

FACILITIES AND OPERATIONS SUBCOMMITTEE MEETING MINUTES

January 25, 2018

5:30 p.m.

Spencer Borden Elementary School Community Room

1400 President Avenue

Fall River, MA 02720

A roll call at 5:30 p.m. showed:

Mr. Aguiar: Present

Mr. Hetzler: Present

Mr. Costa: Present

Also present were Kevin Almeida, Tom Coogan, Joseph Correia, Richard Labrie, Brian Mikolazyk, and Ken Pacheco.

Mr. Costa read the Open Meeting Law.

A salute to the flag followed.

1. **Discussion:** Transportation

Mr. Pacheco stated that he included in the subcommittee members' packets the Futures contract along with a proposal for the services that the School Department requested through the City. This report was commissioned by the City as was the second report. Each report was \$15,000. One was for the transportation analysis of current practices and the second report was for the packaging of their next bid proposals. He also included in the packet a look at the buses they are currently using by school, types of transportation (GATE, ELL, vans, buses, and door-to-door service), the document with the signed contracts of Futures and also student transportation services and all of the policies that are currently in effect for the District.

Mr. Costa asked if the two reports were sought by the City. Mr. Pacheco stated that the School Department started the process. He's been with the District for a little over a year and, before he could understand what was going on, he needed to have some background and understand exactly what was going on behind the scenes with the bus companies and internally. He requested that Futures come up with a proposal to do some of this work. They do a lot of audits and a lot of bid proposals for many districts. After looking at the bid proposal from the last time, he didn't have enough information to start on the deep dive of looking at the transportation department. He went to the City and asked if they would fund it since it is an expensive that they were incurring and they agreed to pay for both of those documents. Mr. Costa stated that he didn't recall a contract coming to the Committee for Futures and that's because it has been picked up by the City. Transportation is paid for by the City separate from their budget so this is a document that benefitted the City and their financial team in terms of the information received.

Mr. Hetzler said that, based on the analysis they have for transportation services, there were a few recommendations: (1) that they acquire software and (2) that they hire additional personnel. If they decide to do that now, he asked if they could afford it. Mr. Almeida stated that he would need to go through the budget to determine if money is available. Mr. Hetzler pointed out that in the analysis it was also mentioned that Donna Cabral could test a demo of the software to see what she thought of it. He asked if she has tried the software. Mr. Pacheco stated that they have not demoed any software yet. They wanted to be sure that the report would be accepted by the School Committee first. The City did authorize the hiring of another employee to work in transportation at their cost. However, if the software is not purchased, there is no need to add that additional person. The role of that person is still in the development stages. They need that position to tie in with the special ed department. He feels that there are too many hands in transportation. He would like that to fall under one umbrella. He thinks the additional person would help. With a lot of people's hands on transportation, that causes lag in time from the time they get a request. There's an awful lot of work being done by their vendors. He feels that some of that work needs to be done by the School Department. There's a lot of stuff with transportation that needs to be worked on. This is why he felt they needed a report that outlined what they already knew.

Mr. Hetzler asked if the School Department or the vendors would be leading the software. Mr. Pacheco stated that the routes were currently laid out with a combination. The transportation department is doing some of the work in laying out the route. He thinks that the vendors are doing a little more than they should. When a bus is full, that is a vendor telling them that a bus is full. If a route is timing out at 45 minutes, the vendor is telling them that it's timing out at 45 minutes. Some of their problems are programming since they are only offering certain programs at certain schools. If they're traveling from the north end of the city and they need to get to Viveiros Elementary School, that bus is not going to be full because it would take too many stops to fill the bus. They may be running a 40-passenger bus with 25 kids and running two 40-passenger buses for the amount of students they could have done with one bus. He's just not sure that that problem can be completely solved but he thinks that bringing some of this work in house could help them do a little better than they're doing now. If they're going to make an investment in a software, it needs to be a robust system that has newer technology. There are softwares that will allow parents to see delays in buses so they'll know if a bus is going to be late and why it's late. There's also an attendance piece to it. When a student gets on a bus, they get logged in by their ID and logged out when they get off the bus. Mr. Hetzler asked if the vendor supplies the hardware on their side. Mr. Pacheco stated that the School Department would provide the hardware. They would buy the service and the vendors would have to install it on their buses. It could be part of the bid specifications. Mr. Hetzler said that it appears in the report that having the software will help them put together the bid specs. He asked when they had to put out a bid for the next contract.

Mr. Labrie stated that they have a draft of the bid specs based on the recommendations and the findings. It's 50% completed. He hasn't done anything since the last meeting because there seemed to be a lot of questions on the report. He will be bringing the bid specs to a Facilities and Operations Subcommittee meeting and they will see the bid methodology, the strategy for bidding, and the recommendations for how to improve the contract that results from the bid. Mr. Hetzler asked if their contract was up this year. Mr. Pacheco said that it was not. Mr. Labrie added that it was up next year. He explained that the reason they were bidding now and early is because this is a relatively large contract and a convoluted

transportation system and they also want to give potential bidders a good amount of time to come in and put together a meaningful bid and create competition for this contract.

