

To: Town Council Members and School Committee Members

From: Lynn Griesemer, President, Amherst Town Council

Re: Proposed DRAFT Timeline, Appointment Process, and School Committee Vacancy Announcement

Date: August 24, 2023

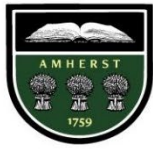
On August 18, 2023, the Town Clerk notified the Town Manager that School Committee Member Ben Harrington tendered his resignation from the Amherst School Committee effective August 21, 2023. This was followed by the resignations of School Committee Members Allison McDonald, effective Thursday, August 24, 2023; and Peter Demling, effective Friday, August 25, 2023. Based upon Amherst Home Rule Charter, Section 4.1.c and MGL. Chapter 43 section 36, the Town Council, working jointly with the remaining members of the Amherst School Committee, must initiate the process to fill the vacancies.

Consistent with the Charter and past practice of the Amherst Town Council, the following **DRAFTS** are presented as attachments to this memo. They will only become final in consultation with the Town Council and the remaining members of the Amherst School Committee.

- Attachment A: A **DRAFT** Town Council/School Committee Process for filling vacancies
- Attachment B: A **DRAFT** Timeline for filling the vacancies
- Attachment C: A **DRAFT** Announcement for the School Committee Vacancies.
- Attachment D: An **UPDATED** Amherst School Committee Description (8-24-2023)

All of these Draft documents were developed based upon the Town Council process for filling a previous School Committee vacancy in early 2020.

Cc: Amherst Town Manager
Amherst School Superintendent



Attachment A: DRAFT Town Council Process for filling vacancies.

When there is a vacancy on an elected board or committee, the Town Council and the relevant Board, have the opportunity to fill that seat per Amherst Home Rule Charter, Section 4.1.c.

SECTION 4.1: ELECTED OFFICES IN GENERAL

(a) Offices to be Filled by Election: In addition to a Town Council as provided in Article 2, the offices to be filled by ballot of the Town's voters shall be a School Committee, a Board of Library Trustees, a Housing Authority, an Oliver Smith Will Elector, and members of regional authorities or districts requiring election as may be established by general law, inter-local agreements, or otherwise.

(b) Eligibility: Any voter shall be eligible for election to the Town offices listed in Section 4.1(a). Eligibility for election as a member of a regional authority or district will be in accordance with applicable general laws or inter-local agreements. Notwithstanding any other provision of this Section to the contrary, no officer elected to a Town office listed under Article 2 or Section 4.1(a) shall simultaneously hold any other elected Town office. If an officer elected to a Town office listed under Section 4.1(a) removes from the Town during the term for which they are elected, the office shall immediately be declared vacant and filled in the manner provided in Section 4.1(c).

(c) Whenever a vacancy occurs in the office of School Committee, Library Trustees, elected Housing Authority offices, or Oliver Smith Will Elector, the vacancy shall be filled from eligible applicants by a roll call vote of the Town Council and the remaining members of the board, committee, or authority, if any. Within 45 days of said vacancy occurring, the President of the Town Council shall call a special meeting of the Town Council and the remaining members of the relevant board, committee, or authority, if any, to fill the vacancy. Notice of said vacancy shall be published for a minimum of 21 days prior to the meeting at which the vacancy shall be filled. Vacancies shall be filled by a voter. No person appointed under this Section shall be entitled to be listed on the ballot as a "candidate for re-election" at the next regular Town election. The process for filling vacancies in a regional authority or district membership will be in accordance with the applicable general laws or the inter-local agreements, or, if none are applicable, in accordance with this Section.

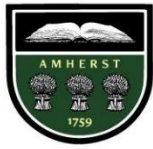


The PROPOSED Process:

Note: Details (e.g., speaking time allotments, etc.) may vary.

Note: For the purposes of this document the term “Board” refers to one of the following: Amherst School Committee (which includes automatic membership on the Regional School Committee), the Jones Library Board of Trustees, the Housing Authority, the Oliver Smith Will Elector, and “members of regional authorities or districts requiring election as may be established by general law, inter-local agreements, or otherwise.”

