

Elizabeth McGonagle
Executive Director

the education
COOPERATIVE

Susan Donelan
Dir. of Student Services

Dan Shovak
Dir. of Finance & Operations

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Dr. Jean Kenney
Dir. Prof. Development and Leadership

To: The TEC Board of Directors
Subject: Minutes of the Board of Directors Meeting September 24, 2021

****Due to the Coronavirus Situation, the Attorney General modified certain requirements of the Open Meeting Law and allowed remote participation for all open meetings. Notice from the Attorney General is attached.**

<https://zoom.us/j/9074828948>

Meeting ID: 907 482 8948

Attendance via Zoom webinar:

Derek Folan, Canton	Liz McGonagle, TEC
Ian Kelly, Dedham	Daniel Shovak, TEC
Kathleen Smith, Dover Sherborn	Brad Jackson, Treasurer
Susan Kustka, Holliston	Janet Griffin, TEC
Carol Cavanaugh, Hopkinton	Susan Donelan , TEC
Armand Pires, Medway	
Robert Mullaney, Millis	
Henry Haugland, Natick	
Matt Spengler, Needham	
David Thomson, Norwood	
Nancy Gallivan, Walpole	
Jeanne Downs, Wayland	
Emily Parks, Westwood	

The meeting was called to order at 8:15 am by Nancy Gallivan. Nancy Gallivan took a roll call of TEC Voters present:

Derek Folan, Canton	Present
Ian Kelly, Dedham	Present
Kathleen Smith, Dover-Sherborn	Present
Beverly Hugo, Framingham	Not Present
Susan Kustka, Holliston	Present
Carol Cavanaugh, Hopkinton	Present
Jeffrey Marsden	Present
Armand Pires, Medway	Present
Robert Mullaney, Millis	Present
Henry Haugland, Natick	Present
Matt Spengler, Needham	Present
David Thomson, Norwood	Present
Nancy Gallivan, Walpole	Present
Jeanne Downs, Wayland	Present
Emily Parks, Westwood	Present

1. Approval of June 4, 2021 Minutes:

Nancy Gallivan asked for a motion to approve the June 4, 2021 Minutes, David Thomson made a motion to approve the minutes. Henry Haugland seconded the motion and the Board voted to approve in the Roll Call Vote a recorded below

Derek Folan, Canton	Abstained
Ian Kelly, Dedham	Yes
Kathleen Smith, Dover-Sherborn	Yes
Susan Kustka, Holliston	Yes
Carol Cavanaugh, Hopkinton	Yes
Jeffrey Marsden	Yes

Armand Pires, Medway	Yes
Robert Mullaney, Millis	Yes
Henry Haugland, Natick	Yes
Matt Spengler, Needham	Yes
David Thomson, Norwood	Yes
Nancy Gallivan, Walpole	Yes
Jeanne Downs, Wayland	Yes
Emily Parks, Westwood	Yes

2. 4th Quarter FY 21 Financial Report

Treasurer Brad Jackson presented the FY21 4th Quarter Financial Report. Brad reported that TEC ended the year in a very positive position with revenues up mostly because of the FY21 loan forgiveness, but also due to a 6% increase in revenue from tuition and therapies, student data privacy, and online courses due to our sponsorship of TECCA. Brad reminded the Board of the free courses TEC member districts receive due to the relationship. There was an unbudgeted, negotiated settlement payment with the landlord for CAM charges of over \$57,000. The net income excluding the loan forgiveness was \$162,229, compared to a net loss in FY20 of over \$114,000. The Board will have some work to do to address this surplus revenue based on the recommendations of Liz and Dan due to collaborative regulations.

In Brad's opinion, TEC is in a very good position financially and that is a tribute to Liz, Dan and the entire TEC team. He stressed that TEC's revenue is coming from multiple sources which he considers to be the strength. While known for outstanding programs for special needs students, TEC has diversified successfully in the areas of online learning and student data privacy. These programs are providing independent revenue streams that allow TEC to keep the cost of services to member districts down.