Mr. Hetzler asked how many school systems Futures has done this audit on and, if they went through with the recommendations, how many saw savings on their transportation budget. Mr. Labrie has done biddings on \$100 million transportation contracts this year. He's done efficiency studies and bids for over 100 school districts nationally. Mr. Hetzler asked if they have all been successful. Mr. Labrie stated that all but one have been successful. For whatever reason, Fitchburg did not take the recommendations that were proposed in the first year. They did take one of the recommendations for special education the second year and they saved \$1 million. Mr. Hetzler asked if there were substantial savings in other districts. Mr. Labrie stated that, in some cases, there were cost reductions from the previous year. In many cases there was a marginal increase. In some instances, they award based on the first year cost and manage the cost going forward with the index bureau labor statistics COLA for the northeast region. He calculated it for the recent one through November and it was 1.54%. Typically, what they do is recommend that a COLA of not less than an amount. That amount is based on prospective bidders or if the current contractors have a collective bargaining agreement in place. At that point, they know what the wage increases will be from year to year. They guarantee them enough to cover their wage increase or COLA whichever is higher. They also include a fuel escalator/de-escalator. What that does is share the economic risk with the contractor. If they don't do that, the contractor is going to project the worst case scenario and the School Department is going to pay for it whether it happens or not. The idea is to get the first year cost as low as they can then manage the cost going forward for the life of the contract.

Mr. Labrie stated that, with regards to the software and the apps that are available to parents, that all works off the GPS system. The GPS requirement is built into the bid spec so that all buses and vans will have the GPS capability. Parents can buy the apps they like in order to track the vehicles. That gets worked into the cost per day per bus. The District pays for the routing software. The company pays for the GPS and the card swipe system. Those are installed in the buses and thus the contractor's costs. Mr. Hetzler stated that he knows that the District has invested in some other software in the past that was not utilized. He just wants to make sure that, going forward, if they do purchase new software, that it's going to be used. Mr. Costa agrees. If they're going to make the investment, they need to utilize it or it's not worth the investment. He asked what the hang up was with the previous software and why it wasn't used nor were people trained in it. Mr. Coogan stated that they used the software originally to set up the routes for regular ed transportation. The issue was that 85% of the cost of transportation was special ed routes. Special ed routes are built on the population of the students that are there. Typically the special ed documents are finished up late in the year going into the summer. Those students are then assigned an IEP that qualifies them for transportation. Then they have to custom build a route for those particular students or placements so they're working against time. The transportation vendors will get involved because they'll have a list of 30-40 kids from a school that needs to be transported there. When they add students, the routes get adjusted. The School Department does not manage the creation of those routes then. At that point, the vendors get involved.

Mr. Costa asked how any of that would change if they purchased this software. He stated that it wasn't going to change the fact that they negotiate or meet with the special ed department. They sign IEPs at the end of the school year. They're still going to have that same process in place. Mr. Labrie stated that the

software they recommended does three things that Edulog does not do well: (1) It electronically integrates from their student database with all the student information necessary to do routing and scheduling. Edulog does not do that. (2) It's much easier to learn and utilize. With Edulog you have to be more technically literate to master it. (3) Traversa is more intuitive in terms of efficient routing and scheduling. With Edulog, one needs to be able to connect the dots. Traversa does it automatically. It has the latest maps. It knows which streets are one-way streets. What it does not know, and Ms. Cabral will have to superimpose, is that there are a lot of two-way streets that become one-way streets in the winter because of the snow.

Mr. Costa stated that this was a crosswalk from their special ed database to Traversa. Mr. Labrie said that that was correct. Traversa also gives them the ability to have five users so they could have the special ed person in the special ed department enter data for a new student or a student placement that may change and that will feed into routing and scheduling and spits out every 24 hours all of the route changes that come up.

Transcriber's Note: At 5:52 p.m., Superintendent Malone entered the meeting.

Mr. Aguiar asked who originally paid the transportation bill. Mr. Costa stated that it was a separate line. The appropriation is made by the Council and the School Department gets their budget without transportation listed. When they approve their budget, it's operating budget minus transportation. Then there's a second line item within the Council's budget for transportation for the School Department. Mr. Aguiar asked if they tracked the \$30,000 that was being paid for the two documents and if that comes out of the School Department's account. Mr. Almeida stated that it was on the City side and that the School Department could only charge what the City allowed them to charge. Mr. Aguiar asked, because this was a transportation expense, if it would go toward that account. Mr. Almeida confirmed that it would. Mr. Aguiar asked how they charged for their employees who work in transportation. Mr. Almeida stated that they were charged within the School Department's budget but Ms. Cabral's salary is not eligible for net school spending. Mr. Aguiar asked if the School Department had the authority to hire employees for transportation. Mr. Almeida stated that they did. Mr. Aguiar asked if it was the School Department's decision to add transportation lines. Mr. Almeida stated that transportation was the City's responsibility. The School Department goes through the City and they authorize the purchase. Mr. Aguiar observed that the City authorized the purchase but all the work in making the payments is done on the School Department's side. Mr. Almeida confirmed that this was correct.

