. Yes, I do. 18 Q. Do you have any recollection if that's the same 19 appointment and hiring policy that was sent to the school 20 committee by the policy subcommittee? 21 A. It would have to be. 22 Q. Do you recall the policy subcommittee making any 23 revisions to the appointment or hiring policy that were 24 requested by the school committee? 25 A. Can you repeat that question?	Page 80 1 meetings. And so I believe she was just trying to get 2 some clarification on the -- on some things. 3 Q. Okay. Do you recall what she was trying to get 4 clarification on? 5 A. I don't recall, no. 6 Q. Do you recall how she got in touch with you and 7 Ms. Wildman? 8 A. Just -- you mean -- it was just through email. 9 Q. Did you ever email Ms. Lombardo a copy of the 10 antiracism policy? 11 A. I don't recall to be honest. 12 Q. Do you know if Ms. Wildman ever emailed 13 Ms. Lombardo a copy of the antiracism policy? 14 A. I also don't recall that. I don't know. 15 Q. Was Ms. Wildman a member of the policy 16 subcommittee? 17 A. No, she was not. 18 Q. She was a facilitator for the BIPOC Advisory 19 Board. Is that correct? 20 A. That's correct. 21 Q. Okay. So it looks like Ms. Lombardo is saying 22 that, first, she didn't have access to the Google 23 documents so she copied and pasted a redline policy in 24 Word. Okay? Do you see that? 25 A. Uh-huh. Yes, I do.
Page 79 1 Q. Did the school committee ever send the 2 appointment or hiring policy back to the policy 3 subcommittee to make recommendations? 4 A. I see. I don't recall. They -- that was common 5 practice, but I don't recall if they did that with this 6 policy. 7 MR. RICHES: Okay. If we can mark the next 8 exhibit, Defendant's 009815. 9 (Deposition Exhibit 17 was marked for 10 identification.) 11 BY MR. RICHES: 12 Q. Okay. So this is an email string between Robin 13 Wildman, Aubrey Lombardo, and yourself, or at least you're 14 copied here. Do you see that? 15 A. Yes, I do. 16 Q. Who's Aubrey Lombardo? 17 A. Aubrey is a lawyer who represented the school 18 district. 19 Q. Okay. I want to scroll down to sort of the 20 beginning of this string here. And it's an email from 21 Ms. Lombardo to you and Robin Wildman. Do you see that? 22 A. Yes, I do. 23 Q. Do you know why Ms. Lombardo was emailing you and 24 Robin Wildman? 25 A. She was -- she was in our policy subcommittee	Page 81 1 Q. Do you know if she is referring to the antiracism 2 policy here? 3 A. I don't know. She doesn't reference it. I don't 4 know which document she's talking about. 5 Q. Okay. She also states here that she made very 6 few substantive revisions. Do you see that? 7 A. On the last paragraph, yeah. 8 Q. Do you know what she meant by that? 9 A. No, I do not. 10 Q. Do you recall what you emailed to Ms. Lombardo 11 that she's responding to here? 12 A. That Google doc, I don't know what Google doc 13 she's talking about. 14 Q. Do you still have access to the Gmail account 15 where you're cc'd here? 16 A. Yes, I do. 17 Q. And would you still have access to documents from 18 this time frame, March of 2021? 19 A. I imagine so, yeah. 20 Q. We'd ask that you preserve any documents that you 21 currently have access to for purposes of this litigation. 22 Okay? 23 A. Okay. 24 Q. All right. So it looks like in the subject it 25 says "Anti-Racism and Anti-Harassment Policy." Do you see

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1 that? 2 A. Yes. 3 THE WITNESS: Jon, you froze up. 4 (An off-the-record discussion ensued.) 5 BY MR. RICHES: 6 Q. Mr. Gitahi, I was asking a question -- so the 7 subject line says "Anti-Racism and Anti-Harassment Policy 8 Suggested Revisions." Do you see that? 9 A. I don't anymore. Would you mind sharing your 10 screen? 11 Q. Okay. Can you see that now? 12 A. Yes, I can see it. 13 Q. Okay. Do you recall sending or being copied on 14 an email where the anti- -- anti-racism/anti-harassment 15 policy was sent to Ms. Lombardo? 16 A. I'm just trying to remember why we would be 17 sending her that document. I don't recall why we would be 18 sending it to her. And I don't recall seeing this email 19 either to be honest. 20 Q. Okay. So you don't have any recollection of 21 sending a draft anti-racism/anti-harassment policy to 22 Ms. Lombardo? 23 A. Again, I don't know why we would as -- as the -- 24 in her capacity. But maybe there was -- maybe there was a 25 valid reason for it. I just don't remember.	1 A. I don't know what she means. Because this -- she 2 must be referring to the existing anti-harassment policy. 3 I don't -- to answer your question, I don't know. And I 4 don't know which -- which policy -- because they -- they 5 had similar, I guess, titles. And so it's easy to confuse 6 the policies, but -- so I don't -- I don't know exactly 7 which one she's referring to. 8 Q. And then she says, "I know you meet on Wednesday 9 and I will make every effort to get it done before then." 10 Do you see that? 11 A. Yes, I do. 12 Q. Do you know what she's referring to? 13 A. The BIPOC Advisory Board meetings were on 14 Wednesdays each week, and so I think that's what she's 15 referring to. 16 Q. So is it your understanding that she's trying to 17 get you the recommendations regarding -- regarding this 18 policy prior to a meeting of the BIPOC Advisory Board? 19 A. Again, I don't know for sure. 20 Q. Okay. And then it looks like Ms. Wildman 21 responds to this email and copies you and says, "Thanks, 22 [sic] Aubrey. We'll share with the BIPOC Advisory Board 23 on Wednesday." Do you see that? 24 A. Yes, I do. 25 Q. Does it appear as though she's saying that she
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1 Q. Do you know -- it looks like Ms. Lombardo here 2 makes some formatting suggestions and then revised some of 3 the language that had been revised for legal reasons. Do 4 you see that? 5 A. It does say that in the document, yes. 6 Q. Do you know why Ms. Lombardo would be offering 7 legal recommendations to members of the BIPOC Advisory 8 Board? 9 A. I don't. No, I don't. I don't -- I don't know 10 why. 11 Q. Did you receive other legal advice from 12 Ms. Lombardo as a member of the BIPOC Advisory Board? 13 A. Oh, no. No. No. 14 Q. When she says that very few substantive revisions 15 were made, do you recall having sent a draft that had 16 substantive recommendations from the BIPOC Advisory Board 17 to Ms. Lombardo? 18 A. No, I don't. I don't. 19 Q. And then in the end here, she indicates, "Also 20 [the] anti-harassment policy is next." Do you see that? 21 A. Yes, I do. 22 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-harassment policy that was prepared by the BIPOC 25 Advisory Board?	1 will share the -- the recommendations that were made by 2 Ms. Lombardo on this -- evidently on this policy with 3 members of the BIPOC Advisory Board? 4 A. I'm not sure what she means by "will share." I 5 can only -- I can only assume she means the document that 6 Aubrey sent her which had, you know, slight revisions to 7 it. 8 Q. Okay. Do you remember sharing with the BIPOC 9 Advisory Board or receiving as a member of the BIPOC 10 Advisory Board revisions to this policy that were made by 11 Ms. Lombardo? 12 A. No, I do not. I do not. 13 MR. RICHES: Okay. Jerry, if we could mark 14 the next exhibit, 09791. 15 (Deposition Exhibit 18 was marked for 16 identification.) 17 BY MR. RICHES: 18 Q. Okay. Do you see the top of Exhibit 18 here? It 19 looks like it's an email from you to Ms. Lombardo, copying 20 Robin Wildman? 21 A. Yes, I do. 22 Q. On March 31st, 2021. Do you see that? 23 A. Yes. 24 Q. Okay. I want to scroll down, actually, to start 25 at the beginning here. It's actually right here.

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

Exhibit F

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 Title 16, 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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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;
15. 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.

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.

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.
5. 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.

Section 5.5 Remuneration

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 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 RIGL § 42-46-6, 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, RIGL Title 42, Chapter 46. 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 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.
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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- 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."

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

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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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
 - Title 42, Chapter 46 Open Meetings Act
 - 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.