Nancy asked if there were any questions. Matt Spengler asked if TEC has seen any changes in trends in high school students taking advantage of online learning opportunities. He wondered if a year of going remote resulted in an increase in students enrolling in independent study using online courses. Liz responded that we have actually seen a dramatic decline in enrollment in online courses with only 8 students across the TEC member districts enrolling in fully remote courses due to the DESE requirement for a medical necessity. Liz reported there has not been increased interest in supplemental or fully remote courses this year, however there is a large waiting list of over 1200 students to enroll in TECCA.

Nancy requested a motion to approve the 4th Quarter FY21 Financial report. Jeff Marsden made a motion to approve the report, seconded by Matthew Spengler. A roll call vote was taken as follows:

Derek Folan, Canton	Yes
Ian Kelly, Dedham	Yes
Kathleen Smith, Dover-Sherborn	Yes
Susan Kustka, Holliston	Yes
Carol Cavanaugh, Hopkinton	Yes
Jeffrey Marsden	Yes
Armand Pires, Medway	Yes
Robert Mullaney, Millis	Yes
Henry Haugland, Natick	Yes
Matt Spengler, Needham	Yes
David Thomson, Norwood	Yes
Nancy Gallivan, Walpole	Yes
Jeanne Downs, Wayland	Yes
Emily Parks, Westwood	Yes

3. Personnel Update

Liz McGonagle presented the Personnel Update which included details of the staffing changes from June 4, 2021 through September, 2021. Nancy Gallivan asked if there were any questions. Armand Pires made a motion to approve the Personnel Update as presented. The motion was seconded by Jeff Marsden. A roll call vote was taken as follows:

Derek Folan, Canton	Yes
Ian Kelly, Dedham	Yes
Kathleen Smith, Dover-Sherborn	Yes
Susan Kustka, Holliston	Yes
Carol Cavanaugh, Hopkinton	Yes

Jeffrey Marsden	Yes
Armand Pires, Medway	Yes
Robert Mullaney, Millis	Yes
Henry Haugland, Natick	Yes
Matt Spengler, Needham	Yes
David Thomson, Norwood	Yes
Nancy Gallivan, Walpole	Yes
Jeanne Downs, Wayland	Yes
Emily Parks, Westwood	Yes

4. Proposed Personnel Policy Changes

Liz McGonagle presented proposed changes to the Personnel Policy. Dan Shovak and Liz researched these policy issues and found that TEC’s retiree health insurance policy does not appear to be legal. The Board had previously approved a policy change to increase the requirement for a TEC staff member to have 5 consecutive years of employment at TEC to be eligible to retire with the benefit of TEC paying 50% of their retiree’s health insurance premium. Based upon the advice of legal counsel that this is not a reasonable restriction, Liz recommended returning to a restriction of one year which is considered a more reasonable eligibility restriction.

Per advice of legal counsel, Liz recommended that the Board adopt MGL c.32 s.9A to establish that TEC will pay 50% of the premium for eligible retirees until they can enroll in medicare, as well as approve the revised policy to offer TEC employees who have 1 year of consecutive service to be eligible for this retiree benefit.

Jeanne Downs asked if the 50% was a different rate than before and Liz answered no, it has always been 50% of the retirees health insurance premium. Jeff Marsden asked if we were being asked to do this to align our policy with municipalities since this was something municipalities are mandated to do. Brad Jackson confirmed that yes, that in the past municipalities used a method of trying to bill back an employee's former districts, but now, the organization where you retire from must provide this benefit. Nancy Gallivan asked if we have a lot of people who work for TEC for 1 year and then retire. Liz answered that no, the change was proposed because we became aware that the policy did not appear to be legal.

Another proposed policy change was presented by Liz, to provide prorated vacation and sick time to non-instructional employees who work 16-19 hours per week. Liz explained that in this tight job market we want to hold onto our skilled workers. Currently these staff members such as receptionists, night custodial staff and administrative assistants do not have any benefits. Nancy Gallivan asked

about how many people that would apply to and Liz responded by saying that 4-6 employees at the most would be eligible under this new policy. Henry Haugland inquired, what happens to the sick days they earned if they retire or leave, would they have to be paid out for this time? Liz responded that they would lose these prorated days and that there was no carryover between fiscal years.