Mr. Costa explained that the School Department projected their budget for transportation and sends their projected budget to the Council and they approve it. As long as they're working within that budget, they make those decisions from day-to-day. If they need to add a bus, they add a bus. If they need to add special ed transportation, they add it as long as they are within the budget. If they were to come up against that number or potentially exceed that number, they would need to go back down to the Council to notify them that they exhausted the money they had proposed and they would be looking for additional funds. That's where the City's authorization would come in but, minus that, they're allotted their transportation budget based on their projection and the School Department monitors that budget on their end.

Mr. Coogan stated that, a couple of years ago, they ran into a situation where they had to add a couple of routes in the middle of the year for the charter school. At that time, the School Department gave the Council an update that the transportation line would be a little higher and they provided a mid-year adjustment. Mr. Aguiar noted that it was still not net school spending eligible. Mr. Coogan said that that was correct. The reason that the School Department gives the Council a head's up is because they're notifying them that they are spending money that hasn't been approved. Mr. Aguiar stated that his concern is that the issue with transportation is not new. Something happened within the last five years that dramatically escalated the contract and the total cost of transportation. In 2013-2014, it was \$6.7 million and in 2014-2015 it was \$8.1 million. That's \$1.4 million in one year. Mr. Costa asked Mr. Coogan if that was around the time that they re-bid the contracts and went out for a five-year contract. Mr. Coogan stated that in 2013-2014 they were up against a difficult negotiation with the teacher's union. That teacher's union negotiation was going to affect start times and their ability to change start and end times were up in the air as well as ELT matters. There were a number of factors that really dragged out the teacher's contract negotiations. Without being able to tell vendors the start and end times and whether they could tier buses or not really hamstrung them. They got a late bid on the contract. The following year, McKinney-Vento went up about \$500,000. The year after that, they went to the vendors and asked what strategies they could use to work with each other. One of the issues that the vendors mentioned was that the School Department was going out to bid on a one-year basis, which pitted one vendor against the other. The School Department went back to the City to ask if a five-year contract would be acceptable. They are now in Year 4 of that five-year contract.

Mr. Costa stated that he thought that it was important that Mr. Coogan shared the background information to show why transportation has gone up so high and so quickly. There were a number of things that led them to where they are now. Mr. Aguiar stated that the chart he was looking at was from the Futures' analysis. He briefly looked at the scope and it was for three or four years. He would have done a scope much larger than that. Futures' scope does not answer the question of what happened to Fall River's transportation to get the huge increases that they have. He would like to charge someone with coming up with a clear, concise answer to what happened before. He looked at a different report and for FY13 it showed that it went down to \$5.3 million total. He understands the issue with McKinney-Vento and thinks that they should be fully funded. From FY13-FY14, the transportation in the District went up by \$1.4 million. Then it went up again almost another \$1 million. If they were paying \$5.3 million five fiscal years ago and now they're paying \$8.8 million, it's a big increase.

Mr. Almeida stated that the Affordable Care Act played a big role in the increases. Their time is now working 20 hours a week and getting benefits which increased the cost. Also, the minimum wage went up. Mr. Costa said that if they look at 2013-2017, just in SPED alone, it went up \$2 million which they can't control. Mr. Aguiar stated that he has watched all the meetings over the past few years and, as a citizen, he always questioned what could be done about the transportation issue. He pondered what the City was doing on their side to work with the School Department on this issue. He thinks they need to look at all the policies to find out if they are making decisions that are allowing the cost to continue to increase. He recalls that in 2006-2009 he sat at a subcommittee meeting where vendors sat with them and year after year took no increases because they needed stability. He recalls them being able to work in partnership with the vendors. He also looked back at Edulog and looked at the minutes and noticed that they're having the same conversation now as they had back in 2009. He does think that they need to look

at the policies so that they are all on the same page. He had asked about transportation at the high school because he recalls that there were years that they never transported high school students. Then there were years they started to give out some SRTA bus passes to free or reduced lunch students. He thinks there should be policies on who is eligible for a bus pass. They don't want to be giving students a bus pass if they're absent 50% of the time. Mr. Costa recalled having those conversations about the investment they were making in bus passes and whether or not the attendance officers or grade offices were seeing a result of those. If not, the person in the grade office should have a conversation with that student. He doesn't know if any of this gets tracked but they should be able to get some accountability for it.