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:

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

Exhibit G

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

PC-2022-04727

1	STATE OF RHODE ISLAND,	SUPERIOR COURT
2	PROVIDENCE, SC.	
3	NICOLE SOLAS,	)
4	Plaintiff,	)
5	vs.	) C.A. No.
6	SOUTH KINGSTOWN SCHOOL COMMITTEE,	) PC-2022-04727
7	Defendants.	)
8		)

9 VIDEO-RECORDED DEPOSITION OF LINDA SAVASTANO

10 Providence, Rhode Island

11 October 30, 2023

12 Prepared by:

13 Gerard T. Coash, RPR, RMR
14 Certified Reporter
15 Certification No. 50503

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**CERTIFIED
TRANSCRIPT**

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

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18..21

Page 18 1 I can read that in the motion. They said "to create an 2 equity and antiracist advisory board." 3 Q. Okay. I'm asking what you recollect. 4 Is it your recollection that one of the 5 purposes of the BIPOC Advisory Board was to make 6 recommendations to the school committee regarding various 7 antiracism issues? 8 A. I don't know if that's exactly what I would have 9 thought in that -- at that time. 10 Q. Tell me what you would have thought, your 11 understanding -- tell me what your understanding was as to 12 the purpose of the BIPOC Advisory Board when the school 13 committee created it here. 14 A. I -- my understanding was there was still a lot 15 to be developed at that moment. They -- and just as much 16 as we can read here. It was just still being figured out. 17 I don't recall what I would have been thinking at that 18 time though, honestly. 19 Q. Okay. Was one of the purposes of the creation of 20 the BIPOC Advisory Board to make recommendations regarding 21 school curriculum? 22 A. Not -- not to my understanding, no. 23 Q. So when you testified earlier that the BIPOC 24 Advisory Board provided advice on issues of school 25 curriculum, what did you mean by that?	Page 20 1 committee? 2 A. My -- when I say that, it's in terms of how they 3 feel about certain aspects of the curriculum. But again, 4 there's not much authority in Rhode Island around 5 curriculum selection or recommendation. 6 Q. Okay. I want to be real clear. I'm not asking 7 you how you -- or what you think the BIPOC Advisory Board 8 thought or felt. 9 I'm asking when the school committee 10 established the BIPOC Advisory Board, was one of the 11 purposes in doing so so that was -- so that the BIPOC 12 Advisory Board could provide recommendations regarding 13 curriculum? 14 A. I couldn't answer that to know for sure. I'm 15 sorry. 16 Q. When the school committee established the BIPOC 17 Advisory Board, was one of the purposes in doing so so 18 that the BIPOC Advisory Board could provide 19 recommendations regarding school policies? 20 A. I don't know. I don't recall if that's exactly 21 why they established them. 22 Q. During your tenure as the superintendent, did the 23 school committee, to your knowledge, vote on establishing 24 any other community groups that would provide advice to 25 the school committee?
Page 19 1 A. At a high level, to consider -- curriculum is, 2 you know, really what we do in schools. And so to 3 consider at a high-level curriculum, but to select 4 curriculum. I believe that's the word you used before. 5 It's very different. 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? 10 A. If I can explain it this way, just that 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. 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. 21 Does that make sense? 22 Q. That does. And thank you for the clarification. 23 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	Page 21 1 A. I don't recall. 2 Q. Do you recall the school committee establishing 3 any other such group? 4 MS. CARRENO: Objection. 5 MR. RICHES: You can go ahead and answer. 6 THE WITNESS: I don't recall. 7 BY MR. RICHES: 8 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? 11 A. I'm sorry. I don't recall at this time. 12 Q. In the minutes, it looks like the school 13 committee charged Robin Wildman and Jonathan Lewis with 14 creating -- or being -- I'm sorry. 15 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? 18 A. I do. 19 Q. Who is Robin Wildman? 20 A. Robin Wildman is the executive director of 21 Kingian Nonviolence. 22 Q. What's Kingian Nonviolence? 23 A. An organization that provides professional 24 development. 25 Q. Professional development to whom?

Nicole Solas vs. South Kingstown School Committee
Linda Savastano

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1 Q. Correct. 2 A. I don't recall. I'm sure I did. I'm looking at 3 it, but I don't remember, August 27, receiving it. 4 Q. It appears as though Ms. Wildman is sending the 5 school committee members, and then you and Ms. Masiello, 6 minutes from the first meeting of the BIPOC Advisory 7 Board. Is that also your understanding? 8 A. It's my understanding that's what it says, yes. 9 Q. Do you know why Ms. Wildman would be sending 10 minutes of the first meeting of the BIPOC Advisory Board 11 to the school committee members and yourself? 12 A. I believe she would be sending them to provide an 13 update of what happened, but I don't know. 14 Q. Why is it -- why is it that Ms. Wildman would 15 feel the need to update the school committee and yourself 16 on the meetings of the BIPOC Advisory Board? 17 MS. CARRENO: Objection. 18 MR. ADAMS: Object. 19 THE WITNESS: I don't know the answer. I'm 20 sorry. 21 BY MR. RICHES: 22 Q. Did the -- did you ever ask Ms. Wildman to send 23 meeting minutes of the BIPOC Advisory Board? 24 A. Not that I recall. 25 Q. Do you know if any school department officials	1 families. Do you see that? 2 A. Yes. I don't see the actual invite, but I see 3 the sentence that says that it's there. 4 Q. Do you recall receiving this email? 5 A. I don't remember receiving this specific email, 6 no. 7 Q. Do you know why Ms. Wildman would be asking 8 school committee members to invite members of the BIPOC 9 community to meetings of the BIPOC Advisory Board? 10 MS. CARRENO: Objection. 11 THE WITNESS: I don't -- I don't recall this 12 specific -- I don't recall. I would be guessing if I 13 answered. 14 MR. RICHES: Go ahead and guess if you can. 15 MS. CARRENO: Objection. 16 BY MR. RICHES: 17 Q. Do you need me to rephrase? 18 A. Yes, that would be great. 19 Q. Do you know why Ms. Wildman would be sharing an 20 invite with you and the school committee members to invite 21 members of the BIPOC community to meetings of the BIPOC 22 Advisory Board? 23 MS. CARRENO: Objection. 24 THE WITNESS: I don't -- I don't know the 25 answer to that.
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1 ever asked Ms. Wildman to send minutes of the meetings of 2 the BIPOC Advisory Board? 3 A. I don't recall. 4 Q. Was there an expectation on the part of you or 5 any school officials that Ms. Wildman would keep the 6 school department apprised of the activities of the BIPOC 7 Advisory Board? 8 MS. CARRENO: Objection. 9 THE WITNESS: I don't recall if there was an 10 expectation. 11 MR. RICHES: Jerry, if we can mark the next 12 exhibit, Defendant's 04665. 13 (Deposition Exhibit 3 was marked for 14 identification.) 15 BY MR. RICHES: 16 Q. Do you see Exhibit 3 on your screen? 17 A. Yes. 18 Q. And this appears to be another email from 19 Ms. Wildman from August 28, 2020, in which you're a 20 recipient. Is that correct? 21 A. Yes. 22 Q. And here Ms. Wildman appears to be sharing an 23 "invite to our next advisory board meeting," where she 24 asks you and the other recipients to feel free to share 25 with the BIPOC community members, students, staff, and	1 BY MR. RICHES: 2 Q. As of August 28, 2020, was it your understanding 3 that members of the public were invited to attend meetings 4 of the BIPOC Advisory Board? 5 A. I don't recall. 6 Q. Do you know if meetings of the BIPOC Advisory 7 Board were ever open to members of the public? 8 A. I don't -- I don't recall. 9 Q. When you received this invitation to invite 10 members of the BIPOC community to advisory board meetings, 11 did you in fact invite any members of the BIPOC community 12 to those meetings? 13 A. There -- I don't recall. I don't -- I don't want 14 to -- I want to be honest. I don't recall. There may 15 have been. I don't recall. 16 MR. RICHES: All right. Jerry, if we can 17 mark the next exhibit, Defendant's 07138. 18 (Deposition Exhibit 4 was marked for 19 identification.) 20 BY MR. RICHES: 21 Q. Do you see Exhibit 4 on your screen, 22 Ms. Savastano? 23 A. Yes. Yes. 24 Q. And this appears to be an email from Ms. Wildman, 25 again, to yourself and the other school committee members.

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1 Is that correct?

2 A. Yes. It looks like the same list as before.

3 Q. And here it appears as though Ms. Wildman is

4 sharing minutes of the second meeting of the BIPOC

5 Advisory Board. Do you see that?

6 A. I do. I see a link, yes.

7 Q. She also indicated that the BIPOC Advisory Board

8 would be meeting virtually next week and then in person

9 again the following week. Do you see that?

10 A. I do.

11 Q. Do you know how often the BIPOC Advisory Board

12 was meeting during this time?

13 A. I don't.

14 Q. Was it your understanding that they were meeting

15 on a weekly basis?

16 A. I don't recall.

17 Q. And do you know -- again, was there any

18 expectation on your behalf as to why Ms. Wildman would be

19 sharing those meeting minutes with you and the other

20 school committee members?

21 A. I don't -- I don't know.

22 MR. RICHES: Okay. Jerry, if we can mark

23 the next, Defendant's 06835.

24 (Deposition Exhibit 5 was marked for

25 identification.)

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1 BY MR. RICHES:

2 Q. All right. Ms. Wildman, do you see Exhibit 5 --

3 I'm sorry. Ms. Savastano, do you see Exhibit 5 on your

4 screen?

5 A. I do.

6 Q. And this appears to be an email from Emily

7 Cumiskey to Robin Wildman from October 8, 2020. Do you

8 see that?

9 A. Yes.

10 Q. And you testified earlier that Emily Cumiskey

11 was at this time a school committee member. Is that

12 correct?

13 A. Yes.

14 Q. I want to draw your attention to a response from

15 Ms. Wildman on this email string where she indicates that

16 the advisory board is for BIPOC only. Do you see that?

17 A. I do.

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

19 is for BIPOC only"?

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

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

22 Q. What does BIPOC stand for?

23 A. Black, Indigenous, people of color.

24 Q. Is it your understanding that the BIPOC Advisory

25 Board was only open for membership to people who were

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1 Black, Indigenous, or people of color?

2 A. I remember that there was conversation about that

3 at the school committee meeting. I don't remember which

4 one. I don't recall the details. But I know it was -- it

5 came up at a school committee meeting.

6 Q. What's your recollection of what came up?

7 A. Just this kind of sentence exactly. That's it.

8 Q. Is it your understanding that if somebody was not

9 BIPOC they could not serve on the BIPOC Advisory Board?

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

11 recall kind of what the long-term or short-term plan was.