After all questions were answered, Nancy Gallivan called for a vote on all 3 motions for the Personnel Policy changes as presented to the Board. Jeanne Downs made a motion to approve the report, seconded by Carol Cavanaugh. A roll call vote was taken as follows:

Derek Folan, Canton	Yes
Ian Kelly, Dedham	Yes
Kathleen Smith, Dover-Sherborn	Yes
Susan Kustka, Holliston	Yes
Carol Cavanaugh, Hopkinton	Yes
Jeffrey Marsden	Yes
Armand Pires, Medway	Yes
Robert Mullaney, Millis	Yes
Henry Haugland, Natick	Yes
Matt Spengler, Needham	Yes
David Thomson, Norwood	Yes
Nancy Gallivan, Walpole	Yes
Jeanne Downs, Wayland	Yes
Emily Parks, Westwood	Yes

Presentation of the Strategic Plan

Liz McGonagle provided an overview of the Strategic Planning process that has been done annually each spring for over 9 years and has guided continuous improvement across the organization. The plan is focused on 3 overarching goals: Academic Achievement, Professional Development and Finance and Operations. Our Student Achievement Goals this year included an Action Plan specific to each of our student programs. Like the principals in our member districts, our Program Directors are leading

improvements specific to each of our schools. Liz introduced Susan Donelan, the Director of Student Services to provide the Board with a highlight of the Student Achievement plans.

Susan focused on Goal # 1, meeting the diverse needs of all students. She shared how each of our programs has unique challenges and focused on TEC High School, which recently became a DESE approved Public Day School. This year TEC High School launched a unique new program in response to the families request for additional transitional services. While TEC High School has always provided a robust curriculum and strong academic program, in order to support the whole student they have reimagined their schedule to allow students to participate in activities that promote meaningful community engagement activities 1 day a week, Thursdays. They have established 4 cohorts of students and each week they are participating in 3 Community Service sites (Golden Opportunities, New Life Furniture, and Blue Hills Reservation) and one Transitional Skill-building activity focused on financial literacy, transportation skills, independence, and self advocacy. The staff worked hard to create cohorts of students who will work together throughout the year supervised by 2 TEC teachers, while still implementing the full IEPs and time spent on learning.

Approve Donations and Grants

Liz informed Board members that TEC received Amazon Smile donations of \$138.50 as well as a Keurig from a wonderfully supportive parent.

A motion was made by Jeff Marsden to approve the Strategic Plan as presented and accept the donations as presented. Jeanne Downs seconded the motion and commented on the lovely note from the parent saying it captured the essence of what TEC does. Nancy Gallivan added that it shows that TEC staff puts their heart and soul into everything we do. A roll call vote was taken as follows:

Derek Folan, Canton	Yes
Ian Kelly, Dedham	Yes
Kathleen Smith, Dover-Sherborn	Yes
Susan Kustka, Holliston	Yes
Carol Cavanaugh, Hopkinton	Yes
Jeffrey Marsden	Yes
Armand Pires, Medway	Yes
Robert Mullaney, Millis	Yes
Henry Haugland, Natick	Yes
Matt Spengler, Needham	Yes

David Thomson, Norwood	Yes
Nancy Gallivan, Walpole	Yes
Jeanne Downs, Wayland	Yes
Emily Parks, Westwood	Yes

Executive Directors Update

Liz McGonagle informed the Board that TEC’s annual financial audit took place this week and went very smoothly. She thanked Dan Shovak and his staff for all of their hard work on this audit.

Liz reported that TEC High School has now been approved by DESE as a Public Day School, a higher standard than the Alternative School designation previously held. She thanked Susan Donelan, Deborah Caligaris , Hayley Gardiner and Michelle Fusco for the tremendous amount of time and effort they put into this effort.