Mr. Aguiar stated that at the last School Committee meeting someone mentioned that the School Department spends about \$350,000 in high school transportation. In FY17, it was \$206,000. Mr. Almeida stated that that was just for the bus passes. Mr. Aguiar wondered how they handled this situation. He used to work at a school where they gave kids bus passes but they still didn't show up for school. If the student shows up, they would continue getting bus passes. If they didn't show up, they shouldn't be getting bus passes. They should continue to control this a little better. He'd also like to look at the policy on the miles when they begin to transport. He would also like to look at the policies to see if they are offering transportation to those they are not legally required to. Mr. Costa stated that he thought that the regulation was at 1.5 miles but now it's at 2. He agreed that maybe it was worth taking a look at and seeing whether that made an impact. The other piece is that 10 years ago they were closing some of their neighborhood elementary schools and schools were getting folded into other schools that weren't as close so transportation kicked up for some of those students. Argosy is now a part of the \$6 million figure but they never used to transport those students. He thinks part of the issue is that they could have done a better job monitoring the contracts they had. He's been part of a conversation with the city administrator where they expressed interest in doing transportation themselves, including hiring bus drivers and having a fleet of their own buses like the towns do. They tried to do an analysis based on how much it would cost to maintain the buses, employ people to be on them, and where they would store the buses. The City was willing to fund the two reports where there is evidence to support the recommendations that were made, he would think that the City would be interested in a potential cost share in the software since it benefits the City who is paying for transportation and they also want to invest more money in education. If they're saving more money on contracts, they'll be able to send a little more money that is directly for students and they could get benefits for net school spending.

Mr. Aguiar stated that he thinks that they need to scrutinize all of the items. He thinks that the contract is legal for the bidding piece. He asked if identifying a company makes them single source. Mr. Costa stated that Traversa was just a recommendation but they could choose to go with something else.

Superintendent Malone said that he brought this issue to the Committee because he knows that it's a big ticket item in terms of the budget. If there is savings, the money will come back to education. He doesn't think that the policy piece is as good as it can be. The issue is that they have policy that is general and not as prescriptive as they would like. However, if they get too prescriptive it might be a problem. He thinks that this Committee could craft some better transportation policies for the full School Committee to consider over time. It will take into consideration what transportation will mean at the secondary level, what it means in the actual miles and if it's adjustable, what it means for who does and doesn't get it and, if they have seats open, if they will allow kids to ride who aren't qualified. Right now, those are things

that they do as procedure but it's not known to everyone. He'd be open to spending some time on transportation policy.

Mr. Costa stated that contracts are going to come up for a selection of bids in another year or so. If they're going to go out with RFPs, their policy should be harmonious. Mr. Labrie clarified that they were doing a Chapter 30B procurement bid not an RFP. Mr. Costa stated that, even so, their policy should still be harmonious to what they are looking for in their vendors. If they set those perimeters, the bid specs should include what they are looking for based on their policy. He thinks that that process has already begun. Maybe in the next three months, the Committee should take a look at what their priorities are for transportation, what their limitations are, and what they want to see as good policy so that they have those in place when the bid specs are ready to be put out there. Superintendent Malone stated that he is sending an email to five other big urban district superintendents requesting copies of their transportation policies to see what other districts are doing.

Mr. Aguiar asked if the School Committee could select based on a scoring. Mr. Labrie stated that a 30B procurement is that the School Committee would award to the lowest responsible and responsive bidder and in the bid specs are the criteria for what constitutes responsible and responsive. Responsive is when they've met all the requirements in the bid specs based on the needs of the City. Mr. Aguiar asked if this was for SPED and regular transportation. Mr. Labrie stated that it was. Mr. Aguiar thinks that it's time to take some action. At the last School Committee meeting, he was prepared to take action. After the meeting, he looked at the minutes from the September 20, 2017, Facilities and Operations Subcommittee meeting minutes and it showed that Mr. Pacheco had talked to the city administrator to ask if they could hire an additional person in transportation to work with the new software. He also saw in another report that stated that they need to have a person on board to help them make the other 50% of the bid specs more appropriate for what Mr. Labrie was hired to do. Mr. Labrie said that, ideally, they want to set the routes in the bid package so that everyone is bidding on a level playing field. If they provide a snapshot of the routes they require both for special ed transportation and regular transportation then everyone has all of the information in order to prepare a bid that includes driver time, miles, the perimeters that they need to build.

MOTION: Mr. Aguiar-Mr. Hetzler: To authorize the Superintendent to hire an individual for the transportation department.

Discussion:

Mr. Costa asked Mr. Pacheco if he could check with the city administrator to make sure that the conversation about the authorization is one that is still fresh in her mind. He would hate to hire an individual for this position then, come to find out, she doesn't remember the conversation. Mr. Aguiar stated that in the September 20 meeting minutes it clearly stated that Mr. Pacheco talked to the city administrator about hiring for this position.

A roll call showed:

Mr. Aguiar: Yes

Mr. Hetzler: Yes

Mr. Costa: Yes

All were in favor

None were opposed

Motion passed

MOTION: Mr. Aguiar-Mr. Hetzler: To refer the motion to authorize the Superintendent to hire an individual for the transportation department to the full School Committee for approval.

No discussion

All were in favor

None were opposed

Motion passed

MOTION: Mr. Aguiar-Mr. Hetzler: To authorize the Superintendent to begin the process of procuring transportation software for the District as recommended by Futures.

