
RECORD OF A REGULAR MEETING OF THE BROOKLINE SCHOOL COMMITTEE ON **THURSDAY, MAY 2, 2024** AT 6:00 PM, IN THE WALSH SCHOOL COMMITTEE MEETING ROOM, BROOKLINE TOWN HALL, 5TH FLOOR. STATUTORY NOTICE OF THIS MEETING WAS FILED WITH THE TOWN CLERK.

School Committee Members Present: David Pearlman (Chair), Andy Liu (Vice Chair), Helen Charlupski, Steven Ehrenberg, Suzanne Federspiel, Valerie Frias, Sarah Moghtader, and Mariah Nobrega.

Staff present: Dr. Linus Guillory, Superintendent; Dr. Jodi Fortuna, Deputy Superintendent for Teaching and Learning; Dr. Susan Givens, Deputy Superintendent for Administration and Finance.

Mr. Pearlman called the meeting to order at 6:00 PM.

1. ADMINISTRATIVE BUSINESS

a. Consent Agenda

ACTION: 24-49

On a motion of Ms. Federspiel, and seconded by Ms. Charlupski, the School Committee VOTED UNANIMOUSLY, by roll call, with 7 in favor (Mr. Pearlman, Dr. Liu, Ms. Charlupski, Dr. Ehrenberg, Ms. Federspiel, Ms. Moghtader, and Ms. Nobrega), 0 opposed, and 0 abstentions, (Ms. Frias was not present for the vote) to approve the following consent agenda items:

- i. Past Records: April 25, 2024 School Committee Meeting
- ii. Acceptance of Funds to Establish the Mark David Gormley Memorial Scholarship (Attachment A)

2. STUDENT REPORT

Ms. Cleves presented her report to the Committee, highlighting the work done at the High School to foster inclusivity and bring students together. Some recent examples include the LGBTQ+ Day of Dialogue, a Holi Celebration, and “Senior Assassins”. The Day of Dialogue was held on April 3 and featured a keynote speaker, an advisory lesson on allyship for 9th and 10th grade students, theatrical vignettes on the experiences of queer youth for 11th and 12th grade students, and an after-school Pride Festival. The day was illuminating and inspiring, with a premium on listening that was well-received by students. The Holi celebration, sponsored by SASA (South Asian Student Alliance) and APAC (Asian/Pacific American Club), was held on Cypress Field on April 10. Holi is a Hindu holiday, also known as the Festival of Colors, that commemorates the start of spring. The celebration on Cypress Field featured the traditional and joyful throwing of colorful powders on enthusiastic revelers. Ms. Cleves described Senior Assassins (*parents and caregivers – don’t be alarmed by the name!*), that started on April 29 and is ongoing. Two hundred seniors have registered for this extracurricular activity, in which they roam across the Town – with water guns – seeking another member of the group to spray with water and eliminate from the competition. Ms. Cleves noted that these are just three examples of some of the many ways that a sense of community is created and fostered at the high school.

3. SUPERINTENDENT'S REPORT, INCLUDING THE SPOTLIGHT ON EXCELLENCE

Dr. Guillory shared his report (Attachment B), with exciting updates from across the school community. He announced that the PSB Wellness Policy has been recognized as a Massachusetts School Wellness Champion by the John C. Stalker Institute of Food and Nutrition. The staff who led the work to create the latest Wellness Policy – Sasha Palmer, Tricia Laham, Carlyn Uyenoyama, and Matt DuBois – were commended for their tremendous efforts. Dr. Guillory reported that the district has prepared a Culture and Climate Family Survey, to gauge and improve how well the district is supporting the needs of our students and families. The PSB Food Service team invites students to enjoy Plant-Based Meals Testing Week (May 6-10). This is an opportunity for students to test plant-based recipes, and is one effort to reach the Food Service team's goal to make 50% of its menu plant-based. Other highlights in the Superintendent's Report included: Navigation Games for students across the district to learn about orienteering, the use of a map and compass, and navigating from one point to another; a webinar for parents and caregivers sponsored by the Math Department, titled Building Mathematical Mindsets; congratulations to Baker School 7th Graders who won the Stock Market Game, a nationwide project that introduces students to global capital markets; and congratulations to the BHS Advanced Chamber Orchestra for being awarded the Gold Medal with Superior Distinction at the Massachusetts Instrumental and Choral Conductors Association Festival. Dr. Guillory noted the impressive climate change-inspired art made by PSB students that was exhibited at the Boston Museum of Science, organized by The Brookline Exhibition (a student-led group of BHS juniors), and he also recognized the talented student art exhibits on display at Lawrence School and Brookline High School. Dr. Guillory reported that Hayes School held their International Night last month, featuring representation from 33 countries and attended by over 450 community members. The Superintendent announced that May is Jewish American Heritage Month (a time to recognize the enduring legacy, resilience, and contributions of Jewish Americans who have shaped our nation), and it is also Asian American Native Hawaiian and Pacific Islander Heritage Month (dedicated to celebrating the vibrant cultures, rich histories, and lasting contributions of the Asian American, Native Hawaiian, and Pacific Islander communities).

Dr. Guillory announced that the Spotlight on Excellence this week is highlighting the work of the district's School Nursing Team, which is very appropriate as next week is National Nurse's Week. He credited our School Nursing Team with promoting and supporting a healthy school environment for students and staff, and he introduced Tricia Laham, Coordinator of School Health Services. Ms. Laham detailed the supportive and diligent efforts of our School Nurses. She reported that, since September, there have been an astounding 50,589 visits to school health offices across all of our school buildings. Students may need assistance with a range of needs including, but not limited to, diabetes, asthma, allergies, migraines, and daily medication administration. In 97% of those visits, students were able to return to class. Our school nurses average 1,250 calls home to parents and caregivers every month, creating a powerful home-school bond. Given this level of care and attention, Ms. Laham noted that when students are asked to name a trusted adult at school, it's not uncommon for them to name the school nurse. School Nurses Elizabeth Hendrickson (district floating nurse), Janet Campbell (Runkle School), and Jill Seaman-Chandler (Brookline High School) joined the meeting to share their experiences, remarking on the close collaboration and support they enjoy with their school colleagues, including principals, vice principals, school secretaries, guidance counselors, and social workers, among others – all working together to keep students healthy. Members thanked the Nursing

Team for their dedicated, impactful work, and Dr. Guillory presented them with the Spotlight on Excellence Award.

4. PUBLIC COMMENT

No members of the public signed up to provide Public Comment.

5. PRESENTATIONS AND DISCUSSIONS OF CURRENT ISSUES

a. Discussion and Possible Vote on 2024 Annual Town Meeting Warrant Articles, Article 10, Special Appropriations

Ms. Charlupski and Dr. Givens discussed the school-related special appropriations in Warrant Article 10, including changes recommended by the Advisory Committee. Ms. Charlupski, Dr. Givens, and other staff and School Committee members, have participated in over six meetings with Advisory Committee members, including a 2-hour site visit at Baldwin School, for approximately 40 total hours of discussion and review. The report of the Capital Subcommittee of the Advisory Committee (Attachment C), a memo requesting support for the School FY25 CIP (Attachment D), and a memo updating the work required for Baldwin School (Attachment E), provide additional information on this review process. Dr. Givens shared a summary of the district's CIP requests (Attachment F) that includes our original request, the Town's recommendation, and the final figure on the warrant for Town Meeting approval. The school-related special appropriations include:

Number 59 (formerly No. 28): \$200,000 (no change) for school furniture upgrades, including new cafeteria tables at Brookline High School;

Number 69 (formerly No. 38): \$2,983,675 (reduced from \$4,670,209) for renovations and upgrades to school buildings (also referred to as deferred maintenance/mini-CIP);

Number 70 (formerly No. 39): \$0 (reduced from \$200,000) for school building modifications to meet IEP accommodations;

Number 71 (formerly No. 40): \$0 (reduced from \$250,000) for a long-term capital planning study for school buildings; and

Number 72 (formerly No. 41): \$717,332 (no change) for classroom capacity needs, for leases for BEEP classroom space at Temple Emeth (Putterham Circle) and Temple Ohabei Shalom (Beacon Street).

Dr. Givens described changes to appropriations No. 69, 70 and 71 that were made over the course of the review process. With regard to Appropriation No. 70, while funded at \$0 in the CIP, funding is available in the Reserve Fund (\$100,000 for FY25 and FY26) to make these accommodations. The school department had originally requested \$50,000 for one year, so this reserve funding set-aside fully meets the district's request for these important building modifications. With regard to Appropriation No. 71, the district maintains that a capital planning study is important for long-term planning purposes, but concedes that the reduction does not impact school operations for FY25.

With regard to Appropriation No. 69, Dr. Givens provided additional information (Attachment G). She reminded the Committee that the district's FY25 request for deferred maintenance/mini-CIP projects was \$2,120,675. The Town, with a larger-than-usual free cash position, recommended \$4,670,209 for projects in FY25, FY26 and FY27. Following the review

process, the Select Board recommends \$2,983,675 for FY25 and FY26. The Select Board's recommendation - which will be an amendment to the Advisory Committee's Warrant Article to Town Meeting - includes \$275,675 for Baldwin School (compared to the Advisory Committee's recommendation of only \$180,000 for Baldwin School). The \$275,675 allocation, coupled with the \$300,000 already spent on Baldwin School improvements, will adequately prepare the space for the staff who will be relocated there from 2 Clark Road. The Advisory Committee recommendation and the Select Board recommendation both eliminate funding for work on the lower level of Baldwin School, including dropped ceilings and the installation of a LULA elevator (Limited Use Limited Application). Dr. Givens noted that the warrant article is expected to include conditions of appropriation, as noted below:

Raise and appropriate \$2,983,675 to be expended under the direction of the Building Commissioner, with any necessary contracts over \$100,000 to be approved by the Select Board and the School Committee, for minor renovations/upgrades to school buildings under the following parameters:

A. \$2,708,000 to be spent in accordance with "Revised School Building CIP Allocation FY 25 dated April 12, 2024" included in this Combined Report. Any School Department-approved deviations to the amounts shall be subject to the approval of the Select Board at a duly noticed Select Board meeting and with prior notification to the Advisory Committee.

B. \$275,675 to be expended for minor renovations/upgrades of the Baldwin School, provided that such renovations/upgrades shall be subject to review and recommendations from the Preservation Commission for purposes of maintaining the historic character of the interior and exterior of the building.

ACTION 24-50

On a motion of Ms. Charlupski, and seconded by Dr. Ehrenberg, the School Committee VOTED UNANIMOUSLY, by roll call, with 7 in favor (Mr. Pearlman, Dr. Liu, Ms. Charlupski, Dr. Ehrenberg, Ms. Federspiel, Ms. Moghtader, and Ms. Nobrega), 0 opposed, and 0 abstentions, (Ms. Frias was not present for the vote), to support the Select Board's Recommendation for Warrant Article 10, for special appropriations No. 59 (\$200,000), No. 69 (\$2,983,675), and No. 72 (\$717,332), as voted by the Select Board on April 30, 2024.

Ms. Charlupski and Dr. Givens will draft a Statement of Support from the School Committee, to be submitted for the Town Meeting Combined Report. [That statement was subsequently written and is attached as Attachment H].

b. FY 2025 Budget Updates

Dr. Givens reported that she and Dr. Guillory presented the district's FY25 Operating Budget to the full Advisory Committee last week. That presentation was very well received, and the Advisory Committee voted overwhelmingly to support the district's budget request. Earlier this week, Dr. Givens and Dr. Guillory also presented the budget to the Select Board. The Select Board was also very supportive. The final bottom line FY25 Operating Budget is \$136,847,619 (which is approximately \$200,000 higher than previously presented, due to favorable figures recently released through the state budgeting process).