12 But in that moment, that was the discussion I remember.

13 Q. What was the discussion that you remember?

14 A. That -- this sentence, that the advisory board is

15 for BIPOC only.

16 Q. So is it your understanding that the -- as of

17 October 8, 2020, the BIPOC Advisory Board was only open to

18 membership to BIPOC individuals?

19 A. I don't know that I can tell you the time, the

20 calendar date of when. I just know that there was --

21 there was an understanding in a moment that that is --

22 was, you know, the understanding and the purpose and that

23 it was discussed during a school committee meeting. But I

24 can't tell you the date. Yes, I can read it here with

25 this exhibit in front of me, though, and see that on this

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1 date, you know, it was understanding.

2 Q. So is it your understanding that at some moment

3 in time the BIPOC Advisory Board was only open for

4 membership to BIPOC individuals?

5 A. Yes.

6 Q. And is it also your understanding that that means

7 that white or Caucasian people would not be permitted to

8 serve on the BIPOC Advisory Board during this period of

9 time?

10 A. Yes.

11 Q. Do you know if white or Caucasian people were

12 allowed to attend meetings of the BIPOC Advisory Board?

13 A. I attended a meeting.

14 Q. Were meetings of the BIPOC Advisory Board open to

15 individuals other than yourself or other school officials

16 to attend meetings if those individuals were white or

17 Caucasian?

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

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

20 want to be able to answer you honestly.

21 Q. Okay. Is it your understanding that at this time

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?

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

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Page 34 1 that I did attend a meeting and I am white. 2 Q. Did you attend that meeting in your capacity as 3 the superintendent of the school department? 4 A. I did. 5 Q. Do you know if meetings of the BIPOC Advisory 6 Board were open to members of the public that were not 7 school officials? 8 A. I don't -- I can't answer that. I don't recall. 9 And I'm not sure -- I can't -- I can't -- I don't want to 10 speculate. I'm sorry. 11 Q. You were superintendent of the school department 12 on October 8, 2020. Is that correct? 13 A. Yes. 14 Q. As of that date, were you aware of the 15 restriction that white or Caucasian people could not be 16 members of the BIPOC Advisory Board? 17 A. I don't recall. As I shared previously, it was 18 discussed at a school committee meeting, and I do not 19 recall if the discussion happened before or after this 20 date. 21 Q. Did you have any objections at this time or any 22 other time that the BIPOC Advisory Board and its 23 membership would be restricted based on race? 24 A. I don't -- I don't recall reflecting on it or 25 discussing it.	Page 36 1 A. Thank you. 2 MR. RICHES: Jerry, can you mark the next 3 exhibit? It's captioned at the top "South Kingstown 4 School Committee Bylaws." 5 (Deposition Exhibit 6 was marked for 6 identification.) 7 BY MR. RICHES: 8 Q. Do you see Exhibit 6, Ms. Savastano? 9 A. I do. 10 Q. Do you recognize this document? 11 A. I'll just share bylaws are updated. So I don't 12 know if this is the bylaws that were -- the school 13 committee bylaws when I was in South Kingstown. They've 14 made changes to them. So I do see the document. I'm just 15 sharing they are updated and often by school committees, 16 and I'm not sure what this reflects. But . . . 17 Q. What are the purpose of school committee bylaws? 18 A. They set the parameters that a school committee 19 will function by. 20 Q. Is the school committee bound by the bylaws? 21 MR. ADAMS: Objection. 22 THE WITNESS: I -- I'm not comfortable 23 answering that. I don't know how to answer that. 24 BY MR. RICHES: 25 Q. Does the school committee have to follow bylaws
Page 35 1 Q. If you were aware that that BIPOC Advisory Board 2 was restricted based on race, as the superintendent of the 3 school department, would you have an objection to that 4 restriction? 5 MS. CARRENO: Objection. 6 THE WITNESS: I'm not -- I'm not sure how 7 to -- I don't -- 8 MR. ADAMS: It's getting into a bit of a 9 hypothetical question. I think we can stick to the facts. 10 BY MR. RICHES: 11 Q. Let me ask you, if the school committee wanted to 12 establish a group to provide advice, as you characterized 13 it, to the school committee, could the school committee 14 restrict that group based on race? 15 MS. CARRENO: Objection. 16 THE WITNESS: I -- I'm not -- I'm not sure 17 how to answer that. Again . . . 18 BY MR. RICHES: 19 Q. I'm sorry, were you going to add something? 20 A. It just -- I don't -- I'm not sure how to answer 21 that. I'm happy to go through and answer things, you 22 know, based upon my recollection. But I just -- I feel 23 like this is me hypothesizing and speculating, and I'm 24 just not comfortable with that. 25 Q. Let's see if we can get a little more concrete.	Page 37 1 that are in place? 2 A. They follow them. 3 Q. Do you know if the school committee has authority 4 to establish subcommittees? 5 MS. CARRENO: Objection. 6 THE WITNESS: Can I ask you a clarifying 7 question? 8 MR. RICHES: Sure. 9 THE WITNESS: So you're asking if the South 10 Kingstown School Committee has the authority to establish 11 subcommittees? 12 MR. RICHES: Correct. And anytime I refer 13 to the school committee, I'll be referring to the South 14 Kingstown School Committee unless I specify otherwise. 15 THE WITNESS: Thank you. Sorry. Okay. 16 They did establish subcommittees while I was 17 in South Kingstown. 18 BY MR. RICHES: 19 Q. What is a subcommittee? 20 A. A subcommittee is a group that -- they vote on 21 and appoint members. Normally I -- and I'd have to read 22 the bylaws again. So X number, I'll say, of school 23 committee members on the subcommittee. And when someone 24 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 2 and then bring back recommendations, opinions, with 3 respect to whatever the subcommittee may be, policy, 4 budget. 5 Q. Okay. I want to draw your attention to section 6 4.5. Do you see that on your screen? 7 A. I do. 8 Q. And it indicates that the school committee can 9 establish subcommittees to assist in the completion of its 10 business. Do you see that? 11 A. I do. 12 Q. Is it your understanding, then, that one of the 13 purposes of establishing the subcommittee is to assist the 14 school committee in the completion of its business? 15 A. Yes. 16 Q. This also indicates that the chair shall appoint 17 up to three members of the school committee to each 18 subcommittee. Do you see that? 19 A. I do. 20 Q. Is it your understanding that the chair had 21 authority to appoint subcommittee members from the school 22 committee? 23 A. According to this, yes. I don't -- again, I 24 don't know if this currently, you know, what they have 25 there. But based upon this document, that's what it says.	1 A. I don't -- I don't recall if that's what I would 2 have thought. You know, reading this document, fine, 3 but . . . 4 Q. Was it your understanding as superintendent of 5 the school department that one of the purposes of a school 6 subcommittee was to make recommendations to the full 7 committee? 8 A. Yes. 9 Q. And is it your understanding that meetings of 10 school subcommittees are open to the public under Rhode 11 Island's Open Meetings Law? 12 A. Yes. 13 Q. If the BIPOC Advisory Board had been established 14 as a school subcommittee, is it your understanding that 15 its meetings would be open to the public? 16 MS. CARRENO: Objection. 17 THE WITNESS: My understanding is that they 18 were not a subcommittee. But any subcommittee I had did 19 follow -- that we had, did follow Rhode Island general 20 law. 21 BY MR. RICHES: 22 Q. I'm sorry, did follow what? 23 A. Rhode Island general law with respect to open 24 meetings. 25 Q. Could the school committee establish a
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1 Q. Okay. Is it your understanding that one of the 2 purposes of establishing a subcommittee is for 3 fact-finding? 4 A. I don't know. 5 Q. Let me draw your attention to the third paragraph 6 on the exhibit in front of you, the second sentence. Do 7 you see the sentence that says, "Subcommittees will be 8 charged by the full committee for a specific purpose such 9 as fact-finding, studying issues, and/or making 10 recommendations to the full committee"? 11 A. Yes, I see that. 12 Q. Is it your understanding that one of the purposes 13 of a subcommittee could be to engage in fact-finding? 14 A. According to this, yes. 15 Q. Is it -- I'm asking what your understanding is as 16 superintendent. 17 Is it your understanding, when you're 18 superintendent of the school department, that one of the 19 purposes of a subcommittee was to engage in fact-finding? 20 A. You're asking if -- can you ask that again? I'm 21 sorry. 22 Q. Is it your understanding that while serving as 23 the superintendent of the school department, one of the 24 purposes of a school subcommittee was to engage in 25 fact-finding for the full school committee?	1 subcommittee for purposes of providing recommendations to 2 the school committee and then restrict membership of the 3 subcommittee based on race? 4 MS. CARRENO: Objection. 5 MR. ADAMS: Objection. 6 THE WITNESS: I -- I can't answer that. 7 BY MR. RICHES: 8 Q. I'm sorry. You don't know or you can't answer 9 it? 10 A. I'm not the school committee. 11 Q. Was it your understanding as superintendent of 12 the school department that the school committee could 13 establish a subcommittee and then restrict its membership 14 based on race or not? 15 MS. CARRENO: Objection. 16 THE WITNESS: I can't speak for the school 17 committee. I'm sorry. Even when I was superintendent. 18 BY MR. RICHES: 19 Q. As superintendent -- while you were 20 superintendent, would you have concerns if the school 21 committee established a subcommittee and then restricted 22 its membership based on race? 23 MS. CARRENO: Objection. 24 THE WITNESS: I can't answer that. 25