Discussion:

Mr. Costa asked if this was also 30B rather than single source. Mr. Labrie said that if they are purchasing it primarily for special ed transportation, it was exempt. Mr. Costa stated that the reason that he asked was because the motion, as he understood it, is for regular ed not just special ed. He wanted to make sure that they are voting on the proper motion. Mr. Labrie said that the Department of Education has provided some financial support for the purchasing of software and it may make sense to reach out to them. Superintendent Malone stated that he didn't think that was an option anymore.

A roll call showed:

Mr. Aguiar: Yes

Mr. Hetzler: Yes

Mr. Costa: Yes

All were in favor

None were opposed

Motion passed

MOTION: Mr. Hetzler-Mr. Aguiar: To refer the motion to authorize the Superintendent to begin the process of procuring transportation software for the District as recommended by Futures to the full School Committee.

No discussion

All were in favor

None were opposed

Motion passed

Mr. Almeida stated that Mr. Pacheco had sent a memo detailing what they're doing now in transportation based on the information. It showed that there were some action steps being taken in the transportation line. He asked what the budget for transportation was for this year. Mr. Almeida said that it was \$8,150,000 and \$300,000 in the McKinney-Vento account so it's really a total of \$8,450,000. Mr. Aguiar stated that he noticed in the budget that it showed that the original appropriation was \$8.4 million but then it went down to \$8.1 million. He asked where the money from McKinney-Vento comes from. Mr. Almeida stated that that money comes from the state. Mr. Aguiar asked if that's the reimbursement they give. Superintendent Malone said that it's \$0.34 on the dollar. He is currently working on a letter to the local delegation to ask for help on this. He's not anticipating money in McKinney-Vento. Mr. Aguiar said that the memo he had for the auditor was from 2009 and the auditor looked at it and stated to the legislature that they were mandated to fund McKinney-Vento. If they choose to mandate it, it needs to be fully funded. The legislature had a supplemental budget at that time to fully fund that particular piece. He would like to know the legislature's answer on how the School Department got where they are now. If it was fully funded in 2009, he wondered what happened since. It sounds like McKinney-Vento is in a different account. He thought, with the different figures he was seeing for transportation, that they were going to save \$300,000. He asked that the McKinney-Vento gets factored into the budget as another line.

Mr. Aguiar asked what was spent for all of transportation. Mr. Costa said it was about \$8.2 million. Mr. Almeida stated that, in total, when they included couriers and transportation employees, it's about \$8.8 million. What he provided in the analysis was just the transportation contracts. That was about \$8.7 million. Mr. Aguiar said that he heard something about them going to be over. Mr. Almeida confirmed this was correct. Mr. Aguiar asked how much. Mr. Almeida stated that he didn't have that number with him. Mr. Aguiar asked if he could send them that number. He's concerned about the truth in advertising. Superintendent Malone stated that they had to cover a portion of the operating transportation budget last year through cost savings and cost controls. Mr. Almeida explained that he went in with a budget that was higher knowing that they were going to be high. They had to reduce the budget, which they did. Superintendent Malone stated that what Mr. Aguiar was looking for is not a problem to do. They just need to understand that McKinney-Vento changes each year because it's based on the actual number of kids coded with McKinney-Vento. The money comes in the following year. Mr. Costa said that it was like the circuit breaker.

Superintendent Malone stated that there were three items that they want to bring to the local delegation: McKinney-Vento, circuit breaker, and other recommendations for the foundation budget review commission. Mr. Hetzler stated that, in regards to special ed transportation, he knows that they are talking about collaborating with other districts in order to save some money. Superintendent Malone stated that, right now, Mr. Mikolazyk, Mr. Pacheco, the special ed department, and Mr. Almeida have been working on collaboration. They've had some good conversation and one success story so far. Mr. Pacheco said that it was Somerset. Superintendent Malone stated that the idea of collaborating with other communities is something they want to do and it's new to them. He's also having conversations with the local collaborative. There's a lot of work to be done in this area but they are open to doing it. They have to reduce costs for transportation. Mr. Hetzler stated that the more students they keep in district, the more money they will save. Superintendent Malone said that he is currently working on growing Stone School. They currently have 54 kids enrolled. He has space for students that he wants to build in order for kids to come back so he's not placing some of the other kids that they're having a hard time with. He wants to bring kids back and keep kids in district. They are trying to build programming. Some of the issues is that they don't have the space to do it.

Mr. Aguiar asked how many vans they had. Mr. Pacheco said that they have three vans and three couriers. The issue with having the three vans and three couriers is, if one is out, they don't want to set a route for that. Two couriers are on routes in the morning and the other courier is used during the day transportation. Having a small fleet of vehicles and couriers works out well. Two vans are being used as transportation vehicles all the time and the third van is used for transportation intermittently.