6. SCHOOL COMMITTEE ACTIONS

a. Assignment of Students to Schools (J 1 f), Revised Policy, Second Reading and Possible Vote

Mr. Pearlman presented the revised policy (Attachment I). The draft revised policy would create a one-year pilot (Section 5: Request to Remain) to automatically allow students to remain in their current school (“absent extenuating circumstances”) if they move to another Brookline address. The pilot is intended to provide students with stability after a family move so that important peer and trusted adult connections are preserved, and allow the district to collect actual data over the pilot period. Members asked what the impact on class sizes might be, what is meant by “extenuating circumstances” in the draft, the specifics of the one-year policy period (When does it start? When does it end?), whether there might be unintended consequences of such an enrollment guarantee, and whether the existing policy already provides this option for families (Open Enrollment). Generally, members discussed the balance between enrollment/class size concerns (which can be managed by the Superintendent’s discretion in the current policy) and the importance of supporting students after a move. Dr. Guillory reported that currently, when families make the “request to remain”, many factors are considered. Some members expressed support for the pilot, especially because it would allow the district to collect data to help inform a permanent decision. Some members were concerned about removing the discretion from the Superintendent, which is relied upon to maintain manageable class sizes across the district. The Committee decided to refer this policy back to the Policy Review Subcommittee for continued discussion and debate.

7. FAREWELL AND THANK YOU TO DEPARTING SCHOOL COMMITTEE CHAIR DAVID PEARLMAN

Dr. Liu led the tribute to David Pearlman, outgoing Chair and School Committee member. Mr. Pearlman joined the School Committee in 2018, has served as Chair of the Policy Subcommittee since 2020, was School Committee Vice Chair from 2020-2022, and has been School Committee Chair since 2022. Members effusively praised Mr. Pearlman’s commitment, diplomacy, focus on students, spirit of collegiality, strong leadership (with a soft heart!), humor, dapper sense of fashion, priority on transparency and public participation, reliability, and intuitive problem-solving skills. Mr. Pearlman, in turn, thanked his colleagues and Superintendent Guillory for their support during his two terms on the School Committee. He looks forward to continuing to support the Public Schools of Brookline, perhaps from his position as a member of the Select Board if he is so elected on May 7. Dr. Liu presented Mr. Pearlman with an inscribed gavel to memorialize his dedicated and unwavering service to the Brookline School Committee and the Public Schools of Brookline.

8. SUBCOMMITTEE AND LIAISON REPORTS

a. Capital Improvements

Ms. Charlupski provided an update on Pierce School Building Project. A Community Forum was held on April 24, with another scheduled for May 22. These hybrid meetings are an opportunity for community members to learn more about the project, including about the geothermal wells under Pierce School Playground. Ms. Charlupski arranged a meeting with the Fisher Hill Association to answer their questions about the Grade 6/7/8 students who will be

located at the former Newbury College building during the construction process. Pierce Principal Jamie Yadoff attended the meeting, deftly answering questions and concerns from neighbors. Plans for moving Pierce School classrooms to their temporary locations (K-5 to Old Lincoln School and Grade 6-8 to Fisher Hill) are well underway, with the move set to begin as soon as school lets out in June. The Capital Subcommittee will meet on May 8; the agenda will include (1) a discussion of the capital planning process for repairs and improvements to school playgrounds, and (2) an update on summer mini-CIP projects. Ms. Charlupski reported that some neighbors of the Pierce School have filed an objection to the curb cuts that will be made on Harvard Street for the garage access in the new school project. Decisions on these objections and appeals will be made by the Transportation Board and Select Board.

b. Curriculum

Ms. Federspiel reported that the Curriculum Subcommittee met on April 30. The subcommittee considered a presentation about a proposed driving school at Brookline High School (called "Buckle Up"), as well as an update on the results of the Literacy Needs Assessment conducted by The Hill for Literacy. The District Literacy Plan will be presented to the full School Committee in June.

c. Government Relations

Ms. Frias reported that the Senate Ways and Means budget is expected to be announced next week. More information about any implications for the school department budget will be available at that time.

d. Policy

Mr. Pearlman reported that the School Committee received a letter (Attachment J) from the American Civil Liberties Union (ACLU) in response to the draft Hate Speech Prevention Policy. Town Counsel is reviewing the draft policy in light of the concerns raised by the ACLU.

e. Additional Liaisons and Updates

Ms. Federspiel reminded the Committee that the Brookline Education Foundation's annual Celebrating Teachers reception is next Tuesday, May 7. The Caverly Award recipients will be celebrated at that time, and BEF SY25 grant recipients will be announced.

9. NEW BUSINESS

There was no new business to report.

10. PROPOSED EXECUTIVE SESSION

ACTION 24-51

On a motion of Mr. Pearlman, and seconded by Ms. Federspiel, the School Committee VOTED UNANIMOUSLY, by roll call, with 8 in favor (Mr. Pearlman, Dr. Liu, Ms. Charlupski, Dr. Ehrenberg, Ms. Federspiel, Ms. Frias, Ms. Moghtader, and Ms. Nobrega), 0 opposed, and 0 abstentions, to enter into Executive Session, pursuant to Massachusetts General Laws chapter 30A section 21(a) for the following purposes: Purpose 3, to discuss strategy with respect to collective bargaining with the Brookline Educators Union (BEU) Unit A and Paraprofessional Unit, if an open meeting may have a detrimental effect on the

bargaining and litigating position of the public body and the chair so declares; Purpose 3, to discuss strategy with respect to collective bargaining with the Brookline Educators Union (BEU) Unit A (Grievance), if an open meeting may have a detrimental effect on the bargaining and litigating position of the public body, and the chair so declares; and Purpose 7, to review and approve executive session minutes from the following meeting: April 11, 2024.

11. ADJOURNMENT

Mr. Pearlman adjourned the meeting at 8:05pm.

Respectfully Submitted,
Betsy Fitzpatrick
Executive Assistant
Brookline School Committee



Brookline High School

Application for New Scholarship Award

(please print)

Date of application: 4-15-24

1. Title of Scholarship Mark David Gormley Memorial Scholarship
2. Please indicate the anticipated amount to be awarded \$1000
3. What criteria do you wish to establish for the recipient? A senior at Brookline High School planning to major in the helping field
(For example, to be given to a member of the tennis team, female or male, majoring in a certain field; etc.)
Such as psychology, mental health, therapy, counseling

All Scholarship recipients are chosen by the Brookline High School Scholarship Committee. Scholarship payments are made directly to the institution where the student is enrolled unless prior arrangements have been made with the donor.

4. How is this scholarship to be funded? Please indicate below by checking the box.

- ☐ One time, lump sum award
- ☐ Each year from accumulated interest from a scholarship account held in the Treasurer's Office.
- ☒ A check will be sent to the Scholarship Committee each year. (Deposit - General Scholarship Fund)
- ☐ Other

5. If this scholarship is in memory of a particular individual, please complete the following

Name: (Please Print) Mark David Gormley

Living or Deceased Deceased

Resident of Brookline (If so, when) Oct 1986 - Aug 23, 2023

Attended Brookline High School (If a graduate, indicate the year of graduation) 2004

Accomplishments/Honors while at Brookline High School:

Played soccer, lacrosse and golf
9th grade 9th-10th grade 10th-12th grade

6. Please give any other details explaining relationship to Brookline Public Schools:

Mark made many life time friends
while he was a student/athlete at
Brookline High School

7. Please explain history of Scholarship. Why is it being established?

Mark passed away unexpectedly last year
at the age of 38. He was looking for help
but was not able to make contact with a
mental health therapist.

8. Please list the contact person(s) who will be responsible for all communications regarding this scholarship. Please indicate complete names, addresses and phone numbers – home and work.

CONTACT PERSON #1	CONTACT PERSON #2
Full Name: <u>Philip Leo Gormley</u>	Full Name:
Street: <u>20 Ackers Terrace</u>	Street:
City: <u>Brookline</u>	City
State: <u>Massachusetts</u>	State:
Zip: <u>02445</u>	Zip:
Home Phone:	Home Phone:
Work Phone:	Work Phone:
Cell Phone: <u>617-877-1725</u>	Cell Phone
FAX #:	FAX#:
Email: <u>philgormley@aol.com</u>	Email:

9. Please designate the person(s) who will present this scholarship at our Annual Scholarship Ceremony.

Name: <u>Philip Leo Gormley</u>	Name:
Street: <u>20 Ackers Terrace</u>	Street:
City: <u>BROOKLINE</u>	City:
State: <u>Massachusetts</u>	State:
Zip: <u>02445</u>	Zip:
Home Phone:	Home Phone:
Cell Phone: <u>617-877-1725</u>	Cell Phone:



PUBLIC SCHOOLS of
BROOKLINE 

Superintendent's Update

May 2, 2024



PSB's Updated Wellness Policy

The PSB updated Wellness Policy is being recognized as a **Massachusetts School Wellness Champion** at The John C. Stalker Institute of Food & Nutrition's **2024 Healthy Kids, Healthy Programs Summit** taking place on Tuesday, May 21st.

Congratulations to the **PSB Wellness Committee**, led by **Tricia Laham**, Coordinator of School Health Services for the PSB and **Sasha Palmer**, Director of Food Services.

Several members of the PSB Wellness Committee will be attending the summit. They are looking for parent representatives from every school to attend the event.

Healthy Kids, Healthy Programs Summit



**May 21-22
2024**

FOUR POINTS BY SHERATON
1125 BOSTON PROVIDENCE TPK.
NORWOOD, MA



SCAN OR CLICK THE QR CODE TO
REGISTER ONLINE
by May 14 at johnstalkerinstitute.org/hk24

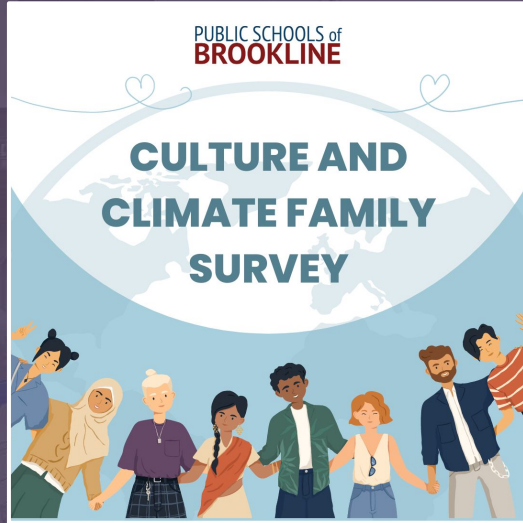
May 21 - \$150
SNA of Mass Reception - \$20
May 22 - \$180
#HKHP2024

Join us...
on May 21 and May 22 for the 2024 Healthy Kids,
Healthy Programs Summit: More than a Meal
- Fueling the Commonwealth's Future!

dese MASSACHUSETTS
Department of Elementary
and Secondary Education

 OFFICE FOR FOOD AND
NUTRITION PROGRAMS
Fueling the Commonwealth

Culture and Climate Family Survey



The PSB is committed to creating a culture where all students and families feel belonging in their schools and in the larger PSB community. To help meet this goal, we have asked all PSB parents and guardians to complete an anonymous Culture and Climate Family Survey.

The survey asks questions that reflect parents'/guardians' feelings about the schools their children attend, including how well schools communicate with guardians and how well schools support the needs of students. This information will be used to improve the ways that the PSB supports students and families.

Plant Forward Foods at PSB

The PSB is emerging as a leader in serving plant forward menus on a daily basis to students. This school year, the PSB Food Services Department signed the Forward Food Pledge to make 50% of its menu items plant-based.

In partnership with the Humane Society of the United States of America, the District's food services staff will be trained in preparing plant-based menu items.

During the week of May 6th to May 10th, these items will be sampled in all the schools' menus. Students in all schools will get an opportunity to taste and rate the new menu items.