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Page 50 1 to provide knowledge, expertise, and experiences when new 2 curriculum are being developed." Do you see that? 3 A. Yes. 4 Q. Do you recall the advisory board discussing 5 providing its knowledge, expertise, and experience 6 regarding curriculum within the school department? 7 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. 10 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? 14 A. 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. 18 Q. 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? 24 A. I believe it was -- they were voting again on the 25 establishment of it, but I don't remember specifics.	Page 52 1 Q. Do you recall the BIPOC Advisory Board being 2 active in discussions regarding the school suspension 3 policy? 4 A. I don't remember the details. I remember that -- 5 what we -- I know we had a policy subcommittee that met 6 regularly. And I know that, you know, it was -- there 7 were many people there and we often had lively discussion. 8 I -- I don't remember details about the suspension policy 9 at all. I'm sorry. 10 Q. What's a policy subcommittee? 11 A. As we looked earlier at the bylaws, there are 12 committees established by the school committee. They -- 13 and so -- we did have -- the South Kingstown School 14 Committee did have a policy subcommittee, and they met -- 15 not necessarily like in any kind of cycle, but, you know, 16 depending upon what work was in front of us. 17 But they had -- for example, we would have 18 three members of the school committee on there and 19 different policies would come forward and be discussed and 20 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 23 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
Page 51 1 Q. Why would the school committee need to vote on 2 the establishment of the BIPOC Advisory Board? 3 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. 6 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 -- 12 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 an 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 says 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.	Page 53 1 discussed by that subcommittee. 2 Q. Were you a member of the school policy 3 subcommittee? 4 A. I was. 5 Q. And it sounds like one of the purposes of the 6 policy subcommittee was to provide recommendations 7 regarding school policies to the full school committee. 8 Is that correct? 9 A. Yes. 10 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. 14 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? 17 So if you have, you know, a policy around 18 athletics, then you might have your athletic director 19 there. If you have a policy on high school graduation, 20 then you might have your principal there. So it would 21 just -- and in fact, those people would come to the policy 22 subcommittee meetings, as well as the policy subcommittee 23 would work on the policies. And then ultimately, really, 24 the discussion would be led by the school committee member 25 that was attending the policy sub- -- you know, the

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Page 54 1 liaison, if you will, that was on the policy subcommittee. 2 During the school committee meeting, they would be like 3 leading the conversation on that policy that they were the 4 point on. Does that make sense? 5 MR. RICHES: All right. Jerry, could we 6 mark the next exhibit SKSD.00172? 7 (Deposition Exhibit 8 was marked for 8 identification.) 9 BY MR. RICHES: 10 Q. Do you see Exhibit 8 on your screen? 11 A. I do. 12 Q. What's this document? 13 A. This is minutes from the policy subcommittee. 14 Q. I'm sorry. Does it appear to be minutes from the 15 November 5th, 2020 meeting? 16 A. Yes. 17 Q. And it appears you were in attendance at that 18 meeting. Is that correct? 19 A. I don't recall, but I'm sure I was if that's what 20 it says. 21 Q. Do you see where it says "In attendance," and 22 your name appears as -- 23 A. I do. I do, yes. 24 Q. Okay. I want to draw your attention to agenda 25 item 3. It says, "Discussion:" regarding "Advisory	Page 56 1 policy subcommittee the BIPOC Advisory Board drafting an 2 antiracism policy for the school committee? 3 A. If they would have brought information to the 4 policy subcommittee. So to this group. If I'm just going 5 back to kind of how we functioned. So they would not 6 bring a -- if someone was working on a recommendation for 7 a policy, they would have brought it to the policy 8 subcommittee. 9 Q. Right. Do you remember the BIPOC Advisory Board 10 working on an antiracism policy for the school department 11 that was brought to the policy subcommittee? 12 A. Seeing this here, I remember that it was 13 discussed during meetings at the policy subcommittee and 14 at school committee meetings, but I don't remember details 15 or extent. 16 Q. Do you know what it means when the minutes say 17 "continue this work and bring it back to the subcommittee 18 at a later meeting"? Do you know what work that is 19 referring to? 20 A. It appears that it would mean the policy right 21 above it. And it would also be an indicator that when we 22 were building a policy subcommittee agenda in the future, 23 that we would, you know, kind of leave that as something 24 that was still open and being in development. 25 Q. In development by the BIPOC Advisory Board?
Page 55 1 Board's research on staff to staff/staff to 2 student/student to student/student to staff racism 3 policy." Do you see that? 4 A. Yes. 5 Q. Do you know what's referenced by this racism 6 policy? 7 A. What do you mean, do I know what's referenced? 8 Q. Do you know what -- do you know what this minute 9 entry is referring to? What's the staff to staff/staff to 10 student/student to student/student to staff racism policy? 11 A. I don't recall specifically from this time. But 12 I -- it appears it's a policy that was being researched. 13 Q. And the minutes indicate that the "Advisory board 14 will continue this work and bring it back to the 15 subcommittee at a later meeting." Do you see that? 16 A. I do. 17 Q. Was it your understanding at this time that the 18 BIPOC Advisory Board then was working on a racism policy 19 to bring back to the subcommittee for later consideration? 20 A. Yes. It appears that's some form of that, yes. 21 Q. What was your understanding the extent to which 22 the BIPOC Advisory Board worked on or created a racism 23 policy within the school department? 24 A. I -- I don't know. I wouldn't know. 25 Q. Do you recall when you were a member of the	Page 57 1 A. Well, in development by the policy subcommittee. 2 Like, so from this perspective, we're 3 looking at it -- it's minutes from the policy 4 subcommittee. And so these minutes would be something you 5 would go back to to look at what work is still 6 outstanding. 7 MR. RICHES: Jerry, if we could mark the 8 next exhibit in order, Defendant's 00863. 9 (Deposition Exhibit 9 was marked for 10 identification.) 11 BY MR. RICHES: 12 Q. Do you see Exhibit 9 on your screen? 13 A. I do. 14 Q. This appears to be an email from Robin Wildman to 15 yourself and various other school committee and school 16 officials. Is that correct? 17 A. Yes. 18 Q. And Ms. Wildman -- 19 A. Exactly. 20 Q. I'm sorry? 21 A. Yes. I said exactly. 22 Q. Ms. Wildman indicates that "Attached is the 23 antiracism/anti-discrimination policy that the BIPOC 24 Advisory Board created." Do you see that? 25 A. Yes.

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Page 58 1 Q. Was it your recollection that the BIPOC Advisory 2 Board created a draft of an antiracism/anti-discrimination 3 policy? 4 A. What do you -- at the time when I received this 5 email -- 6 Q. Correct. 7 A. -- are you asking? 8 That's how I would have read this. 9 Q. Do you have a recollection of the BIPOC Advisory 10 Board drafting an antiracism/anti-discrimination policy 11 that was later considered by the policy subcommittee? 12 A. Seeing this here now, I do. But if you -- 13 without this, I don't know that I would recall this. 14 Q. What do you recall about the extent to which the 15 BIPOC Advisory Board was involved in the creation of the 16 draft of the antiracism/anti-discrimination policy? 17 A. I don't -- I don't recall the specifics of any of 18 that. Sorry. 19 Q. Do you recall the policy subcommittee considering 20 an antiracism/anti-discrimination policy? 21 A. I -- I recall discussing it at a policy 22 subcommittee. I couldn't -- or multiple. I couldn't tell 23 you the dates of those, but I know it was discussed. And 24 I just -- I can't tell you exactly when or the details. 25 Q. Do you recall who created the draft of the	Page 60 1 policy, and so we would look at what other high schools 2 did. Like I shared before, a high school principal and a 3 director of guidance may bring that forward. So it just 4 depends -- you know, the topic -- depending upon what the 5 policy is about. 6 Q. Is it fair to say that a school official would 7 typically draft a policy for consideration by the policy 8 subcommittee? 9 A. I wouldn't say that. I've had many 10 health-related policies that were developed by health 11 officials in the state. I guess you could say health -- 12 but not necessarily, like, school department staff, if 13 that's what you're asking. 14 Q. Would it be fair to say then that policies 15 initially -- or are typically initially drafted by either 16 government officials or school department staff? 17 A. No. I -- no. I mean, a policy -- we would 18 have -- even during school committee meetings we would 19 have community opportunity for feedback and change things 20 in the policies based upon the general public standing and 21 giving a great amount of feedback to us about what they 22 want to see in policies. 23 Q. I'm not asking about -- I'm not asking about 24 general feedback. I'm asking you is there a situation 25 that you remember as superintendent where a member of the
Page 59 1 antiracism or anti-discrimination policy that was later 2 discussed at a policy subcommittee? 3 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 their 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 15 it apart. 16 Q. Who within the school department typically would 17 be responsible for drafting policies that were considered 18 by the policy subcommittee? 19 A. It would depend upon the policy. 20 Q. Can you give me some examples? 21 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	Page 61 1 public initially drafted a policy that was then considered 2 by the policy subcommittee? 3 A. I -- I don't recall right now. I -- I don't 4 recall. 5 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? 9 A. There could have been. I don't recall. 10 Q. Let me ask it one more time. 11 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. 18 (Deposition Exhibit 10 was marked for 19 identification.) 20 BY MR. RICHES: 21 Q. Do you see Exhibit 10 on your screen? 22 A. Yes. 23 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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1 And it appears that this would be a response. It's
2 just -- again, it's not an RFP. It's the response to.
3 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?
13 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.
21 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

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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.
23 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