Mr. Aguiar suggested that, when they hire the new person to do the software that they also consider making them eligible to drive. He also would like to look at the policy on whether they can have attendance officers transport students. That used to happen in the past. Mr. Costa had asked at the last School Committee meeting for a number of special education students who are getting transportation whose IEP does not require it. Superintendent Malone stated that he and his team were working on getting that number to the Committee. Mr. Labrie stated that it has been reduced since last year. Mr. Costa asked Mr. Pacheco to have the conversation with the City about a possible cost share.

2. **Discussion:** Building Use

Mr. Costa stated that they have a Use of School Facilities policy that they have had in place since 2010. It outlines how to access the building, what they'll use it for, and how to assess cost to it.

Transcriber's Note: At 6:43 p.m., Mr. Labrie left the meeting.

Transcriber's Note: At 6:43 p.m., Superintendent Malone stepped out of the meeting.

Mr. Costa asked Mr. Almeida if he has the amount for how much money was used from the Overtime account for Use of Schools. Mr. Almeida stated that he did not have that figure. Mr. Costa noted that there was a Finance Subcommittee meeting coming up where that information may be presented. Mr. Almeida confirmed that it would be.

Transcriber's Note: At 6:44 p.m., Mr. Mikolazyk left the meeting.

Mr. Costa asked how there was a policy in place in 2010 that they were not following. It's clear in the policy that the intent was to assess a nominal fee for organizations to use their facilities and, from that, they account for what the total cost will be to the School Department so it's clear to the organizations that are renting the facilities as opposed to coming out of operating money. He asked how they got away from the four corners of the policy. He was not aware that the cost associated with the use of these schools was being paid out of Overtime or other accounts. The most recent discussion they had regarding use of schools was for the church organization that requested using Morton. They assessed the cost, whether it would involve weekends, overnights, or custodial staff. At no point did he get the impression that whatever the organization would be paying wouldn't cover the expenses necessary for the use of the building. He asked how, when, and why they got away from the policy.

Mr. Almeida stated that he's been with the District since July 2010 and overtime specifically for use of schools has not been charged to the Use of Schools account. He doesn't disagree with Mr. Costa's comments but, since he's been there, they've always used the Use of Schools account for building improvements, like the security cameras at Durfee High School.

Transcriber's Note: At 6:46 p.m., Superintendent Malone returned to the meeting.

Mr. Costa stated that his understanding was that they appropriate funds for the use of schools account for various things like the gate around the dumpster at Greene, the fob pad, and a number of other projects that he voted for both at the subcommittee and full committee. Never was it shared that those funds for the use of those schools wasn't paying for the custodians or security. He assumed that the money they were using to put back into cameras, gates around dumpsters, and fob pads was after they had settled up the cost associated with individuals using that school. Had it been brought to his attention at the time that this money was being utilized when they hadn't paid for the services for the use of schools, he probably would have voted differently. This Committee takes action on policy and they expect the policies to be followed. Going forward, when policies are adopted, they need to be followed. If they're not, the Superintendent will need to direct the person who is ignoring the policy. Clearly in the policy it says that

“reimbursement for custodial, supervisory, or other required services, or for any damages to the facility or equipment shall be paid within 10 days of the billing.” The money they’re getting for the use of schools is supposed to be covering those costs and it doesn’t sound like it has been. He asked if this has been going on since 2010.

Mr. Coogan explained that, when this policy was adopted in 2010, there were a number of local groups – sports groups, dance companies, etc. – who were repetitive users and had agreements in place. The School Department does not do long-term agreements but they do have a long-term agreement with the youth soccer group. That agreement allows them to make investments in the care of that field. They don’t charge any fees for that and they’ve never charged any fee for the grass fields. However, they do charge for the turf fields. Many times they had to forego more lucrative offers from outside groups to make sure those facilities were still made available to local groups. When they incur costs for custodial or security staff, they try to be fair and take into account that there’s a cost after those renting the building leave in order to get the building ready for school the next morning. They pay the employees every two weeks and they’re paying for their overtime. In some cases, the groups pay a little bit slower. There have been only a few times where groups were slow to pay their bill. Mr. Costa asked if this was brought to the School Committee’s attention. Mr. Coogan said that it was. Mr. Costa stated that the policy said that it’s to be paid within 10 days of billing. He understands that they pay everybody within 14 days and he understands there are delays but what he doesn’t understand is how they continue to authorize the use of funding to come from other line items within their budget and not this account. Even if they allowed that to happen, at no point did he ever vote on a transfer from funds that were paid to professional salary lines or toward custodians indicating that they just got reimbursed and requesting that that money gets transferred back into professional salaries from use of schools. It just continued to come out of different lines without the Committee taking a vote to reimburse the line it came from. If someone came to him and said that they were taking money out of the revolving account for the use of schools fund to put back in Overtime because they had to pay custodians to do the work it would be different but none of that ever happened. It just continued to come out of Overtime and money kept being deposited into the Use of Schools revolving account and they never did transfers back to cover their expenses. That shouldn’t happen. Hopefully they’re going to fix it going forward and that the money they take in is going to cover the cost. If there’s a little more built into there and they have extra money to do upkeep to the building then they want to be able to account for things that need to be repaired. But to take all the proceeds for the Use of Schools account and pay all of the bills from another line was never the intent of this policy.