PSB Food Services

PLANT-BASED MEALS TESTING WEEK

VISIT OUR
WEBSITE
FOR
RECIPES



Food Services invites all students to participate in a tasting session showcasing plant-based recipes from May 6-10.

THE HUMANE SOCIETY OF THE UNITED STATES

Orienteering at PSB



The PSB is working with Navigation Games to implement orienteering in wellness classes across the district. Orienteering is a group of activities that involve the use of a map and compass, to navigate from one point to another.

Runkle was the first school to implement learning the lifelong skills of navigation and orienteering. The Driscoll School worked with Navigation Games last year.

This year, we are expanding the program across the District. Students at Lawrence, Ruffin Ridley and Baker will be getting a dose of orienteering fun soon.

Webinar: Building Mathematical Mindsets

The PSB Math Department has acquired 50 slots to the webinar, *Building Mathematical Mindsets – Strategies for Parents & Guardians*, led by an international leader in mathematics education – Jo Boaler of Stanford University.

The webinar, for parents and guardians of K-12 students, will be held on **Thursday, May 16 from 8pm to 9.30pm.**

Boaler will share evidence on the most successful ways to learn mathematics, and discuss learning strategies that have been found by research to significantly improve students' achievement and change students' views of their own potential. She will also share ways parents can help and support their children, building positive mathematical mindsets for the whole family.



Baker 7th-Graders Win Stock Market Game



Seventh-grade Mathematics students at the Baker School participated in the Stock Market Game, a nationwide project-based financial education program that introduces students to global capital markets through an online market simulation platform. Each student is provided with an online portfolio which allows them to trade stocks, mutual funds, and bonds.

The year-long competition ended in the past week, with Baker students winning the first and second place in Massachusetts. **Vada Eng** finished first with a 40.56% net equity gain, and **Adam Tong** placed second with a 36.93% net equity gain.

A mention to Math teacher **Dylan Rossi**, who enrolled the seventh-graders in this game.

MICCA Concert Festival 2024

The **BHS Advanced Chamber Orchestra**, directed by **Nina Bishop**, were awarded a **Gold Medal with Superior Distinction** at the Massachusetts Instrumental and Choral Conductors Association (MICCA) Concert Festival 2024.

Congratulations to all students and Ms. Bishop.



Climate Change Art by PSB Students



Climate Change art by PSB's K-12 students was exhibited at the **Museum of Science** during their climate event, *Rise Up Boston*.

The exhibit showcased artwork in response to the prompt "What comes to mind when you think of climate change?" The aim was to show evolving perspectives on climate change and inspire creativity within climate action.

The exhibit was organized by **The Brookline Exhibition**, a student-led group (pictured on the left) comprising BHS juniors that aims to showcase/publish artwork by PSB students.

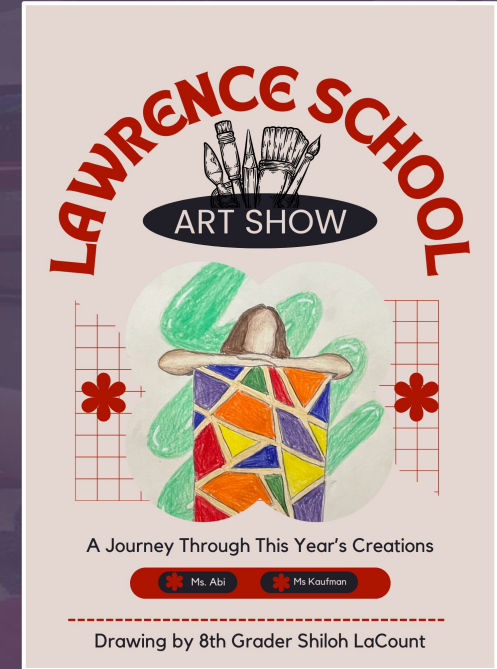
Climate Change Art by PSB Students



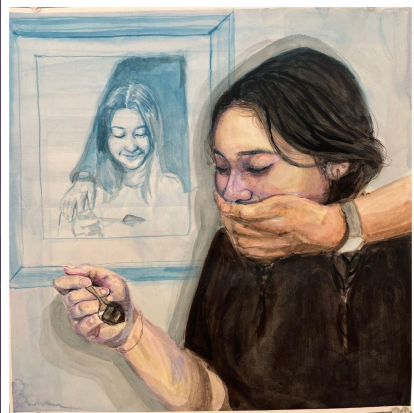
More Art Exhibits

Art teachers **Abigail Robichaud** and **Megan Kaufmann** at the Lawrence School held an all-school arts exhibit and celebration last week.

The exhibition featured work from every student in the school, and was a great opportunity for parents, friends, and the community to celebrate the hard work and learning that the students have done this year.



More Art Exhibits



At Brookline High School, Liz Brennan's students in AP Art and Design held their Senior Thesis Show in the STEM-wing.

The exhibition featured a body of work by each student along with an artist's statement to illuminate the sustained inquiry process that the students have engaged in this year. The work in this exhibit was thought-provoking and stunningly crafted. Congratulations to all of these students for their high achievement in the PSB Visual Arts Program!

Pictured: Paintings by BHS students Mia Fell (top) and Lia Fox (bottom).

Hayes International Night

The Roland Hayes school hosted its annual International Night in April. More than 33 countries were represented in this celebration of culture, cuisines, and community diversity.

The event was attended by over 450 community members, with more than 100 parents hosting a nation table or volunteering for the event.

A shout out to the Hayes International Night Committee, comprising Lisa Yuen Rhoads, Paola Rossi, Yen-Lin Chen, Theodora Konetsovska and Vice Principal Kirtan Patel, who planned the event.



Appreciation



School Principals Day (May 1)

We acknowledge the immense contribution of our school principals towards championing education and cultivating positive learning environments.

Teacher Appreciation Week (May 6 to 10)

We extend our gratitude to all our teachers, who inspire, support, and empower our students every day. Your commitment to shaping young minds creates a brighter future for us all.



Appreciation



National Nurses Week (May 6 to 12)

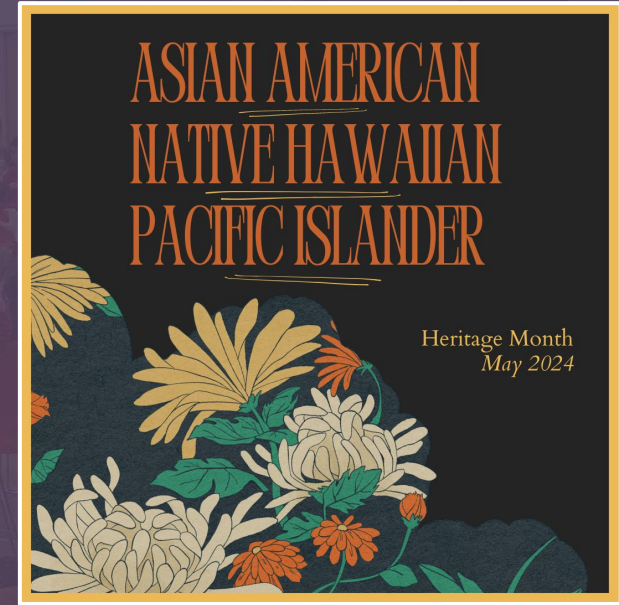
We thank our school nurses for their tireless dedication to the health and well-being of our students. Your compassion, expertise, and care ensure a safe and nurturing environment for learning.

Asian American Native Hawaiian and Pacific Islander (AANHPI) Heritage Month (May 1-31)

Asian American Native Hawaiian Pacific Islander (AANHPI) Heritage Month celebrates the vibrant cultures, rich histories, and contributions of the Asian American, Native Hawaiians, and Pacific Islander communities.

“This month, we celebrate the Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities, whose ingenuity, grit, and perseverance have pushed our great American experiment forward...”

President Biden



Jewish American Heritage Month (May 1-31)

President George W. Bush proclaimed May as Jewish American Heritage Month in April 2006. Since 2007, Presidents Bush, Obama, Trump, and Biden have all issued proclamations for Jewish American Heritage Month, which celebrate Jewish Americans and encourage all Americans to learn more about Jewish heritage and contributions to the United States.

Jewish American Heritage Month is a time to recognize the enduring legacy, resilience and contributions of Jewish Americans who have shaped our nation.




Superintendent's School Visits

Recently Completed	
Baker	Tuesday, April 23
FRR	Tuesday, April 23
Lawrence	Friday, April 26
Pierce	Friday, April 26
Driscoll	Monday, April 29
BEEP	Thursday, May 2
Baker	Thursday, May 2

Upcoming	
Lincoln	Friday, May 3
Runkle	Friday, May 3
Lawrence	Tuesday, May 7
Hayes	Thursday, May 9
Runkle	Thursday, May 9
FRR	Friday, May 10
BHS	Friday, May 10



PUBLIC SCHOOLS of
BROOKLINE 

Spotlight on Excellence

The PSB School Nurses



April 25, 2024

Via Email

David Pearlman, Chair
Brookline School Committee
333 Washington Street
Brookline, MA 02445
david_pearlman@psbma.org

Re: Proposed Hate Speech Prevention Policy

Dear Chair Pearlman and Members of the Brookline School Committee:

We write on behalf of the American Civil Liberties Union of Massachusetts (“ACLU of MA”). As a leading civil rights and civil liberties organization, the ACLU of MA supports and works to advance equality, diversity and inclusion. We applaud the Committee’s desire to create a safe and supportive learning environment for all students. However, we also believe that the proposed Hate Speech Prevention Policy dated April 9, 2024 (“the Proposed Policy”), while well-intentioned, raises serious legal and constitutional concerns.

The Proposed Policy

We will not restate the entire proposal here (a copy of attached), but instead will highlight key provisions that give rise to particular legal issues.

The Proposed Policy begins by establishing its purpose is to create “a school environment where speech or expression that denigrates a person or persons on the basis of (alleged) membership in a social group identified by attributes such as race, ethnicity, gender, sexual orientation, religion, age, physical or mental disability, and others, is not tolerated.”¹ It then declares: “This policy applies to all persons employed by, attending, or otherwise affiliated with the Public Schools of Brookline, including volunteers, interns, and partnering organizations.” It sweepingly declares that: “Hate

¹ The Educational Exceptions section strongly suggests that it any display of certain items, including the confederate flag, is per se not “permissible” unless part of a teacher led classroom discussion, regardless of whether the display results in any disturbance or inequality of the educational experience. This is in spite of case law making clear that the display of this symbol cannot be deemed per se disruptive. *See, e.g., Hardwick ex rel. Hardwick v. Heyward*, 711 F.3d 426, 436 (4th Cir. 2013) (“prohibiting students from having the Confederate flag at school is not automatically constitutional”).

speech, whether explicit or implicit, plain or subtle, intentional or unintentional, is a pejorative communication, in speech, gesture, illustration, writing and/or any form of electronic communication that, at its root, expresses prejudice or hate on the basis of ethnicity, race, religion, nationality, sexual orientation, gender identity, disability, or other like grouping. Such expression does not necessarily result in unequal treatment based on protected class, may be a singular instance and might be expressed in a non-threatening manner.”

Under “Vigilance” the Proposed Policy then mandates that anyone in the school community who hears anyone utter something that might qualify as “hate speech” has an obligation to report it, setting up a system in which members of the school community are ordered to report on their classmates’ and colleagues’ speech, which will lead to a mandatory investigative process in which the alleged speaker must cooperate, per the “Investigation” section.