Liz updated the Board on the Student Data Privacy Alliance program. There is a bill developed by Representatives Lipper-Garabedian and Roy that TEC became aware of over the summer. Liz successfully reached out to them to be sure they understood that TEC had developed a standard Data Privacy Agreement (DPA) based on the national agreement that was in place not only for Massachusetts but also for New Hampshire, Rhode Island and most recently, Maine. The concern was that they would adopt a new DPA rather than building on the 1000 agreements in place and nearly 7000 agreements signed by districts who have adopted these original DPAs. She will keep the Board updated. TEC’s attorney was invited to be a panel member for a legislative briefing on data privacy last week.

Liz reported that over the summer we realigned the Mansion Drive offices and classrooms, the result of studying the needs of not only TEC but also TECCA and BICO. Since moving into the facility in 2014, everyone’s needs had changed and this was an opportunity to realign these spaces. She thanked Dan and his operations team for all of his work on these moves. Dan reported that TEC now has moved into the former BICO classrooms. PD and internships will be moving the former PLC1. Dan worked with an architect and W B Mason to design and develop new offices. Dan thanked his facilities team for the tremendous work they accomplished in a very timely manner. These moves should all be completed by mid October.

Nancy Gallivan commented that people who are new to TEC will want to understand that TEC leases the building, but sublets space to BICO and TECCA which brings in additional revenue. She noted that collaborating with our tenants in this way was a good thing for everyone. Nancy also commented that she was happy to hear that Liz reached out to our elected officials regarding the data privacy bill and offered that the Board could also reach out to our legislators if needed.

Jeff Marsden asked about the amount of ESSER funds TECCA was receiving and Liz stated \$6.5 million. She also explained that their student population was very diverse with substantial high needs, at risk, medically fragile, and school avoidant students. Liz complemented their amazing work and ongoing efforts to support these students and offered to have TECCA Superintendent Patrick Lattuca present at an upcoming meeting.

Nancy wrapped up the meeting by welcoming new TEC Board members present, Kathleen Smith and Derk Folan, and expressing that TEC is a great organization and very responsive. She encouraged them to reach out to TEC if there were any needs they have as they come up.

Nancy Gallivan asked for a motion to adjourn the meeting. Jeff Marsden made a motion to adjourn the meeting. Jeanne Downs seconded the motion. The meeting was adjourned at 9:05 am.

Derek Folan, Canton	Yes
Ian Kelly, Dedham	Yes
Kathleen Smith, Dover-Sherborn	Yes
Susan Kustka, Holliston	Yes
Carol Cavanaugh, Hopkinton	Yes
Jeffrey Marsden	Yes
Armand Pires, Medway	Yes
Robert Mullaney, Millis	Yes
Henry Haugland, Natick	Yes
Matt Spengler, Needham	Yes
David Thomson, Norwood	Yes
Nancy Gallivan, Walpole	Yes
Jeanne Downs, Wayland	Yes
Emily Parks, Westwood	Yes

Update on the Open Meeting Law and COVID-19

2 messages

Attorney General's Division of Open Government

Thu, Mar 12, 2020 at

<OpenMeeting@state.ma.us>

9:54 PM

Reply-To: Attorney General's Division of Open Government <OpenMeeting@state.ma.us>

To: jgriffin@tec-coop.org

[View this email in your browser](#)



Update from the Division of Open Government

On March 12, 2020, Governor Baker issued an Executive Order modifying certain requirements of the Open Meeting Law, to enable public bodies to carry out their responsibilities while adhering to public health recommendations regarding social distancing.

The Executive Order relieves public bodies from the requirement in the Open Meeting Law that meetings be conducted in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body through adequate, alternative means. "Adequate, alternative means" may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body in real

time. A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable afterwards.

In addition, all members of a public body may participate in a meeting remotely; the Open Meeting Law's requirement that a quorum of the body and the chair be physically present at the meeting location is suspended.

All other provisions of the Open Meeting Law, such as the requirements regarding posting notice of meetings and creating and maintaining accurate meeting minutes, as well as the limited, enumerated purposes for holding an executive session, remain in effect.

The full text of the Executive Order is available [here](#).

In partnership,
The Attorney General's Division of Open Government



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