Mr. Hetzler stated that, if they’re not covering what their actual costs are, they should be asking for more. The cost should be reflective of covering all of the cost, including those who they don’t charge or charge a reduced fee. That way the School Department is not losing money. On a yearly basis, as salaries increase, these costs need to go up. This is something that they should review every year. Superintendent Malone agreed that the policy and procedural documents for this are living documents that always need to be looked at. He’s been doing this work for 12 years and he’s found that they are always in the red. They do give stuff away for free but there is a cost for doing that. They assume it when they build their budget. Those figures for the actual cost need to be reviewed every year and updated as other expenses go up. What Mr. Costa is asking is not out of line for best practice. He’s asking for the accounting of how they do this so the transfer is known. Through that process they’re going to see that they’re operating a deficit and it’s something that they are going to need to fix moving forward. School Committee policy is

important. They're going to fix this. Mr. Costa stated that it's happened, it's come to light, and going forward this shouldn't continue to happen. If they have other situations like that, those need to be brought to light so they can fix those too because they can't have policies in place where they're not being implemented. Mr. Hetzler said that, with proper accounting, they'll know the percentage or if they're in the red, they can adjust these costs accordingly.

Mr. Aguiar agreed with Mr. Costa that this is something that happened. It is what it is. They'll fix it. He's looking at the policies that they have and, at the bottom, it says it was adopted December 13, 2010. Above that, it says that the rates will be reviewed and revised. He's assuming that they haven't been revised since 2010. Mr. Coogan confirmed that they have not. Mr. Aguiar stated that he thinks that they at least need to take a look at it if it's the policy or the schedule. Mr. Coogan stated that the schedule has been revised several times. Mr. Aguiar said that he knows that they are not making money on the buildings. He agrees with Mr. Costa that if they're telling a vendor that they're going to charge them x amount because it's costing them x amount but they don't use that money to pay the custodians, he thinks something needs to be changed. He's not opposed to helping community groups. If there is a fee schedule that is too high or too low then there should be an option to waive the fee. There are also some organizations that use their facilities and make money. He's heard from other communities that they chose Fall River school buildings because it's cheaper than what others are charging. He charges the School Department to figure out if that is really happening. If someone is making a lot of money on a production, they want to be fair but they also don't want to be walked all over.

Mr. Aguiar asked if the policy indicated whether or not they needed a custodian for outdoor events. Mr. Coogan stated that if there's an event taking place in the parking lot, there may be some cleanup costs associated with that. Regarding money not getting to the custodian's line item, they incur the expense right away and, at the end of the month, they send a bill out. They don't always get paid right away. It might be 30-60 days until the money comes in. When the money comes in, and then goes into the revolving account, the Committee is then notified on the revolving account on a quarterly basis. There's a significant lag in the way the cash flow works but there's never been a transfer back out of that because they've already paid the expenses associated with the event.

Mr. Aguiar asked what the administration's ability to spend out of the Use of Schools account was and what the policy was on using that money. Mr. Almeida stated that the policy has always been for the use of school facilities. He gave the example of the security cameras and the work they did at Henry Lord. Mr. Aguiar asked if the administration comes to the School Committee and say that they would like to take money out of that account or could they spend money from that account without the School Committee approving it. Mr. Costa stated that, in the past, the only way that would have been reconciled was in the quarterly reviews. He knows that Mr. Coogan in his former role would come to the subcommittee and say that he has a couple of items that are going to cost a certain amount and that he's identified money out of Use of Schools and the School Committee would give their consent. If there have been other payments made out of that account directly, he doesn't know. The fence around the dumpsters and the key fob pad all came to the subcommittee with recommendations to use the money from that funding source so they were made aware of it. Mr. Aguiar requested a report of all money that has been in the Use of Schools account. Mr. Almeida stated that, going forward, he will begin charging overtime to that account. That will give them a better idea of where the overtime in the Use of Schools stands.

They'll get an idea of what it will look like quarterly. Superintendent Malone said that Mr. Aguiar was asking for what they were spending for construction projects in that line item. If they're not spending it out of that line item, they need a line item for capital projects because they have small capital projects all year long. He suggested that they build a line item in next year's budget for small projects and fund it at \$50,000. Mr. Aguiar stated that that should be in maintenance. Superintendent Malone asked what if it was a bigger project like security cameras. Mr. Costa suggested that if there are expenses that are going to come out of that account, when they do the quarterly review, point out what the changes are and the justification. They don't need to get permission every time they need to put lights in or security cameras but they should be pointing out the discrepancies. Mr. Aguiar believes that, before any money is spent out of that account, it should come back to the Committee for a decision. If they continue to follow past practice, they're going to drain that account.