Legal Analysis

“The vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools,” *Shelton v. Tucker*, 364 U.S. 479, 487 (1960), because public schools are “nurseries of democracy.” *Mahanoy Area Sch. Dist. v. B.L.*, 141 S. Ct. 2038, 2046 (2021). Through learning to formulate and express their own views, students learn to think for themselves and to experience firsthand the fundamental precept that “in our constitutional constellation . . . no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein.” *West Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943). By being exposed to ideas they may not hear at home and viewpoints with which they may disagree—and even be offended by—students learn the values of being open to new ideas and of tolerating a diverse range of views and are better prepared to participate in a democratic society. *Kennedy v. Bremerton Sch. Dist.*, 142 S. Ct. 2407, 2431 (2022) (referencing “a long constitutional tradition in which learning how to tolerate diverse expressive activities has always been ‘part of learning how to live in a pluralistic society’”).

Under Massachusetts law, schools may restrict student speech only if it causes “disruption or disorder within the school,” or constitutes bullying as defined by state statute. *See Pyle v. Sch. Comm. of South Hadley*, 423 Mass. 283, 286-87 (1996) (construing student speech statute, G.L. c. 71, § 82, and noting that this law provides even greater protections for student speech than does the First Amendment); *Doe v.*

Hopkinton Pub. Schs., 19 F.4th 493, 511-12 (1st Cir. 2021) (construing anti-bullying statute, G.L. c. 71, § 37O).²

Here, the Proposed Policy fails to incorporate any of the critical protections for student speech enshrined in state and federal law. Moreover, the proposed policy attempts to police speech beyond that which causes a disruption or constitutes bullying under Massachusetts law. It would lead to investigatory and ultimately disciplinary actions, for instance, threatening to discipline for a “singular instance” of a “non-threatening,” “implicit,” “unintentional,” “pejorative communication” that “at its root, expresses prejudice or hate” on the basis of certain enumerated protected characteristics.

The Proposed Policy fails to include a requirement that the speech at issue cause disruption or disorder, per G.L. c. 71, § 82, in order to be subject to investigation. Nor is there a requirement that speech rise to the level of bullying as defined by G.L. c. 71, § 37O, including because the statutory definition of bullying requires “repeated” expressions or gestures, “directed at a victim” — whereas the Proposed Policy mandates investigation for “singular instance[s]” of speech even when such speech is not directed at a particular target. The Massachusetts anti-bullying statute also specifies that the speech at issue must have at least one enumerated harmful or disruptive effect either on other students or on the functioning of the school³ — yet, the Proposed Policy has no such requirement. By saying that covered hate speech does *not* have to result in unequal treatment, the Proposed Policy seemingly eschews reliance on G.L. c. 76, § 5, which requires an equal educational experience.

The application of these sweeping edicts to employee speech also is problematic. As the Supreme Court has made clear, school employees have free speech rights at school when speaking in their personal capacity on matters of public concern. *Kennedy v. Bremerton Sch. Dist.*, 597 U.S. 507, 527 (2022).

Compounding these issues, the Proposed Policy is rife with vagueness, which is a particular problem when free expression is at issue because of its chilling effect on free speech. “It is a basic principle of due process that an enactment is void for vagueness if its prohibitions are not clearly defined.” *Grayned v. City of Rockford*, 408

² The anti-bullying law, G.L. c. 71, § 37O, defines “bullying” as “the repeated use by one or more students or by a member of a school staff . . . of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim’s property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school.”

³ See *id.*, subsections (i) through (v).

U.S. 104, 108 (1972). A regulation must make clear to an ordinary person what behavior is allowed and what is prohibited, and it must contain standards to prevent discriminatory enforcement. *United States v. Williams*, 553 U.S. 285, 304 (2008). The prohibition on vagueness applies with particular force where speech rights are implicated.⁴

It would be hard in a single letter to articulate the myriad ways in which the Proposed Policy is too vague. But, for example, what does it mean to be “affiliated” with the schools (which dictates to whom and when the policy would apply)? Does the Policy apply to parents and school sports fans, as well as employees and students? Does it apply only to things said on school grounds or extend to off-campus expression? Does it apply only to speech about school issues or not? Is it intended to apply to speech in the personal capacities of whomever is covered? The answer to these and similar questions fundamentally matter, as there are constitutional limits on the scope of schools’ powers. See, e.g., *Mahanoy Area Sch. Dist. v. B. L. by & through Levy*, 594 U.S. 180, 188-90 (2021). And as the vagueness case law establishes, policies that restrict speech must have clear standards to put people on notice and to cabin the exercise of discretion by those enforcing the rules.

The Proposed Policy also fails to define what qualifies as “prejudice” or “hate” and what standards will be applied to determine the meaning of those terms. Under the Proposed Policy, would it be deemed denigrating and thus prejudicial or hateful to white people to discuss the realities of slavery and the Jim Crow Era? How about discussing the historical treatment of Native Peoples in this country? Certainly, many across this country are clamoring to shut down the teaching of honest history using such arguments.⁵ It would be alarming if Brookline leaders unintentionally were to create an opportunity for similar efforts to take root here by adopting this Proposed Policy.

⁴ *United States v. Williams*, 553 U.S. 285, 304 (2008); see also *Reno v. Am. C.L. Union*, 521 U.S. 844, 872-3, 117 S. Ct. 2329, 2344, 138 L. Ed. 2d 874 (1997) (“the vagueness of such a [content-based] raises special First Amendment concerns because of its obvious chilling effect on free speech.”); *Frese v. Formella*, 53 F.4th 1, 6 (1st Cir. 2022), cert. denied, 144 S. Ct. 72, 217 L. Ed. 2d 11 (2023) (“To prevent the chilling of constitutionally protected speech, we apply a ‘heightened standard’ in cases involving the First Amendment and ‘require[] a greater degree of specificity’ in a statute that restricts speech.”); *Vill. Of Hoffman Ests. v. Flipside, Hoffman Ests., Inc.*, 455 U.S. 489, 499 (1982) (“[P]erhaps the most important factor affecting the clarity that the Constitution demands of a law is whether it threatens to inhibit the exercise of constitutionally protected rights. If, for example, the law interferes with the right of free speech or of association, a more stringent vagueness test should apply.”); *Commonwealth v. Abramms*, 66 Mass. App. Ct. 576, 581 (2006) (“An additional principle to be noted is that ‘[w]here a statute’s literal scope . . . is capable of reaching expression sheltered by the First Amendment, the [vagueness] doctrine demands a greater degree of specificity than in other contexts.”).

⁵ Right-Wing Campaign to Block Teaching for Social Justice (March 31, 2023), <https://www.zinnedproject.org/news/gop-campaign-to-block-teaching-for-social-justice/>.

Similarly, what will be deemed “pejorative”? Would the Proposed Policy deem it as “pejorative” to those who are non-binary for a student to wear a T-shirt saying “there are only two genders,” regardless of how the U.S. Court of Appeals for the First Circuit decides a pending case about the extent to which and under what circumstances such student expression is constitutionally protected? Would it be deemed “pejorative” for a student of color to wear a T-shirt saying: “Down with White Privilege: I Can’t Breathe”?

Further, what are the standards to guide a determination as to whether speech “at its root” expresses prejudice or hate? Such standards are woefully lacking in the Proposed Policy.

For all these reasons, the sweeping breadth and vagueness of the Proposed Policy renders it unconstitutional and unintentionally may empower those seeking to undermine efforts to advance diversity, equity, and inclusion.

We understand that some Members of the Committee have asserted that the Proposed Policy is intended to be educational rather than punitive. However, the Policy *mandates* that all speech that purportedly violates the policy be reported for investigation,⁶ and “investigated thoroughly in accordance with existing bullying reporting procedures (Section J).”⁷ The policy further requires that all members of the school community cooperate with the school’s investigations.⁸ Section J,⁹ whose investigation procedures the Proposed Policy incorporates, provides that schools may take “disciplinary action,” which “may include loss of extracurricular privileges, suspension and/or removal from school in the case of students; and administrative leave and termination in the case of staff.” Thus, the Proposed Policy subjects students to a mandatory investigation at the very least, and also appears to subject them to possible discipline. And by its own terms, the Proposed Policy states that speech deemed to fall within its broad and vague terms “will not be tolerated” which certainly will lead to adverse consequences and chill protected expression.

⁶ Proposed Policy, p.2 ¶ 4.

⁷ *Id.* ¶ 5.

⁸ *Id.*

⁹

<https://www.brookline.k12.ma.us/site/handlers/filedownload.ashx?moduleinstanceid=3732&dataid=6198&FileName=PSB%20Bullying%20Prevention%20Policy%20Voted%203.16.17.pdf>.

A mandatory investigation is, in itself, a substantial burden on student speech,¹⁰ as cases concerning mandatory participation in the Pledge of Allegiance establish.¹¹ And to the extent that these investigations may indeed lead to actual discipline or other adverse consequences for student speech that is not proscribable under G.L. c. 71, § 82 or G.L. c. 71, § 37O or our constitutions, or for adult speech that is protected by the federal and state constitutions, such discipline would be unlawful.

Finally, although we recognize that good intentions motivate the proposal, it seems highly doubtful that subjecting students and others in the school community to a mandatory reporting and investigation regime is the most productive way to educate them about the values of tolerance or to collect reliable data. Far better in terms of education would be forums and small discussions where thoughtful feedback can be given about why certain expressions may be hurtful or harmful. Indeed, a system that requires mandatory reporting and investigation of every single utterance that may fall within the Proposed Policy is inconsistent with the goal of teaching children “how to tolerate speech ... of all kinds [which] is ‘part of learning how to live in a pluralistic society,’ a trait of character essential to ‘a tolerant citizenry.’” *Kennedy*, 597 U.S. at 538.

While we applaud the Committee’s commitment to ensuring that Brookline Public Schools are free from discrimination, we urge the Committee to decline to adopt the Proposed Policy or other such sweeping and unlawful restrictions on speech by students and other community members, while continuing to fulfill its important obligations to enforce the Massachusetts anti-bullying law and educate students about the values of diversity and tolerance.

¹⁰ See, e.g., *Speech First, Inc. v. Schlissel*, 939 F.3d 756, 765 (6th Cir. 2019) (finding a university’s response policy to bias incidents “acts by way of implicit threat of punishment and intimidation to quell speech” because it “initiates the formal investigative process, which itself is chilling even if it does not result in a finding of responsibility or criminality.”); *Opinions of the Justs. to the Governor*, 372 Mass. 874, 877, 363 N.E.2d 251, 253 (1977) (“Indirect discouragement of the exercise of First Amendment rights has been condemned”).

¹¹ See, e.g., *W. Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943) (students have a right to choose not to stand or otherwise participate in the Pledge of Allegiance); *Rabideau v. Beekmantown Cent. Sch. Dist.*, 89 F. Supp. 2d 263, 267 (N.D.N.Y. 2000) (finding that school abridged student’s First Amendment rights in part by sending student to principal’s office to discuss refusal to stand); *Frain v. Baron*, 307 F. Supp. 27, 33-34 (E.D.N.Y. 1969) (enjoining school from treating any student who refuses to participate in the pledge differently from those who participate); *Doe v. Acton-Boxborough Reg’l Sch. Dist.*, 468 Mass. 64, 74-75, 8 N.E.3d 737 (2014) (allowing voluntary pledge statute where students are free to decline to recite “without free of punishment” because “significantly, no student who abstains from reciting the pledge, or any part of it, is required to articulate a reason for his or her choice to do so”); *Newdow v. Rio Linda Union Sch. Dist.*, 597 F.3d 1007 (9th Cir. 2010) (upholding school district voluntary pledge policy because no student will be disciplined for refusing to participate).

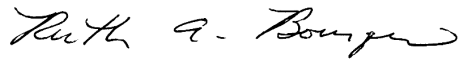
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Brookline School Committee – Proposed Hate Speech Policy

April 25, 2024

Please do not hesitate to contact ACLU of MA if you have any questions or would like to discuss these matters with us.