- Notice of the vacancy shall be published at least 21 days prior to the meeting at which the vacancy is filled.
- The notice shall include how to apply and the date of the meeting at which the vacancy will be filled.
- The Clerk of the Council will arrange publicity of the vacancy. (*See Attachment C.*)
- Candidate Statements of Interest are due to the Town Clerk by e-mail or regular mail by 4:00 pm EDT on the stated date in the Notice of Vacancy. The deadline cannot be extended. A Statement of Interest must be submitted in order to be considered a candidate for appointment to the vacancy. Interviews will be conducted in a group setting. Any candidate unable to attend the interview either in person or virtually will not be considered for appointment.
- Candidate Statements of Interest shall be typed, submitted as an MS Word Document or PDF, and shall not exceed 700 words in length (12-point font). The Statement of Interest shall describe why the candidate is interested in serving out the remaining term on the Elected Body and the relevant skills and experiences they will bring the body. Statements of Interest shall also include the candidate’s name, address of voter registration, email, and at least one telephone number. Resumes and attachments will not be accepted. A description of the Amherst School Committee responsibilities and expectations will be available on the Town Website. This should inform candidates’ Statements of Interest.
- The Town Clerk shall confirm within 2 business days of the deadline for submitting a Statement of Interest whether the individuals who submitted Statement of Interest are eligible to serve (that the candidate is a voter in Town). The Town Clerk’s letter confirming eligibility shall be transmitted to the Council and relevant Board prior to the meeting at which the vacancy will be filled.

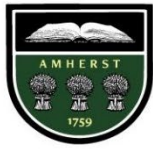


- Prior to the meeting, the President of the Council and the Chair of the other Board, in consultation with their respective members, will jointly develop interview questions.
- The President of the Council shall call the meeting to fill the vacancy as a special meeting of the Town Council and the remaining members of the relevant Board. The Chair of the relevant Board will also call a special meeting of that Board. There will be no public comment at the special meeting.
- The President of the Council will chair the meeting to fill the vacancy.
- At least three days prior to the meeting, the Town Council President or designee provides all candidates, all remaining members of the other Board, and all Town Council members with the description of the process so all are aware of how the vacancy will be filled. The packet will also include a description of the Board responsibilities and expectations and the questions for the interviewees.
- The President of the Council will ask the panel of candidates a series of agreed upon questions.
- The order for answering questions rotates among the candidates, so the same person is not always “first” or “last.”
- During the interview each candidate will be provided with the following:
 - No more than 2-minutes for an opening statement.
 - No more than 2 minutes to answer each question.
 - No more than 2-minutes for a closing statement.
- If the meeting continues following the conclusion of the interviews, there will be a recess of no more than 15 minutes.
- At a subsequent meeting or after the recess at which the interviews take place, there will be a period during which members of the Town Council and the board may speak to each candidate’s qualifications in relationship to the published description of the board responsibilities and expectations. The members of the other Board will be given the opportunity to speak first.
- Voting will be by roll call vote. The Clerk of the Council will call upon the respective Board first and then the Council, asking each their first choice.



- The winning candidate requires a majority of votes of the combined members of Town Council and the remaining members of the Board present and voting. Absences and abstentions are counted as “not voting.”
- If, on the first roll call vote, no candidate receives the required number of votes, then the process will be repeated until a candidate receives the majority of votes as defined above. The Council President and Chair of the relevant Board may choose to insert a period of comment after each round of votes. After the vote is completed, there will be a motion to appoint the winning candidate(s).

DRAFT



Attachment B: PROPOSED A DRAFT Timeline for filling the Vacancies on School Committee

- Friday, August 18, 2023 – Notice of Herrington resignation received by Town Clerk. Resignation is effective August 21, 2023
- Monday, August 21 – Town Council has an initial discussion about the proposed process based on the memo with attachments posted for the meeting
- Thursday, August 24, 2023 – Notice of McDonald resignation received by Town Clerk.
- Friday, August 25, 2023 – Notice of Demling resignation received by Town Clerk
- Monday, August 28, 2023 – Special Meeting of the Town Council and remaining members of the Amherst School Committee to review and discuss the process and timeline
- Tuesday, August 29, 2023
 - A Notice of Vacancies is released to the newspaper(s), posted on the Town Bulletin Board on the Town’s Website, and distributed through other appropriate avenues (e.g., school website), as directed by the Council President
 - The Notice of Vacancies will include a link to a description of the Amherst School Committee responsibilities and expectations (See Attachment D) to assist candidates in preparation of their Statement of Interest.
- Tuesday, September 5, 2023 – all suggested interview questions from the Council and the remaining Amherst School Committee members are due individually and directly to the Council President.
- Monday, September 11, 2023 – the Town Council and remaining members of the Amherst School Committee discuss the draft questions for candidates at a posted meeting.
- Monday, September 18, 2023 – Final draft questions are shared publicly, with the Town Council at a posted meeting, and with the remaining members of the Amherst School Committee.
- Wednesday, September 20, 2023, 4:00 PM EDT – All Statements of Interest are due to Clerk of the Council
- Friday, September 22, 2023, 2:00 PM EDT – Town Clerk to verify eligibility of candidates as registered voters.
- Friday, September 22, 2023
 - Packets emailed to all members of the Town Council, remaining Amherst School Committee members, and all eligible candidates. Packets will be posted on the Town website. Packets will include candidates’ Statements of Interest, a description of the



