

Wakefield Public Schools Special Education Parent Advisory Council
(SEPAC) Annual Meeting Minutes November 8, 2021 7pm
Location: via ZOOM

Board members in attendance:

Ann Herzog
Chrissy Loftus
Kris Martone-Levine

1. The meeting was called to order at 7:02pm by Ann Herzog.
2. The minutes from November 2019 and October 2021 were approved.
3. Open Meeting Law Ruling from Massachusetts Attorney General's Office of Open Government (below) was read and discussed. All agreed that the current Wakefield SEPAC as it stands would not be subject to the Open Meeting Laws.

"Are Special Education Parent Advisory Council ("SEPAC") groups public bodies subject to the Open Meeting Law?"

By law, membership in a SEPAC is open to "all parents of eligible students and other interested parties." 603 CMR 28.07(4). We have concluded that a body with such a fluid makeup, which has an ever-changing membership and quorum, and which carries out its role based on whoever attends a particular meeting or participates in a particular vote, is not the type of body to which the Open Meeting Law applies. Although it is possible a SEPAC could structure itself in such a way as to satisfy the criteria for being considered a public body subject to the Open Meeting Law, all of the SEPACs we have reviewed have been determined not to be public bodies and not subject to the Open Meeting Law. See OML 2021-150

Through its bylaws, a SEPAC may establish a leadership or governing committee. Whether that group of officers is a public body that must comply with the Open Meeting Law depends on whether the group is structured in such a way as to allow for collective action to be taken by the leadership group, or whether the officers merely perform an administrative function on behalf of the SEPAC as a whole. Leadership groups that are not structured in such a way as to allow for collective action, but rather that merely perform an administrative function on behalf of the SEPAC as a whole (such as

scheduling and running meetings, relaying information between the membership and school officials, sharing resources, and planning programs), are not public bodies under the Open Meeting Law. See OML 2021-150; OML 2016-79. Most SEPACs whose bylaws we have reviewed do not invest their officers with independent authority to take collective action, and therefore are not subject to the Open Meeting Law. For further discussion and examples, see OML 2021-150.

A SEPAC may, through its own bylaws, choose to specify that all meetings of the full membership and/or of the group of officers shall be held in accordance with the provisions of the Open Meeting Law."

4. Elections:

No new candidates have expressed interest in a Board position.

Current Board:

Co-Chairs Ann Herzog, Chrissy Loftus

Secretary: Kris Martone-Levine

Treasurer: Marie Rej

At-large: Carol Lombardi

Chrissy Loftus made a motion to approve the current Board for another term in absence of any new candidates. Kris Martone-Levine seconded the motion. The motion passed unanimously.

5. By Laws Discussion. The by-laws were discussed and approved unanimously with amendments.

6. School Committee Liaison to SEPAC Discussion

Ann Herzog told the group that some local SEPACs have a School Committee member who is a liaison to the SEPAC, and asked if we should consider asking the School Committee for a liaison to the School Committee. All were in agreement. Ann will reach out to the School Committee to get their thoughts on a liaison.

7. Upcoming Events

- Special Education Meet and Greet November 17, 7pm (Zoom)
- BSEA Facilitation and Mediation January 10, 7pm (Zoom)

- Virtual Basic Rights Presentation. Rosie Galvin will be working on putting together a Virtual Basic Rights Presentation.
- Virtual Dessert Social: December 9, 2021, 7pm `

8. Other Business- Treasurer's report. Kris Martone-Levine spoke on behalf of Marie Rej with regards to expenses. Kris recently was billed by Wix.com for the SEPAC domain name (\$47.70) and website (\$140.25) for a total of \$187.95, which was paid. The Board approved reimbursement to Kris in the amount of \$187.95.

Motion to Adjourn made by Kris Martone-Levine, seconded by Chrissy Loftus.

Meeting adjourned 7:32pm