Sincerely,



Ruth A. Bourquin
Senior Managing Attorney



Rachel E. Davidson
Free Expression Staff Attorney

Cc: Betsy Fitzpatrick on behalf of the Committee via email at
betsy_fitzpatrick@psbma.org

Hate Speech Prevention Policy

The Public Schools of Brookline (PSB) prioritizes a safe, inclusive environment where diversity is celebrated, and hate has no place. We endeavor to create a school environment where speech or expression that denigrates a person or persons on the basis of (alleged) membership in a social group identified by attributes such as race, ethnicity, gender, sexual orientation, religion, age, physical or mental disability, and others, is not tolerated. Further, PSB reinforces our dedication to creating a community where every individual feels respected and supported through collective action in the following manners: vigilance, investigation, education, and data reporting.

This policy applies to all persons employed by, attending, or otherwise affiliated with the Public Schools of Brookline, including volunteers, interns, and partnering organizations.

The hate speech prevention policy shall take effect immediately upon passage of this policy by the School Committee. The protocols and annual report provisions shall take effect at the start of the 2024-2025 school year.

1. Definition: Hate speech, whether explicit or implicit, plain or subtle, intentional or unintentional, is a pejorative communication, in speech, gesture, illustration, writing and/or any form of electronic communication that, at its root, expresses prejudice or hate on the basis of ethnicity, race, religion, nationality, sexual orientation, gender identity, disability, or other like grouping. Such expression does not necessarily result in unequal treatment based on protected class, may be a singular instance and might be expressed in a non-threatening manner.
2. Examples:
 - Typical hate speech involves epithets, slurs, statements that promote bias and/or malicious stereotypes (for example: “Jews control the world” or use of the N-word)
 - Typical hate speech is intended to express and/or incite hatred on the basis of a person or persons’ membership in a protected class (for example: “I hate transsexuals”)
 - Hate speech may or may not include canards that propagate a sensationalized or hateful misrepresentation of the group’s membership (for example: Muslims or Arabs as terrorists)
 - Hate speech may or may not include nonverbal depictions and symbols, as well as drawings, photographs, graffiti, logos or other imagery made publicly visible (for example: the Nazi swastika or salute, or the Confederate Battle Flag)

3. Education Exceptions: Use of what would ordinarily be treated as hate speech is narrowly permissible in:
 - i. an instructional or remedial therapeutic setting for purposes of identifying material as hate speech and/or remedying its negative consequences, and;
or
 - ii. teacher-led discussions or assignments in which a statement, epithet, symbol, or gesture is studied within its context (e.g., contextually-appropriate academic settings) (e.g. swastikas in Buddhist art, Confederate flags in a Civil War social studies lesson).
4. Vigilance: The Public Schools of Brookline promote and encourage the consistent reporting of hate speech incidents, even if addressed in the classroom, as a means of prevention. The “mandated reporter” approach should be applied using a reporting mechanism explicitly identified by the District. In other words, if one becomes aware of any hate speech, it should be reported. This reporting mechanism will be made publicly available in PSB communications at least biannually. This reporting mechanism will be easily identifiable on the PSB website. This reporting mechanism will be posted publicly in each school administration building’s entranceway.
5. Investigation: The Public Schools of Brookline assert that all reports of hate speech using the aforementioned mechanism will be investigated thoroughly in accordance with existing bullying reporting procedures (Section J). Each member of the school community is responsible for cooperating with the PSB’s investigation of reports or complaints of violations of this Policy and with the PSB’s efforts to prevent, respond effectively to, and eliminate any such conduct.
6. Education: Annual training in preventing, identifying, responding to, and reporting hate speech will be provided for all school employees. Staff training for those responsible for investigating incidents of hate speech and oversight of this policy will include training to distinguish between acceptable speech and expression and hate speech. Age-appropriate, evidence-based instruction on hate speech prevention shall be incorporated into the curriculum for all pre-K to 12 students.
7. Data Reporting: All reported incidents will be logged in a District database. The District shall prepare annually a written catalog of reported hate speech incident data to the School Committee at least once by June 20 of each academic year. The data shall include, but not be limited to: (i) the number of reported allegations of hate speech aggregated by protected class and by school; (ii) the number and nature of substantiated incidents of hate speech aggregated by protected class and by school; (iii) the number of students disciplined for engaging in hate speech aggregated by protected class and by school; ; and (iv) any other pertinent information requested by members of the School Committee. The purpose of this annual report is to assist the district and School Committee in tracking hate speech incidents to better understand their scope and promulgate more effective procedures to ensure the safety and social-emotional well-being of our school communities.

Nothing in this policy shall be construed to limit the reporting requirements and protections against hate incidents already guaranteed under applicable state and federal law. The Massachusetts Anti-Bullying Law (G.L. c. 71, § 37O), Student Anti-Discrimination Act (G.L. c. 76 § 5), and Title VI of the federal Civil Rights Act require schools to take affirmative measures to prevent bias-related bullying and harassment by students, and to respond meaningfully when such misconduct occurs. Notably, a school district's obligation to protect a student from a hostile school environment extends beyond addressing hate incidents that occur on school grounds or during school-sponsored activities.¹

¹ Massachusetts Attorney General's Office Guidance on Schools' Legal Obligations to Prevent and Address Hate and Bias Incidents. 2019.

¹ Massachusetts Attorney General's Office Guidance on Schools' Legal Obligations to Prevent and Address Hate and Bias Incidents. 2019.

The Capital Subcommittee of the Advisory Committee held 10 meetings to review operating budgets for the Building, DPW, Water & Sewer and Recreation Departments, as previously presented to the AC, and to review the CIP requests from those departments as well as the remaining Town departments and the Public Schools of Brookline. Two additional meetings were held to discuss general CIP policies and guidelines. Links to each meeting are found at the end of this report. A site visit was made to the Baldwin School by 3 committee members accompanied by School and Building Department Staff.

Votes on the CIP Appropriations, Warrant Article 10 (b) subsections 1 -12 and 15 -41, were taken at the April 12, 2024 meeting of the Capital Sub-committee.

Committee Members in Attendance on April 12, 2024: Carol Levin (chair), Harry Friedman, Carlos Ridruejo, John Dogget, Pamela Lodish.

Votes for Warrant Article 10(b) subsections 13 – 14 were taken at the April 18, 2024 meeting. Committee Members In Attendance on April 18: Carol Levin (chair), Harry Friedman, Carlos Ridruejo, Michael Berger, Pamela Lodish, Alok Somani, and John Dogget.

All meetings were attended by members of the public and the appropriate Town and/or School staff including but not limited to: Melissa Goff, Charles Young, Charles Carey, Dan Bennet, Charlie Simmons, Erin Chute, Susan Givens, Karen King, and Sara Gooding. School Committee members Helen Charlupski and Mariah Norbrega were also in attendance.

VOTES on April 12:

ARTICLE 10 (B) 1	Town Garage Floors:	5-0-0	\$ 225,000
ARTICLE 10 (B) 2	Rehabilitation of Town Buildings	5-0-0	\$ 500,000
ARTICLE 10 (B) 3	Technology Infrastructure	5-0-0	\$ 125,000
ARTICLE 10 (B) 4	Comprehensive Plan	5-0-0	\$ 400,000
ARTICLE 10 (B) 5	Fire Department Engine #3 Rehab	5-0-0	\$ 325,000
ARTICLE 10 (B) 6	Body Camera & In-Car Camera	5-0-0	\$ 250,000
ARTICLE 10 (B) 7	Public Safety Lobby Study	5-0-0	\$ 100,000
ARTICLE 10 (B) 8	Traffic Calming	5-0-0	\$ 350,000
ARTICLE 10 (B) 9	Bike Access Improvements	5-0-0	\$ 350,000
ARTICLE 10 (B) 10	Parking Meter Replacement	5-0-0	\$ 400,000
ARTICLE 10 (B) 11	Woodland Road	5-0-0	\$1,950,000
ARTICLE 10 (B) 12	Accessible Pedestrian Signals	5-0-0	\$ 150,800
ARTICLE 10 (B) 15	Washington Street Rehabilitation	5-0-0	\$ 800,000
ARTICLE 10 (B) 16	Wastewater System Improvements	5-0-0	\$3,000,000
ARTICLE 10 (B) 17	Amory Tennis Courts, Parking, Halls Pond	5-0-0	\$2,780,000
ARTICLE 10 (B) 18:	Big Belly Compacting Stations	5-0-0	\$ 95,000
ARTICLE 10 (B) 19:	Griggs Park Renovation	0-5-0	\$ 400,000

ARTICLE 10 (B) 20:	Larz Anderson Improvements	5-0-0	\$3,300,000
ARTICLE 10 (B) 21:	Monmouth Park Improvements	0-5-0	\$ 500,000
ARTICLE 10 (B) 22	Playgrounds, Fields & Fencing	5-0-0	\$ 300,000
ARTICLE 10 (B) 23	Rehabilitation of Town & School Grounds	5-0-0	\$ 185,000
ARTICLE 10 (B) 25	Tree Work at Putterham Woods	5-0-0	\$ 200,000
ARTICLE 10 (B) 26	Golf Course Improvements	5-0-0	\$ 600,000
ARTICLE 10 (B) 27	Pool Dehumidification and Filter	5-0-0	\$ 1,115,000
ARTICLE 10 (B) 28	School Furniture	5-0-0	\$ 200,000
ARTICLE 10 (B) 29	Town/School HVAC Equipment	5-0-0	\$ 170,000
ARTICLE 10 (B) 30	Town/School Underground Tank Removal	5-0-0	\$ 200,000
ARTICLE 10 (B) 31	Town/School ADA Renovations	5-0-0	\$ 100,000
ARTICLE 10 (B) 32	Town/School Elevator Renovations	5-0-0	\$ 650,000
ARTICLE 10 (B) 33	Town/School Energy Conservation	5-0-0	\$ 410,000
ARTICLE 10 (B) 34	Town/School Energy Management	5 0-0	\$ 300,000
ARTICLE 10 (B) 35	Town/School Building Envelope	5-0-0	\$ 500,000
ARTICLE 10 (B) 36	Town/School Fire Alarm Upgrades	5-0-0	\$ 225,000
ARTICLE 10 (B) 37	Town/School Life Safety & Security	5-0-0	\$ 180,000
ARTICLE 10 (B) 38			
A	Baker School	5-0-0	\$ 1,128,000
B	Lincoln School	5-0-0	\$ 1,430,000
C	Hayes School	5-0-0	\$ 250,000
D	BHS Main Building	5-0-0	\$ 15,000
E	Lawrence School	5-0-0	\$ 100,000
F	Runkle School	5-0-0	\$ 785,000
G	Baldwin School	3-2-0	\$ 180,000
ARTICLE 10 (B) 39	IEP Accommodations	0-3-2	\$ 200,000
ARTICLE 10 (B) 40	Long-Term Capital Plan, Schools	0-5-0	\$ 250,000
ARTICLE 10 (B) 41	BEEP Leases	3-2-0	\$ 717,332

April 18, 2024

Votes:

Article 10 (B) 24)	Removal & Replacement of Trees:	6-0-0	\$ 550,000
Article 10 (B) 13	Street Rehabilitation:	6-0-0	\$ 6,947,688
Article 10 (B) 14	Sidewalk Rehabilitation	6-0-0	\$ 632,521

Missing a vote for TNC MITIGATION PROJECTS **\$ 100,000**

GENERAL CIP CONCERNS

1) FUNDING NEEDS VS FUNDING SOURCES

“The Top 10 Management Characteristics Of Highly Rated State And Local Borrowers “ Standard & Poors

Number 9. A capital planning process

A government with a comprehensive assessment of capital and infrastructure requirements, including deferred maintenance, will be better positioned to manage these requirements over time in the most cost effective way. Neglecting critical capital needs may contribute to higher future costs and also impede economic growth and endanger future revenue generation. ***A capital improvement plan indicating both funding needs and anticipated funding sources is a useful planning tool for determining future borrowing needs.***

A FUNDING SOURCES PLAN

Brookline’s CIP is a funding sources plan, rather than a plan of funding needs. It shows how dollars from multiple funding sources (Property Tax, Free Cash, General Fund Bond, State/Federal aid, and others) are distributed or designated among different projects in a given fiscal year over a 5-year horizon, and many of the out-year numbers are placeholder funding amounts rather than a statement of fund needs.