Mr. Almeida stated that he's been tasked by the Committee to charge overtime to the Use of Schools account. Going forward, he will do that. Mr. Costa added if it's associated with the cost of use of schools. Mr. Almeida stated that, every time he has overtime related to the use of schools, he's going to charge the account. He'll track the account on a quarterly basis. Mr. Costa asked where the cost was for the security officer. He asked if that was overtime. Mr. Almeida said that it was. Mr. Costa stated that they must be accounting for the cost of overtime and which events they're going to need security for and thus will be needing overtime for. That amount needs to be billed to the organization using the school. He understands that there will be occasions that people are going to use the schools and it's going to be a pro bono case because it's a community organization. For the ones that are paying, they need to look at whether or not they are in the ballpark of their fee schedule and they may need to reevaluate those. Superintendent Malone suggested that this subcommittee reviews the Use of School Facilities policy once a year. There's always a change in the schedule. Mr. Costa stated that they could do that in this subcommittee or in the Policy Subcommittee. Superintendent Malone recommended that it be done in this subcommittee. Mr. Aguiar stated that he thought that it was important for this group to get together to address issues that have been going on and give the administration the chance to talk to them. They're here to help. He'd be cautious with taking all of the overtime immediately. He's wondering if it would be better to identify the expenses on a monthly basis then report to the Committee what they spend on overtime in the last month. Mr. Costa stated that he was okay with doing this as a budget transfer but they still need to account for it. He's just looking for some accounting that the money coming in is being used for what it was intended for. He agrees that, if Mr. Almeida starts hitting that account right away, he may not account for the revenue he anticipated coming in for their cost. That account could go down to zero and they'll have no money in that account. Mr. Aguiar asked if this was something that Mr. Almeida could do monthly or if that was too often. Mr. Almeida asked if he could do it quarterly. He thinks it's something he can build in quarterly. He could generate something for the next quarterly report. Mr. Aguiar asked when the School Committee could expect that report. Mr. Almeida stated that he would have it in April.

Mr. Hetzler pointed to the document in the packet that had first shift, second shift, and summer cleaning with a total of \$7,400. Mr. Correia stated that that was hours. Mr. Coogan stated that he would like to break it down by inside and outside groups, when they have Saturday school and parent/teacher nights, and when they might have an extra custodian or safety officer for those events. Mr. Costa said that he doesn't consider open houses or parent/teacher conferences as use of school. Mr. Coogan said that they

track it that way from an overtime standpoint. Mr. Costa stated that he was okay with that funding coming from an overtime account. He also doesn't consider School Committee meetings as use of schools. That's business being done by the school. He's talking about outside organizations coming in who are making a request to use the building. Mr. Coogan said that, for internal purposes, they calculate the overtime by saying that's for someone using the building. They don't break it up by internal or external. Mr. Costa stated that that would skew the number for overtime for use of schools because now that account will never be able to account for that amount. He thinks that they should separate School Committee meetings from outside organizations when they're paying overtime. Mr. Aguiar asked if they pay overtime for School Committee meetings. Mr. Coogan said they pay overtime for anything beyond the work day. Mr. Aguiar asked if they paid overtime to the custodians who work the evenings of the School Committee meetings. Mr. Coogan stated that they don't unless they go past their work time. Mr. Aguiar asked when second shift ended. Mr. Correia said that it ended at 9:30. Mr. Aguiar asked if it articulates in their contract that anytime there's someone in the building they need to have a custodian. Mr. Costa stated that they needed someone to lock up. Mr. Aguiar asked about security. Mr. Correia stated that, if it's a paid event, security has to be there. Mr. Aguiar asked if there was second shift security at the middle school. Mr. Correia stated that it was only at the high school. Mr. Aguiar asked if there was one at the middle school because he recalled seeing one at the last School Committee meeting. Mr. Correia stated that they pay a security guard overtime to work the meetings because they have the door opened so the security guard is out there watching the door. What they found in the past, especially at Morton, is people walking past the auditorium and wandering the building. Custodians would find them on different floors. Mr. Aguiar asked if the security guard at Durfee could be moved. Mr. Correia stated that they have done it when they can but there's usually something going on at Durfee like sporting events or practices.

MOTION: Mr. Aguiar-Mr. Hetzler: To adjourn.

No discussion

All were in favor

None were opposed

Motion passed (7:20 p.m.)

Respectfully submitted,



Administrative Assistant

Documents Referred to:

- Policies re: transportation
- Futures' Comprehensive Analysis of District Transportation Services for the Fall River Public Schools report
- Futures' Technical Assistance for the Bidding and Procurement of School Transportation for the Fall River Public Schools report
- Purchase Order for reports
- Financial documents related to School Transportation

Facilities and Operations Subcommittee: January 25, 2018

- How to Login and Submit a Request
- How to Request Access to Submit Online Facilities Requests
- Financial documents related to Use of School Facilities
- Use of School Facilities Policy

ADA Coordinator: Gary P. Howayeck, Esq.- 508.324.2650

Please note: A videotape/DVD of this meeting is on file in the School Committee Office and is available for review by contacting the Administrative Assistant for the School Committee Services