process, a description of the School Committee responsibilities and expectations, and the questions for the candidates. The email will include a link to the packet on the Town website.

- Tuesday, September 26, 2023, 6:00 PM – Special Joint Meeting of the Town Council and the remaining members of the Amherst School Committee to conduct interviews of candidates and select new Amherst School Committee members. There will be no public comment at this special meeting.
- Monday October 2, 2023, 6:00 PM (**if needed**) – Continued Special Joint Meeting of the Town Council and the remaining members of the School Committee to conclude interviews of candidates and selection of new School Committee members. There will be no public comment at this special meeting.
- Thursday, October 5, 2023 Deadline to fill Herrington vacancy
- Sunday, October 8, 2023 Deadline to fill McDonald vacancy; due to the deadline falling on a Sunday and a legal holiday on Monday, October 9, the deadline becomes Tuesday, October 10, 2023
- Monday, October 9, 2023 Deadline to fill Demling vacancy; due to the deadline falling on a legal holiday on Monday, October 9, the deadline becomes Tuesday, October 10, 2023

DRAFT

Attachment C: DRAFT Announcement for the School Committee vacancy.

amherstma.gov - News & Announcements

Posted on: Tuesday, August 29, 2023 (will also be Newsflash to subscribers and on Bulletin Board)

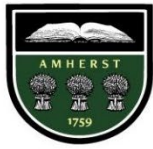
Amherst School Committee Vacancies: Three (3) new Amherst School Committee Members will be selected no later than Thursday, October 5, 2023. Interviews will be conducted and three (3) new Amherst School Committee Members selected on Tuesday, September 26, 2023 at a Special Joint Meeting of the [Amherst Town Council](#) and the remaining [Amherst School Committee](#) members. If necessary, an additional Special Joint Meeting of the Amherst Town Council and remaining Amherst School Committee members will be held on Monday, October 2, 6:00 pm to complete interviews and select the new Amherst School Committee Members. Candidate Statements of Interest are due to the Clerk of the Town Council by Wednesday, September 20, 4:00 PM EDT.

The Special Joint Meetings will take place at 6:00 pm, as a hybrid in-person and virtual meeting, with the in-person component being held in the second floor Town Room, Amherst Town Hall, 4 Boltwood Avenue and the virtual meeting accessible via zoom. Amherst Media will also broadcast the meeting live on channel 9. Public comment will not be accepted at these special meetings.

Amherst Home Rule Charter, Section 4.1.c, and MGL Chapter 43 Section 36 govern vacancies of School Committees in cities. The Charter requires a roll call vote of the Town Council and remaining Amherst School Committee members to fill a School Committee vacancy, and the winning candidate must receive a majority of votes of the Town Council and remaining members of the School Committee. The selected individual shall be sworn in by the Town Clerk at Amherst Town Hall during business hours as soon as possible and will serve until newly elected members of the Amherst School Committee are sworn in on Tuesday, January 2, 2024. If any candidate also wishes to be on the November 7, 2023 ballot for a two-year term, they must follow the same process as any other candidate for Town-wide office. Per the Amherst Home Rule Charter, the individual selected to fill the vacancy will not be listed on the ballot as “a candidate for re-election”.

The new Amherst School Committee members will also serve on the Amherst-Pelham Regional School Committee and may serve on the Union 26 School Committee and on the Town of Amherst Budget Coordinating Group (BCG).

Candidate Statements of Interest are due by 4:00 pm EDT, Wednesday, September 20, 2023. This deadline cannot be extended. A Statement of Interest must be submitted in order to be



considered a candidate for appointment to the vacancy. Interviews will be conducted in a group setting. Any candidate unable to attend the interview either in person or virtually will not be considered for appointment.