The current CIP does not provide information on the timing of multi-year expenditures which are appropriated in their entirety in a single year. A bond, whether inside or outside the levy, can be authorized for a specific purpose with the funds appropriated in a specific year, yet those funds are expended over multiple years and those out-year expenditures not shown in the CIP.

As of March 12, 2024, there were \$260.5 million in available bond financed, capital funds. All but about \$10 million of these funds are for the Pierce and the Fire Station projects, yet the Fire Station project isn’t even listed in the CIP because it was funded in FY23, and the Pierce project will not be listed in the FY26 CIP because it was funded in FY24. A similar “pre-funding” of capital improvement projects funded from general revenues or free cash also occurs for out-year scheduled projects. As a result, it is not clear the magnitude of the capital investment occurring in a single year or in a single category.

A FUNDING NEEDS PLAN

There are many line items within the current CIP for which detailed multi-year funding needs plans do exist, such as the Town/School Building Envelope and the Town/School Building Roof Repair Replacement programs. DPW also has multi-year plans for streets, sidewalks, and parks. The Fire Department has plans for vehicle replacements and rehabilitation. There are other components of the Town’s infrastructure for which multi-year replacement plans are also being developed, such as parking meters. What does not exist, however, is a consolidated roll-up of all these plans. There is nothing which lays out the magnitude of funding needs in their totality over a planning horizon.

THERE EXISTS A GENERAL CONCERN ABOUT VARIABILITY IN THE DEGREE OF FORWARD PLANNING AMONG TOWN DEPARTMENTS & THE PSB, THE LEVEL OF CONSISTENCY IN THE APPLICATION OF CIP FUNDING CRITERIA, AND THE OPAQUENESS OF FUNDING ALLOCATION DECISIONS.

The FY 25 CIP totals \$34,141,586 as compared to FY 24 total of \$233,715,408. When removing funding for the Pierce School (\$209,915,958) the FY 24 number is \$23,799,450. The largest FY 25 increases proposed by the Town Administrator were in Parks & Playgrounds, \$4.055 million; Engineering/Highways, \$1.223 million, General Government, \$750,000; and School, \$4.0 million (exclusive of the Pierce project.)

DISCUSSION

In general, the Capital Subcommittee concurred with the CIP recommendations submitted by the Town Administrator and were satisfied with each Department's explanation of need. However, the Subcommittee was surprised to learn that due to the FY 25 budget's strong free cash number and approximately \$3.0 million in funds being released from the Overlay account, certain CIP categories were receiving funding for work occurring in future years. There was considerable discussion over which CIP categories were and should be the beneficiaries of this pre-funding, and there was a particular focus on the SCHOOLS subcategory. That category includes work both exclusively for the benefit of the PSB and line items which are for both Town and School facilities.

The proposed FY25 CIP included approximately \$4.7 million for "School Rehab," also referred to as the "mini-CIP" which in recent years has been budgeted at \$1.0. The mini-CIP is historically used for painting, re-flooring, and refurbishment exclusively of the schools. These three items should be occurring on a regular schedule in accordance with a plan, similar to the plans for roofs and building envelopes.

In the FY 25 CIP, the "School Rehab" line proposal was increased to fund what has been characterized as "deferred maintenance" work that is scheduled to be done over the next three fiscal years in School buildings. As recently as FY 23 the PSB was reporting "deferred maintenance" at \$15 million. The PSB, after scrubbing the deferred maintenance list of items which were completed, not well documented, inappropriately classified or funded elsewhere, as well as the removal of the Driscoll (\$1.4 million) and Pierce Schools (\$3.4 million), presented a revised "deferred maintenance list" of approximately \$6.8 million through FY 30. It is not known what portion of this \$6.8 million represents true "deferred maintenance" versus appropriately scheduled future painting, flooring and other periodic maintenance work.

The Capital Subcommittee has reviewed each of the proposed projects and schedules. With the exception of the Baldwin School, it has voted to fund in full the School Building Rehab Requests for FY 25 and FY 26. It did not approve funds for work proposed in FY27. For the Baker, Lincoln and Runkle Schools this will complete the funding of all planned work. For the Lawrence and Hayes Schools this will leave unfunded work scheduled for FY 27 – FY 30 in the amounts of \$250,000 and \$580,000 respectively, and for BHS \$3.255 million.

The Subcommittee is very concerned by PSB plans for the Baldwin School and it is not supportive of the initial CIP request. The PSB intends to move some of the administrative staff vacating 2 Clark Road to this location.

The Subcommittee's concerns include:

- \$300,000 in "surplus" funds from the FY24 CIP which were intended for specific work at the Lincoln School but which came in under budget, are instead being used to prepare the Baldwin School for occupancy. These funds should have been used for additional items at the Lincoln School.
- The "mini-CIP" funds from the FY24 CIP were not intended for improvements for a new space use.
- The Baldwin School is a vacant Town asset. Determination of its next use should have been via a structured process.
- The Baldwin School is a historic structure and is subject to oversight by the Preservation Commission. This was not obtained, and some of the work which has been completed both to the exterior and interior would likely not have been approved.
- The PSB is seeking an additional \$486,000 in new FY25 CIP funds to complete the improvements.
- Most of the work at the Baldwin School required for the PSB occupancy has been completed, though full funding for the project was not yet available.

The subcommittee voted on April 12, 2024, by a vote of 3-2-0, to approve a reduced appropriation for the Baldwin School of \$180,000. This amount, along with the \$300,000 from the FY24 CIP will permit completion of the minimal improvements necessary for occupancy of the first floor of the Baldwin School and an upgrade of the electrical service to the school, which is necessary for the electrification of the property regardless of its occupant.

The appropriation is conditioned upon oversight by the Preservation Commission, a requirement for an MOU between the Town and PSB governing the PSB occupancy, and a term limit of June 30, 2027 for the PSB occupancy, unless extended after a Town planning study to determine the property's best use. Reasons for the "no" votes include:

- A belief the PSB must not be rewarded for circumventing rules.
- The need for consistency of consequences between private and public property owners.
- Fears that absent a negative consequence, this behavior of the PSB will continue.

The Capital Subcommittee, desiring to prevent the future re-direction of appropriated CIP funds to projects which were not approved (i.e. Baldwin using Lincoln School funds), and in keeping with the project specific nature of most of the CIP appropriations, voted separate CIP appropriations for each school on April 12, 2024, by votes of 5 -0-0 (with the exception of the Baldwin School as noted above), as follows:

School Rehab/Upgrade	
Baker	\$128,000
Lincoln	\$1,430,000
Hayes	\$250,000
BHS	\$15,000
Lawrence	\$100,000
Runkle	\$785,000
Baldwin	\$180,000
	\$2,888,000

The cumulative result of these decisions is a reduction of the School Rehab request from \$4.7 million to \$2.888 million as detailed above.

There should not be concern about this limiting of the ability to move funds among different school projects.

- Project specific appropriations are the norm within the CIP.
- Most school CIP work occurs during the summer break, with occasional work during other vacation periods. Since the appropriations are for 2 years of scheduled projects, if needed funds at a specific school can be accelerated for FY 25 projects occurring in the summer of 2024.
- Because of the beforementioned project scheduling, there will be ample opportunity for a supplemental CIP request for each school for FY 2026 if funds are insufficient.
- The Building Department historical makes conservative estimates (for example the \$300,000 in excess funds for the Lincoln School work which occurred in the summer of 2023).

The Capital Subcommittee also voted on April 12, 2024, against a \$250,000 appropriation for a PSB Capital Planning study by a vote of 0-5-0. The reasons include: 1) the concept is only vaguely conceived; 2) much of the forward looking capital planning for the PSB is related to the upkeep of the current facilities and is done by the Building department; 3) the recent PSB demographic projection studies upon which long range capital plans would be based have a high degree of uncertainty beyond five years; and 4) the PSB does not currently have staff to run a project looking at longer term requirements.

The Capital Subcommittee also voted on April 12, 2024, against a \$200,000 appropriation to fund building modifications made in response to Individualized Education Programs (IEP) by a vote of 0-5-0. This is a new line item in the CIP. Historically all IEP accommodations were made from other operating funds. These modifications to the building are specific to an individual student and may require restoration to the original building conditions when the student leaves the school. In addition, modifications to a handicap bathroom to accommodate a specific student, have, in some instances, rendered the bathroom non-handicap accessible. The subcommittee voted unanimously (0-5-0) to not fund this item.

CIP RE-ALLOCATION

As a result of the reductions in the School Rehab, the School Capital Plan and the IEP Accommodation appropriations, the Capital Subcommittee was able to re-allocate **\$2,232,209** to other existing CIP line items for which there is certainty of future need. The details of the reallocation can be found on the accompanying tables but fall into four categories: other Town/School Building uses, \$845,000; Streets and Sidewalks, \$1,087,209, Tree Removal and Replacement \$200,000; and the Comprehensive Plan, \$100,000, which is a known FY26 obligation. The Subcommittee understands, as should the Advisory Committee, that not all these funds will be expended in FY25. Rather these appropriations will be available for current and future years' projects.

CONDITIONS OF APPROPRIATION

1) Larz Anderson Park (10 (b) 20)

The FY 25 CIP includes \$3.3 million for improvements to the Park. Concerns were raised by a member of the subcommittee about whether the Preservation Commission has been properly consulted regarding work being done at the Park. Language was added to the Larz Appropriation requiring this consultation, and this conditioned appropriation was voted approved by a vote of 5-0-0 on April 12, 2024.

2) Griggs Park (10 (B) 19)) and Monmouth Park (10 (B) 21))

On April 12, the Subcommittee voted against appropriations for these two parks by votes of 0-5-0. For both parks, the subcommittee is concerned by a ban of abutters from the Design Review Boards for each project. The no vote was intended as a lever to push for a reconsideration of this exclusion before Town Meeting. Town Counsel joined the Subcommittee at its April 18 meeting. Town Counsel stated that

3) Baldwin School (10 (B) 38G))

In addition to the reduction in the amount of the appropriation, the appropriation also included a requirement that all funds not expended or encumbered by June 30, 2024 be subject to a review of plans and drawings by the Preservation Commission prior to such encumbrance. The appropriation is further conditioned upon the PSB and Town executing an MOU governing the PSB's occupancy, with an initial termination of June 30, 2027, and a Town study to determine the best municipal use of the property.

4) Classroom Capacity Leases – to be renamed BEEP LEASES

Long characterized as "excess capacity" this line item is now solely funding two leases for BEEP space at Temple Ohabei Shalom and Temple Emeth. The conditions of appropriation are now

specific to these two leases. Two members of the subcommittee voted against the appropriation due to long held belief that the lease payments should be in the operating budget not the CIP. The subcommittee was in agreement that the presence of these leases in the CIP should be phased out over the next few years.



THE PUBLIC SCHOOLS OF BROOKLINE

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TO: Select Board
Advisory Committee
Town Administrator
Deputy Town Administrator

FROM: Helen Charlupski, Chair, School Capital Improvements Subcommittee
Mariah Nobrega, Chair, School Finance Subcommittee
Susan Givens, Ed.D., Deputy Superintendent, Office of Administration and Finance

DATE: April 24, 2024

RE: **PSB FY25 CIP: Update and Request for Support**

We are writing to share our concerns regarding potential actions being proposed by the Towns Advisory Committee that will negatively impact our schools. We feel it is important to provide some important background information related to our Capital Improvement Plan and along with some context as we do not feel that the information being shared accurately conveys our process, thinking, and requests for funding.