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1 BIPOC Advisory Board?
2 A. Am I thinking this is in response to an RFP? Is
3 that your question?
4 Q. That one of the services that is offered in this
5 response to the RFP is for Ms. Wildman and Nonviolent
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.
15 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?
20 A. Yes. I don't understand your question, though.
21 Q. My question is, is it unusual for somebody
22 responding to an RFP 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

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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
24 Jonathan Lewis and Robin Wildman to do the work, yes.
25 Moving forward then, when we put out an RFP,

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1 again, those details managed by a department, and then
2 gather the responses based on that RFP. So initially,
3 yes. And then after, you know, like, you have to go out
4 to bid and kind of see how that all lands.
5 Q. Is one of the purposes of an RFP to identify the
6 highest and best bidder?
7 A. What do you mean by "highest and best"?
8 Q. Is the purpose -- is one of the purposes of the
9 RFP to receive bids that would provide the school
10 department the services sought at under the best terms for
11 the district?
12 A. Yes. I -- normally -- and I'm not just speaking
13 in terms of South Kingstown, but most, you know, RFPs then
14 would have some type of rubric or criteria that they would
15 identify what would determine that best -- you know, what
16 the best would mean.
17 Q. Is one of the purposes of the school department
18 would put out an RFP to identify qualified vendors to
19 provide services to the school department?
20 A. Is that a process that we followed in South
21 Kingstown, do you mean? To do like an RFQ?
22 Q. Is one of the purposes of publishing an RFP in
23 the school department to identify vendors to provide the
24 service that's sought in the RFP?
25 A. To identify the vendors and the services that

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1 they'll provide. I have experience where there's RFIs,
2 RFQs, RFPs, depending upon what the need is.
3 Q. You testified earlier that the school committee
4 had specific people in mind for purposes of providing the
5 work of the BIPOC Advisory Board, and those specific
6 people were Jonathan Lewis and Robin Wildman. Is that
7 correct?
8 A. Are you referring to, you know, in terms of like
9 the summer -- the late spring and summer?
10 Q. Correct.
11 A. Yes, they did.
12 Q. Wouldn't it be improper to have specific vendors
13 in mind when the school department is creating an RFP?
14 MS. CARRENO: Objection.
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
25 question.

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1 BY MR. RICHES:
2 Q. You indicated -- you testified that the school
3 committee had identified Ms. Wildman and Mr. Lewis as
4 people that would provide services to the school
5 committee, including facilitating the BIPOC Advisory
6 Board. Is that correct?
7 A. Yes. Yes. In the spring -- in the late spring
8 and the summer -- and you can see on the minutes -- they
9 identified who they wanted to do this, you know, kind of
10 initial work, yes.
11 Q. We then see that in January, so several months
12 later, the school department published an RFP for those
13 very same services. Is that correct?
14 A. No. I don't believe it is for the very same
15 services. I believe it's for an expansion of those
16 services.
17 Q. Okay. Is it your understanding that the school
18 committee wanted Ms. Wildman and Mr. Lewis to perform
19 those expanded services?
20 A. No. I think they -- no. We put out an RFP. It
21 is what it is. I mean, it's -- you put out an RFP, and
22 you go through the process. And sometimes it -- it
23 just -- it lands where it needs to land. Like, it's --
24 you have a rubric or a criteria or a scale that you use,
25 and you score accordingly. That's the process.

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1 Q. Did that happen in this -- did that happen in
2 this case? Was there a rubric and a score and a scale?
3 A. I can't remember the exact RFP on this.
4 Normally -- I normally had them when I've
5 done them. But again, it was a purchasing department. So
6 I would have kind of fallen in step with, you know, the
7 practices of the district.
8 Q. This response indicates that Ms. Wildman had been
9 facilitating the BIPOC Advisory Board meetings for several
10 months before the response was submitted. Do you see
11 that?
12 A. Yes. Yes.
13 Q. Do you recall any other circumstance during your
14 time as superintendent where a vendor was already
15 providing services and then submitted a response to an RFP
16 to provide those same services?
17 A. I can't give you specifics right now. As you can
18 probably tell, I like to have documentation and reference
19 in front of me before I answer something and I'm 100
20 percent sure, which is the only way I'll answer you.
21 But I know in my experience, many, many
22 years as -- in a leadership role in school districts, that
23 there are many times that an RFP response is awarded to
24 someone that you've worked with previously.
25 Q. That's not what I'm asking. I'm asking a more

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

Exhibit H



**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

- 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:

Wildman
Exhibit 16
09-29-23 Gerard T. Coash, RMR

SKSD.00233

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

a. 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. Title IX

~~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.

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-j4UAEJ6PJdy2bDipBOrUhaI8BRcaY.H9I-emRVBwChz6z0>

Passcode: LI+VQ+4b

Minutes approved: 1/21/2021

Exhibit I

**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.

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/9EsYMLLETtTrNcr1DrS2j0k748AGsWXacEDyBnxis pA6PiBRiSUNC9f-tHpdabp.KtSTPQBIJBUpLnIq>

Case Number: BC-2023-00007A
Filed in Superior Court, Bristol County Superior Court
Submitted: 7/16/2023 12:50 PM
Envelope: 4998887
Reviewer: Zita Camporan

Passcode: n@4mB7=x

Minutes Approved: 3/4/2021
Minutes Posted: 3/9/2021

**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.

Mr. Gitahi suggested that the most popular first choice survey option of Thursdays from 2-3:30PM 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

Meeting adjourned at 3:18PM

Please click the link below to view this meeting:

https://skschools.zoom.us/rec/share/LIT2L8J3n2digGFwX7MguRL0tLvtvVDU_x96rghZt1HfleHU6Up3z-phFkfoKcL2.uqss_6RWZb2t7wGm

Passcode: CGF@0#*G

Minutes Approved: 3/18/2021

Minutes Posted: 4/27/2021



**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

SKSD.00242

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, 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)

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_wBqieR-P4eTT2jEI-dL6d4e1PUer-4XfkK9rk_Z2EU8jFWqN5g.WDIAnnNngBeSD9i8

Passcode: Zls+0lbh

Minutes

Approved: 4/15/2021

Minutes Posted: 4/27/2021

Exhibit J



**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
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:

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.



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:

[@?01=YkN">https://skschools.zoom.us/rec/share/B3YvQ6WlkJ9oo6DmqSVpisUDxfpLykSqYKabop9hulGwdJqY6CjU4-EBTe6eUcMo.ABGbrKvPth1NdxHl](https://skschools.zoom.us/rec/share/B3YvQ6WlkJ9oo6DmqSVpisUDxfpLykSqYKabop9hulGwdJqY6CjU4-EBTe6eUcMo.ABGbrKvPth1NdxHl) Passcode:
@?01=YkN

Minutes Approved: 4/29/2021
Minutes Posted: 5/21/2021

SKSD.00246

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

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. Pallotta explained this would not apply to making the call the night before. If the closing could be made the night before the district will.

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.

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 condense 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 Rodriguez- 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

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 unanimously

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.

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

Exhibit K

**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, 2021 School 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.

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

- 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.

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.

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.

6. 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

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.***

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

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

Vote: Unanimously Approved

Q. Discussion/Action: Sub-committee Reports

Building Committee: 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.

Sustainability Committee: 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.

Policy Committee: 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.

SELAC Committee: 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

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

Exhibit L

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

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.

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 Rubino- 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.

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 condense 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 Rodriguez- 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

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 Sperdelozzi- 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 unanimously

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.

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

Exhibit M

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. DISCUSSION/ACTION: POLICIES IN REVIEW, ORGANIZATION, AND CALENDARING TIMELINE

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

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.

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



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.

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 Sperdelozzi – (community member) Echoed previous comments. Acknowledged low enrollment. Addressed DLI concerns.

Dorald Beasley – (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)

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 keep 3 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 be 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

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)

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 Mancinanti

Motion seconded by Michelle Brousseau

Motion passes unanimously

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 anti-racist 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 harassment 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. 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 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 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.

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.

Microaggressions: 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

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-Harassment 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):

- 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

- 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 employees.
- 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

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-informed 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

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

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 ~~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 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

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.
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.
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.

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.
 - 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

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

Exhibit N

**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 Governor 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/j/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 harrasment.

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
- Homeschool - discussion ensued and this will continue as draft and meet with legal to discuss further.
- Teaching Controversial Issues - 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



**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/
Student to Staff Racism Policy

- 4. Discussion/Action: on Policy drafts**

- a. Coach Hiring
 - i. Discussion ensued regarding NK's policy. Legal will capture the feedback and align to the CBA, law from January, edit philosophy.
 - ii. 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
 1. *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, 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.

- 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
 - 1. 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

Exhibit O



**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

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2. Discussion/Action: Accept Meeting Minutes of 10/8/2020

Jacy Northop made a motion to approve and Sarah Markey seconded
All yes

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1. Subcommittee
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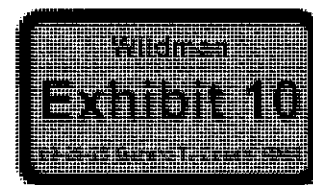
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This policy will go before the school committee on October 27th for the first reading.

- 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

Exhibit P



**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.

2. School Committee Workshop

A. Discussion: BIPOC Advisory Board Update

SKSD.00169

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.

SKSD.00170

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.