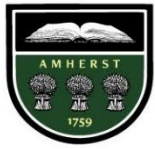
Candidate Statements of Interest shall be typed, submitted as an MS Word Document or PDF, and shall not exceed 700 words in length. The Statement of Interest shall describe why the candidate is interested in serving out the remaining term on the School Committee and the relevant skills and experiences they will bring the body. Statements of Interest shall also include the candidate's name, address of voter registration, email, and at least one telephone number. Resumes and attachments will not be accepted. A description of the Amherst School Committee responsibilities and expectations is available on the Town Website: [\[Link to description\]](#)

Statements of Interest may be submitted to the Clerk of the Town Council Athena O'Keeffe by email (okeeffea@amherstma.gov), hand delivered, or sent by mail to: Amherst Town Hall Attention: Athena O'Keeffe, 4 Boltwood Ave, Amherst MA 01002. Statements of Interest must be received by the Clerk of the Town Council no later than 4:00 pm EDT, Wednesday, September 20, 2023. Email is the preferred submission method. Once submitted, the Town Clerk will confirm a candidate's eligibility as a registered voter.

Statements of Interest will be available to the public on the Town website as part of the Town Council meeting packet materials for the special meetings on Tuesday, September 26, 2023 and, if needed, on Monday, October 2, 2023.

On the Friday prior to the Special Joint Meetings, the Town Council President will send an email to all candidates who submitted Statements of Interest and are registered voters, all remaining Amherst School Committee members, and all Town Council members linking to the meeting packet, which will include the description of the process to fill the vacancies; the candidates' Statements of Interest; a description of the Amherst School Committee's responsibilities and expectations; and questions for the group interviews.

Contact: Athena O'Keeffe: (okeeffea@amherstma.gov), Clerk of the Town Council (413) 259-3209



Attachment D:

Amherst School Committee Description (8-24-2023)

Amherst School Committee: 5 Members, each serving 2-year terms

All members are also members of the Amherst-Pelham Regional School Committee. (9 Members in total: 5 Amherst representatives, 2 Pelham representatives, and 1 each from Leverett and Shutesbury.) School Committee webpages: <https://go.boarddocs.com/ma/arps/Board.nsf/Public>.

Meetings

Regular meetings are held on Tuesdays.

- The Amherst School Committee typically meets one Tuesday per month, August through June, at 6:30 pm in the library at Amherst Regional High School or in the Town Room at Town Hall. The current meeting schedule is posted on the Committee webpage.
- The Regional School Committee typically meets two Tuesdays per month, August through June, at 6:30 in the library at Amherst Regional High School. The current meeting schedule is posted on the Committee webpage.
- Regular meetings are broadcast live by Amherst Media online and on TV, and video recording is available online after the meetings.

In addition to regular meetings of the Amherst and Regional committees, Members also participate in the Four Towns budget meetings, usually held on a Saturday morning in December and another Saturday morning in January. Members also serve on various subcommittees, task forces, or working groups; such groups typically meet one hour per month during the school year.

New members are expected to attend the workshop, “Charting the Course”, presented by the MA Association of School Committees as orientation for new school committee members. This 1/2 day weekend workshop is presented several times throughout the year at various locations around the state; members may select the one workshop date most convenient for them.

Process

Work between meetings includes reading materials provided by the Superintendent or District staff, or the Chairperson, and other preparations for an upcoming meeting. Each Member also



participates in the annual evaluation of the Superintendent by completing and submitting an evaluation form for each District (Amherst and Region) once each year in the Spring. Additionally, Members typically receive and respond to emails or other communication from the public and share that feedback or input with the full Committee and/or Superintendent as relevant.

Members must deliberate in compliance with Open Meeting Law, which requires that all deliberations among a quorum about Committee business must be held at a posted meeting.

Most decisions of the school committee, no matter how many members are present at the meeting, are by a simple majority.

Duties

The primary duties of the School Committee include the hiring and evaluation of the Superintendent, the review and approval of the districts' budgets, and setting policy for the districts. Within this scope, specific duties include:

- setting of annual goals for each district, Amherst and Region, with the Superintendent
- writing and submitting an evaluation of the Superintendent's performance on the annual goals, for each district
- providing guidance for and approval of District budgets each year
- reviewing and approving expense warrants throughout the year
- providing guidance on and review of capital budget planning and spending
- Reviewing, updating, and approving policies

Members also facilitate two-way communication between the public and the districts by responding to public input and feedback, sharing that input to the Superintendent and district leadership, and helping communicate about the schools and districts to the public.

In addition, the Amherst School Committee will provide significant guidance, input, and support for the Elementary School Building Project.

Revised 08-24-23