CIP Request vs. AC Proposal

The School Committee requested funding for the following Capital Improvements for FY25.

Classroom Capacity (initial \$640,332, added \$77,000 for BEEP extended day)	\$717,332
Furniture and Fixture Replacement	\$200,000
IEP Accommodations - School Modifications	\$50,000
Deferred Maintenance	\$2,120,675
<u>Long Term Capital Plan</u>	<u>\$250,000</u>
Total	\$3,261,007

The Town graciously included \$6,037,541 in the financial plan published in February, funding all of these items, and two of them (Deferred Maintenance, IEP Accommodations - School Modifications) for more than was requested, to enable PSB to pursue a multi-year planning strategy. Though we would welcome a multi-year allotment of funds to address the deferred maintenance in our schools, what we are asking for to meet our needs in FY25 is \$3,261,007.

However, the Advisory Committee's Capital Subcommittee has voted to reduce that amount.

- Deferred Maintenance: \$2,888,000 (Funding for FY25 and FY26)*
- IEP Accommodations: Reduced to \$0
- Long-Term Capital Plan: Reduced to \$0

*Baldwin was reduced to \$180,000

We respectfully ask the Select Board, Advisory Committee and Town Meeting support our initial request; however, if there is a philosophical reason for opposing the long-term capital plan, this item would not interfere with current operational needs of the schools. The other two reductions (Deferred Maintenance, IEP Accommodations) have significant impacts on PSB operation and budget, described next.

Deferred Maintenance (which includes funds to updated Baldwin for the Clark Road Relocation)

Clark Road houses several BEEP classrooms, the BEEP administrative staff, the English Language Education Program, Special Education support staff, the Operations Department, the Food Services administrative team, K-8 curriculum coordinators and secretarial staff (Approximately 40 staff members.)

The School Department determined that there is sufficient space in PSB buildings to terminate the Clark Road lease as of July 31, 2024. Staff/programs would be transferred back into PSB buildings, for an annual savings (based on FY24 costs) of \$1,235,892. The Advisory Committee has expressed support for terminating the lease.

Over the summer and fall the Administration reviewed space availability in all school facilities and developed a relocation plan that included moving:

- BEEP classrooms and administration to Hayes, Driscoll and Ruffin Ridley
- ELE Program to Driscoll
- Remaining Clark Road occupants to the Baldwin School.

Staff are preparing to move in June to ensure a smooth and orderly transition to the new locations before they leave for the summer break.

Baldwin is not a move-in ready option for the 25 staff members that would be moving to this location. In addition to plumbing, electrical, HVAC, and ADA compliance related issues, it also needs painting, ceiling, and floor work to be habitable for staff. Importantly, Baldwin is zoned for educational purposes; it cannot be solely used for administrative space. Since the PSB strategic plan includes the development of a learning center to support the induction, growth, and development of staff, the lower level of Baldwin is designed to have two flexible classroom spaces and a library of resources for staff. Our plan is to offer courses to advance the skills and knowledge of our staff during the arch of their career. We will run portions of our teacher mentoring program from this location. For the space to be ready for occupancy before the lease terminates, work had to begin during winter 2024. There was some money left from the FY24 deferred maintenance funds at the end of the summer so this money was allocated to begin essential infrastructure work. In fall 2023 the Building Department began preparing the Baldwin school for a June 2024 occupancy. This was discussed in several public meetings (capital subcommittee of the School Committee) and approved by the SC in September along with the FY25 CIP request. **The total cost to make the needed renovations and add the learning center was approximately \$785,675, of which approximately \$282,000 was in the FY24 CIP (a dramatic reduction from the lease cost).** Funding to complete the project was requested as part of our FY25 CIP request in September.

Advisory Committee has removed the funding to complete the Baldwin project. The consequences of this are staff will not have a suitable work environment after July 31, 2024. A significant amount of time and effort has been put forth to ensure this transition does not disrupt programming and services in the schools. **PSB must complete this work so that we can complete this transition from expensive leased space.** Furthermore, Advisory has decided to break down the deferred maintenance by building, to expressly inhibit PSB from spending across buildings. **This is a poor choice:** costs can change wildly between the time the request is made in September and the time funding is approved in May. The scope of work for deferred maintenance projects can also change over time. For these reasons, we request funding for deferred maintenance to remain as a single category and not be subdivided by schools and specific line items. This will avoid halting some deferred maintenance in one school or category simply because we can't clairvoyantly estimate costs a year in advance, especially with skyrocketing costs in some of the trades.

IEP Accommodations

In recent years, PSB has incurred significant capital expenditures relating to accommodations for special education as mandated by a student's Individualized Education Plan (IEP) or 504 plan. For example, in the most recent year:

- \$35,000 was spent on a Safe Space
- \$15,000 was spent on air temperature controls (AC's)

These are capital expenses (building modifications) required by law and inappropriately (and without budget) have been charged to the operating budget. The rationale as to why Advisory Committee believes these costs should not be included in the CIP is not apparent from their draft report.

Conclusion

PSB recognizes the importance of capital planning and has done significant recent work to communicate and coordinate its needs with the Town and other stakeholders. We welcome a conversation about how to further improve the process to ensure that all parties are aware. Maintaining a strong partnership between the Town and Schools at all levels serves the public good and is a value we all have in common. Our Capital Subcommittee meets monthly and we would gladly add this to our agenda to discuss further. In the meantime, we strongly urge support of the PSB capital improvement budget as outlined at the start of this document.



THE PUBLIC SCHOOLS OF BROOKLINE

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TO: Helen Charlupski, Chair, School Capital Improvements Subcommittee
Daniel Bennett, Building Commissioner
Charlie Simmons, Director of Public Buildings
Linus Guillory, Ph.D., Superintendent of Schools
School Committee

FROM: Susan Givens, Ed.D., Deputy Superintendent, Office of Administration and Finance
Sara Gooding, Deputy Director of Public Buildings

DATE: April 26, 2024

RE: **Baldwin School Project**

The total estimated project cost for Baldwin as presented in September 2023 was \$785,675. We requested \$485,675 in funding for FY25 because we used \$300,000 from our FY24 deferred maintenance allocation to ensure work was completed before the expiration of the lease at the end of the school year. Below is the project plan from September and our revised request based on feedback from the Advisory Committee, Preservation Commission, and the Capital Subcommittee of the School Committee.

Project Details	Total Project	Revised Request
Upgrade Electrical Service to Meet Code (inside and outside)	\$74,250	\$74,250
Ceiling Work/Replaster Upper Level	\$20,000	\$20,000
New Drop Ceiling in Lower Level	\$10,000	\$0
Paint Interior	\$90,000	\$90,000
Update Flooring (excluding bathrooms)	\$75,000	\$75,000
HVAC: Heat Pumps	\$100,000	\$100,000
Bathroom Renovation for ADA Compliance	\$135,000	\$135,000
Window Shades	\$10,000	\$10,000
Build, Alter or Repair Walls	\$200,000	\$50,000
Contingency (10% of other)	\$71,425	\$55,425
Total	\$785,675	\$609,675
Less FY24 Carryover	-300,000	-300,000
Unfunded Baldwin Request	\$485,675	\$309,675

We have identified two areas from our initial request where we can reduce costs to lower our initial request; \$10,000 for the ceiling in the resource room on the lower level and \$150,000 for installing the LULA as outlined in the above table in the *Proposed Revised FY25 Request* column. The total amount requested for FY25 is \$309,675, a reduction of \$176,000.

The Advisory Committee recommended reducing the appropriation for new flooring to cover the expense of cleaning and repairs instead. The Town and School met with contractors to see if this recommendation was feasible, and they said this could not be implemented for the following reasons:

1. During the last forty years, the flooring has been modified to accommodate various programming, including Winthrop House and Early Education/Staff daycare. Due to the different floor coverings, the glue applications, and the age of the floors, the contractor was not confident the floors could be refinished in a satisfactory manner and was not interested in taking on the job.
2. We can restore the tile in one of the first-floor bathrooms. The other bathroom was reviewed for tile restoration; it was covered with vinyl tile and carpet many years ago. The glue used would require caustic chemicals to remove it, which we typically do not use in School/Town Buildings because they are not considered environmentally safe. We recommend covering the ceramic tile on the floor with a new vinyl tile (VCT).
3. The former “library space” in the front of the building has had vinyl tiles and carpet applied over known asbestos floor tiles. The vinyl tiles are popping up in many areas. If we only patch those areas, the increased foot traffic will likely lead to more tiles popping up and further patching needed while staff is actively working in the space, which is why a recommendation has been made to fully cover and encapsulate the area with new flooring as initially planned.

It is important to note that there are several now known expenses that were not in the initial request that we will fund through the project contingency line.

Electrical Upgrades: Eversource is requiring approximately \$10,000 in additional work that was not in our initial scope to complete the upgrade. We have no control over this.

HVAC: The Preservation Commission* has no issues with what we are doing inside the building; they do request that

- Remove the vertical line set on the front facade to inside the building
- Move the mount on the building to the ground
- Paint all exterior HVAC to match the existing brick and add landscaping to hide HVAC equipment.

Parking Lot: Striping

The Subcommittee of the Advisory Committee proposal of \$180,000 is insufficient as the majority of the line items in our request are necessary and must be completed for the building to be occupied. It is our hope that we are able to move forward with the above proposal to ensure staff have a welcoming environment to work in and we are able to complete the relocation plan.

Final note: The lease at Clark Road was \$1,235,800.92. The cost of renovating Baldwin to achieve this savings is \$609,675. The investment in Baldwin in FY24 and FY25 will save the Town over a million dollars annually moving forward.

*The Town Public Building and Preservation staff met this morning (April 26, 2024) to review the interior and exterior work associated with this project. The only modification to the plan recommended by the preservation staff are the changes to the exterior building noted in this item.

Capital Improvement Plan

FY25 School Request vs. Town Budget

February 23, 2024

	Projects	School Request	Town Budget	Warrant Articles
PSB	Classroom Capacity (Leases)	640,332	717,332	717,332
	Failing Furniture & Fixtures Replacement	200,000	200,000	200,000
	IEP Accommodations - School Modifications	50,000	200,000	0
	Lawrence Cafeteria Expansion - Feasibility Study		0	0
	Deferred Maintenance	2,120,675	4,670,209	2,983,675
	Long Term Capital Plan	250,000	250,000	0
	Baker School - Feasibility Study			
	Baker School - Construction			
PSB Subtotal		3,261,007	6,037,541	3,901,007

Deferred Maintenance (Mini CIP)