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

SKSD.00171

Exhibit Q

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:

IVIII. District Protocol

I. District Protocols

A. The School District shall adopt the following protocol with respect to the hiring of personnel: ~~Include the following:~~

1. ~~The 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.~~

~~(From the Antiracism policy)~~

2. 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 parties, including members who identify as BIPOC.

b. No member of the hiring team shall participate in the interview of any candidate with whom they have a personal relationship. 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 community will participate on the hiring team in the following numbers: For a hiring team of five (5), there shall be three (3) members of the BIPOC community. For a hiring team representation 3, a hiring team of seven (7), there shall be four (4) members of the BIPOC community.

7-For BIPOC representation 4, 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. BIPOC representation 4, and a hiring team of 11- BIPOC representation 5.

3d. The hiring team shall review all applications and interview candidates whom they agree meet the qualifications for the position pursuant to the job description for the position posted.

e. 4. 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.

f. 5. Each member of the hiring team shall keep a score sheet associated with each candidate, broken down by question. Said sheets shall be kept by the District for at least one (1) year.

g. 6. After review of the tallied score sheets from the hiring team, and in consultation with the site-based school improvement team, the building principal 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 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. (For procedures for hiring coaches, see the Coaches Policy)

_____ h. ~~7.~~ _____ The superintendent shall appoint, at the recommendation 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 bargaining _____ agreement under which they fall.

_____ j. ~~9.~~ _____ Compensation for personnel assigned to individual schools, _____ who are not covered by a collective bargaining agreement, _____ shall be determined by the School Committee.

_____ k. ~~10.~~ _____ 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.

3. School Principals

_____ a. The principal at each school shall convene a hiring team made up of the principal and additional interested parties, including members who identify as BIPOC.

_____ 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 hiring team of five (5), there shall be three (3) members 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), 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
interview _____ candidates whom they agree meet the
qualifications for the _____ position pursuant to the job
description for the position _____ posted.

_____.e. 4. The hiring team shall develop and ask a uniform set
of _____ questions to each candidate for a position, based on
the job _____ description for that position.

_____.f. 5. Each member of the hiring team shall keep a score
sheet _____ associated with each candidate, broken down by
question. _____ Said sheets shall be kept by the District for at
least one (1) _____ year.

_____.g. 6. After review of the tallied score sheets from the hiring
team, _____ the superintendent shall appoint a school principal for
each _____ school within the District.

_____.h. 7. Compensation for school principals shall be
determined by _____ the School Committee.

_____.i. 8. The School Committee shall be responsible for
entering into _____ a contract of employment with school principals
selected by _____ the superintendent.

4. Administrators and Other Personnel Not Assigned to Individual
Schools

a. The principal at each school shall convene a hiring team
made up of the principal and additional interested parties,
including members who identify as BIPOC.

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 hiring team of five (5), there shall be three (3) members

_____ 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), _____ 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
interview _____ candidates whom they agree meet the
qualifications for the _____ position pursuant to the job
description for the position _____ posted.

_____ e. 4. _____ The hiring team shall develop and ask a uniform set
of _____ questions to each candidate for a position, based on
the job _____ description for that position.

_____ f. 5. _____ Each member of the hiring team shall keep a score
sheet _____ associated with each candidate, broken down by
question. _____ Said sheets shall be kept by the District for at
least one (1) _____ year.

_____ g. 6. _____ After review of the tallied score sheets from the hiring
team, _____ the superintendent shall appoint administrators and
other _____ personnel not assigned to individual schools within
the _____ District.

_____ h. 7. _____ Compensation for administrators and other 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.

_____ i. 8. _____ Compensation for administrators and other personnel
not _____ assigned to individual schools, who are not covered

by a _____ collective bargaining agreement, shall be determined
by the _____ School Committee.

_____ j. 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.

Exhibit R

**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 meeting 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

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

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.

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

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

Motion passes

Meeting adjourned at 10:13 PM

**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.

SKSD.00217

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

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.

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 speculative 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

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.

SKSD.00221

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.

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



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.

(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.

Exhibit S

STATE OF RHODE ISLAND

PROVIDENCE, Sc.

SUPERIOR COURT

NICOLE SOLAS

vs.

SOUTH KINGSTOWN SCHOOL COMMITTEE

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)
)
)
)
)
)

No: PC-2022-04727

HEARD BEFORE

THE HONORABLE CHRISTOPHER K. SMITH,

ASSOCIATE JUSTICE, RHODE ISLAND SUPERIOR COURT,

ON OCTOBER 2nd, 2024

APPEARANCES:

GREGORY P. PICCIRILLI, ESQUIRE.....FOR THE PLAINTIFF

DEIDRE E. CARRENO, ESQUIRE.....FOR THE DEFENDANT

SARA Z. CZARTOLOMNA

COURT STENOGRAPHER

REPORTER'S CERTIFICATE

I, Sara Z. Czartolomna, hereby certify that the succeeding pages 1 through 23, inclusive, are a true and accurate transcript of my stenographic notes on October 2nd, 2024.

Dated this 10th day of October, 2024

Sara Z. Czartolomna, Court Stenographer

1 **WEDNESDAY, OCTOBER 2, 2024**

2 **MORNING SESSION**

3 (OPEN COURT; PARTIES PRESENT)

4 (ON THE RECORD IN THIS MATTER AT 10:13
5 A.M.)

6 THE CLERK: PC-2022-04727, Nicole
7 Solas versus South Kingstown School Committee.

8 THE COURT: If I can have counsel state
9 their names.

10 MR. PICCIRILLI: Gregory Piccirilli for the
11 plaintiff.

12 THE COURT: Thank you.

13 MS. CARRENO: Good morning, Your Honor.
14 Deidre Carreno for the South Kingstown School
15 Committee.

16 THE COURT: Thank you. And this matter was
17 previously before the Court where we heard argument
18 from both sides in support of their motion for
19 summary judgment, as well as in their opposition to
20 the summary judgments filed against them. The matter
21 was set down for a decision today.

22 Before this Court for decision are both
23 plaintiff Nicole Solas's and defendant South
24 Kingstown School Committee's motions for summary
25 judgment.

1 Plaintiff filed the instant one-count
2 amended verified complaint against the School
3 Committee on August 11th, 2022, for an alleged
4 violation of General Laws 42-46-1, otherwise known as
5 the Open Meetings Act.

6 On June 23rd, 2020, the School Committee
7 listened to the presentation of Robin Wildman,
8 executive director of Nonviolent School Rhode Island,
9 NSRI, in an effort to address anti-racist and
10 equitable concerns within the school district.
11 Ms. Wildman explained that the mission of NSRI is to
12 teach educators and administrators in grades K
13 through college age the philosophy and strategies of
14 Dr. Martin Luther King, Jr. so that we could improve
15 the climate and culture of the school committees or
16 help to improve it.

17 Subsequently, on July 22nd, 2020, the School
18 Committee unanimously voted to create equity and
19 anti-racist Advisory Board spearheaded by Ms. Wildman
20 and Jonathan Lewis. This decision was memorialized
21 in the form of an Independent Contractor Agreement
22 signed by the School Committee and Ms. Wildman.

23 According to Mwangi Gitahi, a member of the
24 Board and Policy Subcommittee, the overall purpose of
25 the Board was a place for the people to come and talk

1 about the issues that they had experienced in the
2 school district and to provide us with insight
3 because we weren't all part of the school district.

4 It is uncontested that from February 15th,
5 2021, to August 31st, 2021, the School Committee
6 allotted \$5,000 of public funds to the Board to
7 conduct meetings. Then, on October 27th, 2020, the
8 School Committee unanimously voted to continue the
9 Board.

10 On May 15th, 2021, plaintiff learned of the
11 Board's existence and asked the superintendent, Linda
12 Savastano, for permission to attend its meetings.
13 However, Ms. Savastano directed plaintiff to speak
14 with Ms. Wildman, who eventually told plaintiff that
15 the meetings aren't open to the public.

16 Thereafter, on May 21st, 2021, plaintiff
17 filed an administrative complaint with the Attorney
18 General within the 180-day period pursuant to General
19 Laws 42-46-8(b). Nevertheless, on May 10th, 2022,
20 the Attorney General informed plaintiff that the
21 Board is not a public body under the OMA.

22 After filing her amended verified complaint,
23 on May 30th, 2024, plaintiff filed a motion for
24 summary judgment. On July 16th, 2024, the School
25 Committee responded with an objection and its own

1 cross-motion for summary judgment. Additional facts
2 will be set forth as appropriate in the analysis
3 section.

4 To support her motion for summary judgment,
5 plaintiff argues that the plain language of section
6 42-46-1 requires that the Board, as a public body, be
7 subject to the Open Meetings Act because it possesses
8 advisory power over matters of significant public
9 concern. Plaintiff requests that any acts taken by
10 the Advisory Board be declared null and void.

11 Defendant counters and files a cross-motion
12 for summary judgment wherein it argues that the Board
13 is not a public body under the OMA in line with our
14 Supreme Court's holding in *Pontarelli vs. Rhode*
15 *Island Board Council on Elementary and Secondary*
16 *Education*, 151 A.3d 301.

17 Consolidating both her reply and objection
18 to the defendant's cross-motion for summary judgment,
19 plaintiff insists that *Pontarelli* instead supports a
20 finding that the Board is a public body under the OMA
21 because it was created by the School Committee and
22 met on a regular basis. Additionally, plaintiff
23 reasserts that *Solas vs. Emergency Hiring Council of*
24 *State*, 774 A.2d 820, is controlling because under the
25 plain language of the OMA the Board exercised

1 advisory power.

2 A motion for summary judgment is designed to
3 decide in expeditious fashion cases representing
4 groundless claims. That's *Town of Exeter by and*
5 *through Marusak vs. State*, 226 A.3d 696. However,
6 summary judgment is a drastic remedy, and a motion
7 for summary judgment shall be dealt with cautiously.
8 That's *Cruz vs. DaimlerChrysler Motors Corp.*, 66 A.3d
9 446.