Location	Project Details	FY25	FY26	FY27	FY28	FY29	FY30	Total
Baker	Remove Carpet, Replace with Tile - 5 rooms	\$30,000	\$33,000					\$63,000
	Paint 10 classrooms	\$10,000	\$5,000					\$15,000
	Refurbish the Staircase by room 202 (the stairs used for recess)	\$50,000						\$50,000
Baldwin	Upgrade Electrical Service to Meet Code (inside and outside)	\$74,250						\$74,250
	Ceiling Work/Replaster Upper Level	\$20,000						\$20,000
	New Drop Ceiling in Lower Level	\$0						\$0
	Paint Interior	\$90,000						\$90,000
	Update Flooring (excluding bathrooms)	\$75,000						\$75,000
	HVAC: Heat Pumps	\$100,000						\$100,000
	Bathroom Renovation for ADA Compliance	\$135,000						\$135,000
	Window Shades	\$10,000						\$10,000
	Build, Alter or Repair Walls	\$0						\$0
	Contingency (10% of other)	\$71,425						\$71,425
Lincoln	Classroom Cabinet Millwork Repairs 2nd and 3rd Floor	\$50,000						\$50,000
	2nd/3rd Floor Recondition (floors, paint)	\$600,000						\$600,000
	Library Recondition (floors, paint, and millwork)	\$75,000						\$75,000
	Gym Renovation (floors, painting, and scoreboard)	\$70,000						\$70,000
	Electrical Repairs/Replacements Needed for 1994 Bldg	\$100,000						\$100,000
	Replace All Ceiling Tiles in Building	\$150,000						\$150,000
	Bathroom Renovation (\$30k per bathroom)	\$90,000	\$120,000					\$210,000
	Cafeteria Reconditioning (floors, paint, and millwork)		\$50,000					\$50,000
	Kitchen Renovation		\$100,000					\$100,000
	Finish Removing Wallpaper in Basement, Paint (about 40% done)		\$25,000					\$25,000
Hayes	Upgrade Main Electric to Building to Install Heat Pumps	\$250,000						\$250,000
	Replace Wall Mats with New School Name (paid from maintenance budget FY 24)	\$0						\$0
	Replace School Name on Front of School (paid from maintenance budget FY 24)	\$0						\$0
	Library Carpet Replacement (and library movers)			\$55,000				\$55,000
	Auditorium Renovation (floor, paint, seats if applicable)			\$75,000				\$75,000
	Paint (halls, classrooms, offices)				\$50,000	\$60,000	\$70,000	\$180,000
	Bathroom Renovation				\$105,000	\$140,000		\$245,000
	Replace Window Shades in Classrooms				\$25,000			\$25,000
	Replace Door in Café Overflow		\$15,000					\$15,000
	Extend Lowell Rd Loading Dock Another 10 ft, Widen Door			\$30,000				\$30,000
	Paint 2/3 of the Interior at 115 Greenough			\$300,000	\$300,000	\$300,000	\$300,000	\$1,200,000

Deferred Maintenance (Mini CIP)

Location	Project Details	FY25	FY26	FY27	FY28	FY29	FY30	Total
BHS <i>Main Building</i>	Classroom and Hallway Flooring (Est. 300,000 SF. Main Campus, Greenough St.)			\$100,000	\$100,000	\$100,000	\$100,000	\$400,000
	Upgrade HVAC in Wrestling Room, (add dehumidification replace entire floor & all mats)				\$350,000			\$350,000
	Install AC in Cafeteria				\$100,000			\$100,000
	Bathroom Renovation (new fixtures, flooring, etc. for a full renovation)				\$350,000	\$350,000	\$350,000	\$1,050,000
	Renovate Auto Space for Engineering Program					\$75,000		\$75,000
	Schluntz Foyer Upgrade/Reuse (floor, paint, ceiling tiles)						\$50,000	\$50,000
	Replace Flooring in Hallway by Café			\$15,000				\$15,000
	Replace Café Ceiling Tiles				\$25,000			\$25,000
Lawrence	Replace Carpets in 10 Classrooms	\$60,000						\$60,000
	Repair / Replace Stair Treads, Various Stairways	\$40,000						\$40,000
	Turn Boys Locker Room Into Small Classroom			\$250,000				\$250,000
Runkle	Multi Purpose Room (MPR) Curtain/Drapes (cords are broken and don't work)	\$10,000						\$10,000
	Update Sound Board and Control Panel in MPR (Including speakers)	\$15,000						\$15,000
	Lighting Not Working in MPR	\$35,000						\$35,000
	Paint (all classrooms and hallways)		\$225,000					\$225,000
	Flooring Refresh - where and is this a replacement		\$500,000					\$500,000
		\$2,210,675	\$1,073,000	\$825,000	\$1,405,000	\$1,025,000	\$870,000	\$7,408,675
<i>Cumulative</i>		\$2,210,675	\$3,283,675	\$4,108,675	\$5,513,675	\$6,538,675	\$7,408,675	

J 1 f. Assignment of Students to Schools:

Voted 10/6/81, #81-461; 5/7/84, #84-171; 5/11/93, #93-148; 6/7/01, #01-65, #01-66, #01-67; 6/14/01, #01-77; 2/7/02, #02-14; 3/25/04, #04-23 and #04-25; 3/15/12, #12-18; 2/14/13, #13-13; 3/12/15, #15-16)

1. School Zones

a. Establishment of School and Buffer Zones

Each elementary school will have a school zone associated with it, i.e., addresses or groups of addresses near that school. Students residing in that school zone are assigned to that respective school.

In order to help mitigate overcrowding in a grade or school and/or help maintain balanced class sizes across our elementary schools, the School Committee may establish school “buffer zones,” i.e., addresses or groups of addresses, from which new students may be assigned by the Superintendent or his/her designee to any of multiple designated schools.

While committed to neighborhood elementary schools, the School Committee believes buffer zones are a necessary component of any strategy to manage enrollment because they provide the Superintendent greater flexibility to assign students to schools equitably with regards to space and resources, affording the best possible education for all students.

b. School Assignment for Students Residing in Buffer Zones

With respect to the assignment of students residing in buffer zones:

1. The preference of the family/caregiver(s) will be considered in making the initial assignment.
2. Unless the family/caregiver(s) request a different assignment, which will be considered according to the policy on out-of-zone transfers below, subsequent assignments of siblings will be made to the same school.

c. Periodic Review, Modification, Expansion, or Reassessment of Buffer Zone Need

In order to underscore the School Committee’s objective of maintaining strong neighborhood schools and reducing the uncertainty felt by some families who move into buffer zones, the School Committee shall periodically review the PSB’s need for buffer zones based on enrollments as well as the experience of the community with the buffer zones. Based on any such review, the School Committee may modify or expand buffer zones to include additional schools for potential student assignment provided, however, that such review does not guarantee repeal of any given buffer zone.

d. Public Access to Buffer Zone Information

A current map and full list and description of school attendance districts and buffer zones shall be available from the Town’s GIS Department online through the Town’s website, or in print form upon request.

2. ~~Open Enrollment~~ Requesting assignment to a school outside the student school/buffer zone

A student or their family/caregiver(s) may request assignment to a specific elementary school even if they do not reside in a school or buffer zone associated with that school. The decision to grant the request is subject to the following considerations:

1. The class size in the school district of the applicant, and that in the school being requested;
2. The overall crowding conditions and staff/pupil loads in the school district of the applicant and that in the school being requested;
3. The family/caregiver(s) parents’ reason for the request;
4. The educational well-being of the student, including the opinions of the Principals of both schools

and other staff members.

~~These considerations -which-~~ are designed to support the class size policies of the Public Schools of Brookline, to ensure even utilization of individual building resources and staff throughout the system, and to protect the educational well-being of the students. If ~~an assignment transfer~~ is approved ~~for~~ one ~~student/child in a family~~, there ~~can be~~ no guarantee that a sibling will be granted similar approval.

32. Out of District Transfer Requests/Assignment Authority

The Superintendent of Schools, based on a recommendation from the ~~Office of Student Affairs~~ Department of Data and Information Systems in the Office of Administration and Finance, which manages student enrollment, shall have the sole responsibility of deciding ~~out of district transfer requests and the assignment of new families residing in buffer zones (see below); school assignments in accordance with School Committee policy.~~

4. Temporary Relocation of Students and/or Classrooms: (Voted 2/14/13, #13-13)

In response to extraordinary circumstances, including, but not limited to, space constraints from high enrollment or capital renovation/construction, the Superintendent of Schools may, at his or her discretion, in consultation with the School Committee, temporarily relocate a classroom or classrooms of students in grades K-12 to spaces outside of the school to which they are assigned. Such temporary relocation may be sited in rental space or other buildings within the PSB or Town, including other elementary schools. Any such relocation shall be temporary, shall terminate when the need for such relocation ends, and shall not exceed 2 years without a vote of the School Committee on or before March 15th of the second year of implementation. Students relocated under this provision shall retain their original school assignment status for all other purposes including, but not limited to, matriculation and calculations of school enrollment.

One-Year Pilot:

J 1 f. Assignment of Students to Schools

5: Request to Remain

[Section 5 of the Assignment of Students to Schools Policy is proposed as a pilot for a term of one year. At the end of the pilot period, the School Committee will review the effect of the policy, especially with regard to the impact, if any, on class sizes. At a future date of its choosing, the School Committee may revise Section 5, renew the pilot, or adopt the pilot as a permanent change to Section J 1 f.]

K-8 students whose residence within the Town changes, such that they are no longer within the associated school zone or an associated buffer zone, shall notify the Office of Registration and Enrollment (ORE) of their new address. At that time, they will inform ORE of their request to remain at their current school. The request to remain shall be reviewed by the Office of the Superintendent and, absent any extenuating circumstances, the request shall be permitted, and is granted until the student completes their 8th grade year. A student who is granted permission to remain at their current school may be ineligible for district-provided transportation.

may be granted permission to remain at the former school upon request to the Superintendent of Schools or his/her designee. ALTERNATIVE TO PRIOR SENTENCE: Students whose residence changes from one school zone to another within the Town may remain at the former school through the conclusion of the school year, and will be assumed to remain at that school unless they request reassignment by the August 15th before the following school year.

If permission to remain at the former school is granted, the transportation of students to school shall be the responsibility of the student's family/caregiver(s).

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ANNUAL TOWN MEETING - MAY 2024
WARRANT ARTICLE 10
FISCAL YEAR 2025 SPECIAL APPROPRIATIONS
SCHOOL COMMITTEE STATEMENT

On May 2, 2024, the School Committee unanimously voted (8-0) to recommend passage of the Select Board's amendment to Warrant Article 10 for special appropriation numbers 59, 69, and 72. Voting in favor were Mr. David Pearlman (Chair), Dr. Andreas Liu (Vice Chair), Ms. Helen Charlupski, Dr. Steven Ehrenberg, Ms. Suzanne Federspiel, Ms. Valerie Frias, Ms. Sarah Moghtader, and Ms. Mariah Nobrega.

The School Committee appreciates the support of both the Select Board and Advisory Committee for:

- appropriation No. 59, in the amount of \$200,000, that is earmarked for school furniture upgrades, including new cafeteria tables at Brookline High School; and
- appropriation No. 72, in the amount of \$717,332, that is earmarked for leased space for Brookline Early Education Program (BEEP) classrooms at Temple Emeth (Putterham Circle) and Temple Ohabei Shalom (Beacon Street).

One key difference is the Select Board's recommendation for appropriation No. 69, in the amount of \$2,983,675. This is earmarked for deferred maintenance items in FY25 and FY26. Deferred maintenance includes minor renovations/upgrades to school buildings. The Select Board's amendment includes \$275,675 to be expended for Baldwin School. In contrast, the Advisory Committee has recommended \$180,000 to be expended for Baldwin School.

The difference of \$95,675 (which is supported by the Select Board, Town Administrator, and Deputy Town Administrator) enables the Public Schools of Brookline to:

- **Exit the lease of 2 Clark Road:** Staff/programs will be transferred back into PSB buildings, for an annual savings (based on FY24 costs) of \$1,235,892.
- **Implement the PSB Strategic Plan:** The strategic plan includes the development of a learning center to support the induction, growth, and development of staff; the lower level of Baldwin School is designed to have two flexible classroom spaces and a library of resources for staff. Our plan is to offer workshops and courses to advance the skills and knowledge of our staff during the arc of their career.

Staff who will move to Baldwin School include special education support staff, the operations department, the food services administrative team, and K-8 curriculum coordinators and their secretarial staff. In order for Baldwin School to be habitable for these staff, the following work must be completed: plumbing, electrical, HVAC, painting, ceiling, and floor work. The Select Board's amended funding recommendation will enable this important building work at Baldwin School to be completed.

For these reasons the School Committee strongly supports passage by Town Meeting of the Select Board's amendment to Warrant Article 10.