10 Summary judgment is appropriate when no
11 genuine issue of material fact is evident from the
12 pleadings, depositions, answers to interrogatories,
13 and admissions on file, together with the affidavits,
14 if any, and the motion justice finds that the moving
15 party is entitled to prevail as a matter of law.
16 That's *Swaim vs. Estate of Tyree ex rel. Reilly*, 57
17 A.3d 283. In deciding a motion for summary judgment,
18 a court views the evidence in the light most
19 favorable to the nonmoving party. That's *Mruk vs.*
20 *Mortgage Electronic Registration Systems*, 82 A.3d
21 527.

22 Moreover, the nonmoving -- the moving party
23 bears the initial burden of establishing the absence
24 of a genuine issue of fact. That's *McGovern vs. Bank*
25 *of America*, 91 A.3d, 853. The burden then shifts to

1 the nonmoving party, who bears the burden of proving
2 by competent evidence the existence of a disputed
3 issue of material fact and cannot rest upon mere
4 allegations or denials in the pleading, mere
5 conclusions, or mere legal opinions.

6 Competent evidence is generally presented on
7 summary judgment in the form of depositions, answers
8 to interrogatories, admissions on file, and
9 affidavits. That's *Flynn vs. Nickerson Community*
10 *Center*, 177 A.3d 468.

11 After careful review of the filings
12 submitted in relation to plaintiff's and defendant's
13 motion for summary judgment, for purpose of judicial
14 efficiency this Court will address both motions
15 collectively.

16 The General Assembly passed General Law
17 42-46-1, otherwise known as the Open Meetings Act,
18 because it is essential to the maintenance of a
19 democratic society that public business be performed
20 in an open and public manner and that the citizens be
21 advised of and aware of the performance of public
22 officials and the deliberations and decisions that go
23 into making public policy.

24 To achieve this goal, the General Assembly
25 determined that every meeting of all public bodies

1 shall be open to the public unless closed pursuant to
2 General Laws 42-46-4 and 42-46-5. Our Supreme Court
3 has stated that the OMA should be construed broadly
4 and interpreted in the light favorable to public
5 access. That's *Pontarelli* quoting *Solas*.

6 As a threshold inquiry, this Court must, and
7 will, determine whether the Board is a public body
8 within the statutory definition of 42-46-2 section 5.
9 The parties agree that the two seminal cases for
10 determining whether an entity qualifies as a public
11 body under the OMA are *Solas* and *Pontarelli*.

12 In *Solas*, by executive order the governor
13 created an Emergency Hiring Council, EHC, to manage
14 and control the state's hiring practices. The EHC
15 was vested with the sole ability to create or fill
16 new positions, vacant positions, or promotions within
17 the state government.

18 The EHC met biweekly and included senior
19 executive branch officials, appointed directors, the
20 governor's executive council, the cabinet
21 secretary, and the special assistant to the chief of
22 staff for boards and commissions. The EHC wielded
23 considerable influence and had veto authority over
24 these matters, operating in an advisory role with
25 significant implications for public policy.

1 In 1997, the EHC barred the Solas plaintiff
2 from a closed meeting to approve the hiring of a
3 hearing officer for the State Building Commission.
4 After filing an amended complaint, the plaintiff
5 alleged violations of the Rhode Island Open Meetings
6 Act and sought a temporary restraining order to halt
7 the hiring pending clarification of the OMA's
8 applicability to EHC meetings.

9 On appeal, our Supreme Court affirmed the
10 trial justice's decision in favor of the plaintiff,
11 finding the EHC was a public body under the Open
12 Meetings Act. Importantly, our Supreme Court found
13 dispositive the following:

14 "The EHC was required to meet at least
15 biweekly, was composed of a group of
16 high-level state officials that
17 convenes to discuss and/or act upon
18 matters of great interest to the
19 citizens of this state, and was granted
20 significant influence and veto power
21 over creating positions in state
22 government, promoting employees to
23 existing positions, and filling
24 existing vacancies.

25 "In addition, our reading of the

1 executive orders creating the council
2 persuades us that EHC possesses
3 significant supervisory and executive
4 veto power over creating or filling
5 state employment positions. At the
6 very least, the council functions in an
7 advisory capacity in state hirings.
8 Whether supervisory or advisory, both
9 functions are regulated by the act. As
10 the plain language of the statute
11 provides, a council's exercise of
12 advisory power is enough to bring it
13 under the act's umbrella. Accordingly,
14 we conclude that the EHC is a public
15 body subject to the requirements of the
16 act."

17 In *Pontarelli*, distinguished and decided
18 approximately 15 years later, the Rhode Island Board
19 Council for the Department of Elementary and
20 Secondary Education created a Compensation Review
21 Committee, which was to convene to review requested
22 salary adjustments for RIDE employees.

23 The CRC is composed of six RIDE
24 employees: three division chiefs, the chief of staff,
25 the human resources coordinator, and the deputy

1 commissioner. It was described as an informal, ad
2 hoc working group with no legal status or authority.
3 The CRC did not conduct the regular meetings nor keep
4 meeting minutes, and membership therein was not by
5 appointment.

6 The plaintiffs there allege that the CRC was
7 a public body and therefore violated the Open
8 Meetings Act by not providing proper meeting notices
9 or maintaining minutes. Our Supreme Court disagreed
10 and affirmed the trial justice's decision in favor of
11 the defendant. In its reasoning, our Supreme Court
12 distinguished *Pontarelli* from *Solas*, stating:

13 "Unlike the EHC in *Solas*, the CRC in
14 this case does not meet on a regular
15 basis, nor was the CRC created by
16 executive order. Instead, the
17 undisputed evidence in this case is
18 that the CRC acted as an informal,
19 strictly advisory committee. Although
20 CRC was composed of a group of high-
21 level state officials and operated
22 under a charter, these two factors
23 alone are insufficient to place them
24 into the public body umbrella.
25 Importantly, the CRC's sole function is

1 to advise the commissioner of RIDE, who
2 in turn has to make a recommendation to
3 the council."

4 Turning to the instant motions, the
5 following analysis will address relevant factors from
6 *Solas* and *Pontarelli* to determine whether the Board
7 is a public body.

8 Relying on *Solas*, plaintiff argues that the
9 Board is subject to the Open Meetings Act as a public
10 body because it discussed matters of significant
11 public concern, specifically, advocating for equity
12 and education and creating a healthier and just
13 community and school system for everyone.

14 There can be no doubt that the Board
15 discussed matters that are significantly important to
16 the public, as anti-racism, harassment, and
17 discrimination are at the forefront of issues facing
18 our country today. However, this factor alone does
19 not transform the Board in a public body under the
20 OMA.

21 The plaintiff maintains that the School
22 Committee evaded its own bylaws and state laws when
23 it created the Board because it should have instead
24 created a subcommittee to deal with these issues.
25 However, a closer look at the record reveals that the

1 School Committee did not evade its own bylaws or
2 state laws. Unlike in *Solas*, where the EHC was
3 created by executive order, here, the Board was
4 created by NSRI whom the School Committee entered
5 into an Independent Contractor Agreement with through
6 Ms. Wildman.

7 The agreement provides that the School
8 Committee believes that the group entitled
9 "Nonviolent Schools RI" has the ability,
10 qualifications, and experience to provide the
11 services listed below. Importantly, under the
12 "Services Provided" section, it expressly states that
13 NSRI will facilitate the BIPOC Advisory Board.

14 Moreover, a closer look reveals that NSRI is
15 the entity implementing and controlling the Board.
16 Ms. Wildman explained the two-tier approach for
17 change; creation of the task force made up of
18 students and community members and nonviolence
19 training/professional development for community,
20 staff, and leadership. Stephanie Canter suggested
21 that the task force be referred to instead as an
22 advisory board. Although the School Committee voted
23 unanimously twice to create the Board, it is clear
24 that by the execution of the Independent Contractor
25 Agreement, the School Committee gave NSRI the

1 authority to assemble and manage the Board.

2 Plaintiff contends that the School
3 Committee's execution of the Independent Contractor
4 Agreement to convene 25 times between February 15th,
5 2021, and August 31st, 2021, necessitates compliance
6 with the OMA. Additionally, plaintiff argues that
7 despite the Board consisting of volunteers and
8 sporadic member attendance, a core group of five
9 individuals consistently participated in every
10 meeting and thereby, according to plaintiff,
11 establishing a quorum to deliberate on anti-racism
12 policies.

13 This Court finds, however, that the Board is
14 akin to the CRC in *Pontarelli*, in that it operates as
15 an informal, ad hoc working group. This is evident
16 by the nature of its meetings and membership.
17 Specifically, School Committee member Katherine
18 Macinanti testified that for everybody on the Board,
19 that their participation would be a volunteer. Also,
20 any apparent connection to the School Committee
21 maintained with the Board and Ms. Wildman through the
22 Independent Contractor Agreement can be diminished by
23 Ms. Wildman's signed affidavit, stating the Board is
24 a voluntary group. I facilitate the meetings. I am
25 not a member of the Board. Nonviolent Schools RI

1 facilitates the meetings. NSRI and members make the
2 agenda informally.

3 Further, when asked about his position on
4 the Board, Mr. Gitahi replied, "I didn't hold an
5 official position, and I didn't -- we didn't interact
6 in an official capacity. We didn't vote on anything.
7 We didn't really -- we didn't pass policy resolutions
8 or anything like that. It was some kind of an
9 informal -- a chance to meet informally and to talk
10 in a -- to create like a safe environment, a safe
11 space."

12 Further, the Board is not comprised of any
13 School Committee members. The deposition of
14 Katherine Macinanti stated, "None of the current
15 Board members are members of the South Kingstown
16 School Committee." The School Committee had no role
17 in deciding what individuals could become members of
18 the Board. In a deposition, she further stated:

19 "QUESTION: Did the School Committee
20 ever have a role in selecting members
21 of the BIPOC Advisory Board?

22 "ANSWER: Not to my knowledge."

23 Therefore, despite having regular meetings,
24 the Board is analogous to the CRC in *Pontarelli*.

25 This Court is aware that the Board possessed

1 some influence in the School Committee's decision-
2 making, but nonetheless finds that the influence does
3 not rise to the same level as the EHC's influence
4 found in *Solas*. In order to understand the Board's
5 role and policy suggestions, it is important to
6 understand the structure of how policy is implemented
7 within the school district.

8 At the top, the School Committee is
9 comprised of a group of elected individuals whose
10 role is to govern the school system and to see to its
11 care, control, and management by executing various
12 duties under Article III of its bylaws. Notably,
13 these enumerated powers include, "to develop
14 education policies, to meet the needs of the
15 community, and to have the responsibility for the
16 care and control of the school."

17 To fulfill the School Committee's duties,
18 advisory subcommittees are formed. It is important
19 to note that the subcommittees do not have authority
20 to make district-wide decisions. Subcommittee
21 members are appointed by chair of the School
22 Committee, which can include nonelected individuals,
23 as well as up to three members from the School
24 Committee. It is uncontested that both the school
25 Committee and the Policy Subcommittee are subject to

1 the requirements of the OMA.

2 Moreover, upon the Board's creation on
3 January 22nd, 2020, the School Committee,
4 Subcommittee, and Board members understood that the
5 role of the Board was limited to an advisory and
6 suggestive nature. Again, in the deposition of
7 Katherine Macinanti:

8 "QUESTION: Was one of the purposes of
9 the borrowed to make recommendations to
10 the School Committee regarding anti-
11 racism the policy within the district?

12 "ANSWER: My understanding is that they
13 would advise us on their perspective,
14 yes."

15 The deposition of Robin Wildman:

16 "We make suggestions of ways that we
17 can improve things for all students,
18 including the BIPOC students and
19 parents and families."

20 In the deposition of Mr. Gitahi:

21 "QUESTION: Did the board come up with
22 recommendations regarding the
23 curriculum?

24 "ANSWER: Recommendations, absolutely,
25 yes."

1 However, unlike EHC in *Solas*, the Board does
2 not possess any voting or veto power to override the
3 School Committee's or the Policy Subcommittee's
4 decision, and any recommendation or suggestion made
5 by the Board to the Policy Subcommittee were never
6 blanketly adopted by the School Committee. For
7 example, in relation to hiring policy revisions,
8 Board chairperson Robin Wildman testified to the
9 following:

10 "QUESTION: Well, did the Board draft a
11 version of the hiring policy?

12 "ANSWER: No.

13 "QUESTION: What role did the Board
14 have regarding the hiring policy,
15 reviewing the policy?

16 "ANSWER: So the group looked at the
17 policy and made recommendations to
18 bring to the Subcommittee for some
19 revisions.

20 "QUESTION: Were the revisions that the
21 Board recommended ultimately adopted by
22 the Policy Subcommittee?

23 "ANSWER: I don't believe so."

24 Notwithstanding Mwangi Gitahi and Robin
25 Wildman's dispute over whether the Board reviewed the

1 policies, the record indicates that any suggestions
2 made were revised multiple times by the Policy
3 Subcommittee.

4 See the February 25th, 2021, Policy
5 Subcommittee meeting minutes which state, "Review
6 compiled feedback on anti-racism policy. Shared the
7 anti-racism policy feedback form that contained
8 collective feedback from the Committee. The
9 Committee reviewed the feedback that was received.
10 Discussion followed regarding other policies that may
11 potentially need revisions to include anti-racism
12 language, the definition of racism, and how incidents
13 should be handled and reported to the School
14 Committee." Attorney Lombardo suggested removing the
15 term "expulsion" from the policy. The BIPOC Advisory
16 Board will revisit the policy and will bring the
17 suggested edits back to this Committee.

18 In the March 4th, 2021, Policy Subcommittee
19 meeting minutes. "Discussion and action: Review the
20 anti-racism policy. Mr. Gitahi presented revisions
21 proposed by the BIPOC Advisory Board to the draft SK
22 anti-racist/anti-discrimination policy. Discussion
23 regarding the proposed revisions. Discussion ensued
24 regarding how complaints would be handled, reporting
25 procedures, and confidentiality. Attorney Lombardo

1 will add legal revisions. The policy will be further
2 revised by Legal/BIPOC Advisory Committee and will be
3 brought back to the Policy Committee on March 18th,
4 2021."

5 Based on the totality of the submitted
6 evidence, it is apparent that the Board was strictly
7 advisory in nature. There was a structured process
8 through which the Board forwarded suggestions to the
9 Policy Subcommittee for their own review and
10 revisions, which then required further review by the
11 School Committee before final approval.

12 In the deposition of Katherine Macinanti:
13 "QUESTION: Do you know if the School
14 Committee made any revisions to the
15 anti-racism policy that the Policy
16 Subcommittee recommended to the School
17 Committee?

18 "ANSWER: We revised this, yes."

19 Accordingly, the Board is analogous to the
20 CRC in *Pontarelli*.

21 Furthermore, plaintiff suggests that the
22 School Committee's attorney communicated with the
23 Advisory Board on matters pertaining to school
24 policies, which is another factor, according to the
25 plaintiff, to aid in the conclusion that the Board is

1 a public body.

2 The School Committee counters that there was
3 no express or implied agreement creating any
4 professional attorney-client relationship with the
5 Board. Indeed, the School Committee admits that its
6 general counsel attended Policy Subcommittee meetings
7 and communicated with Ms. Wildman for the sole
8 purpose of maintaining compliance with state and
9 federal laws.

10 However, this alone does not shift the
11 Board's activity into that of a public body under the
12 OMA. The record reflects that Attorney Henneous and
13 Attorney Lombardo regularly attended Policy
14 Subcommittee meetings to offer advice on policy
15 language.

16 Notably, at each Policy Subcommittee
17 meeting, the minutes reflect that neither Attorney
18 Henneous nor Attorney Lombardo were voting members on
19 policy considerations that were ultimately brought
20 before the School Committee. Therefore, because
21 neither attorney was a voting member, any advice on
22 the policy language that may have been given to the
23 Board is nothing more than the attorneys executing
24 their professional responsibility and due diligence
25 as attorneys for the school district.

1 Moreover, plaintiff contends that the School
2 Committee's execution of an Independent Contractor
3 Agreement with the Board allocating \$5,000 in public
4 funds subjects it to the requirements of the OMA.
5 However, it appears that the School Committee
6 allocated funds for NSRI to merely conduct these
7 meetings and not to provide individual members
8 compensation for their participation.

9 In the deposition of Robin Wildman:

10 "QUESTION: Did that proposal include
11 compensation to Nonviolent Schools
12 Rhode Island for the purpose of
13 facilitating the BIPOC Advisory Board?

14 "ANSWER: Yes.

15 "QUESTION: Do you know what the terms
16 of arrangement were?

17 "ANSWER: Yeah. The first one, the
18 proposal, it was to gather members, to
19 create agendas, to host the meeting and
20 facilitate, to -- I don't know. But
21 just to get things started, that was
22 kind of the basis of it."

23 Consequently, plaintiff has not produced
24 competent evidence indicating that the School
25 Committee paid these core members a salary for their

1 service, and without more it is nothing but a mere
2 conclusion of facts. See *Mruk*, 82 A.3d 532, stating
3 that the nonmoving party who bears the burden of
4 proving by competent evidence the existence of the
5 disputed issue of material fact and cannot rest upon
6 mere allegations or denials in the pleading, mere
7 conclusions, or mere legal opinions.

8 Based on the competent record evidence, the
9 Board has an informal, ad hoc nature and strictly
10 advisory power. Therefore, the Supreme Court's
11 reasoning in *Pontarelli* is more applicable than the
12 reasoning in *Solas*. Moreover, it is undisputed that
13 both the Policy Subcommittee and the School Committee
14 are governed by the Open Meetings Act, a framework
15 which provides the public two opportunities to stay
16 informed and voice concerns about the Board's policy
17 proposals; first during the Policy Subcommittee
18 meetings, and second at the School Committee
19 meetings.

20 A requirement, therefore, that the Board
21 hold open meetings for a sporadic group of volunteers
22 making recommendations would exceed the scope of the
23 OMA as envisioned by the General Assembly.
24 Consequently, defendant has demonstrated that there
25 are no genuine issues of material fact, thereby

1 entitling it to judgment as a matter of law.

2 For the reasons stated, this Court denies
3 motion for summary judgment and grants the
4 defendant's cross-motion for summary judgment.

5 Will the parties submit an order to that
6 effect, please?

7 MS. CARRENO: Yes, Your Honor.

8 MR. PICCIRILLI: Yes. Thank you, Your
9 Honor.

10 THE COURT: Thank you.

11 (OFF THE RECORD IN THIS MATTER AT 10:44
12 A.M.)

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