



**Acton-Boxborough Regional School District**

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TO: Acton-Boxborough Regional School Committee (ABRSC) members  
FROM: Amy Krishnamurthy, Chairperson, ABRSC  
Brigid Bieber and Paul Murphy, Vice Chairs, ABRSC  
DATE: 7/25/17  
RE: Unauthorized Release of Executive Session Minutes of 4/26/17 and 5/2/17

On July 20, 2017, Allen Nitschelm and Charles Kadlec of the Acton Forum posted confidential executive session minutes, which had been improperly released to a member of the community. The Forum also provided a distorted commentary concerning the Acton-Boxborough Regional School Committee's confidential meetings on 4/26/17 and 5/2/17.

The School Committee had voted on July 11, 2017 to release these minutes in *redacted* form and those redacted versions were provided to Mr. Nitschelm on July 14, 2017. A full investigation has begun to determine how the confidential, un-redacted executive session materials were released. Although these un-redacted minutes have now improperly been made public, the School Committee is still bound by the laws that govern executive sessions and that protect the privacy rights of public employees, and cannot comment on them.

The following statement was issued by the School Committee on July 21, 2017:

*We were dismayed to see that the Acton Forum has published confidential information protected under state privacy laws, in violation of Dr. Brand's privacy rights. The Massachusetts public records law makes it clear that personnel information of the sort contained in the un-redacted minutes is protected from public disclosure, and the School Committee has made every effort to respect that legal requirement. Indeed, it would have been a violation of the state ethics laws for any public employee improperly to disclose that information.*

*The School Committee has acted properly throughout this process, and the minutes were not redacted to protect the School Committee or any of its members. Rather, the minutes were redacted, as required by state law, to protect Dr. Brand's legitimate privacy interests, which have now gratuitously been laid to waste. Acton Forum's selective and misleading characterization of what was said during those executive sessions merely compounds this misconduct. We deeply deplore this unethical invasion of Dr. Brand's legal rights. We will not compound that offense by commenting further on Dr. Brand or the circumstances of his departure, except to express to him our regret that others have shown such wanton disregard for his privacy.*

It has been reported that members of the School Committee refused to attend a meeting with a small group of residents on July 21, 2017, and that the public release of the unauthorized minutes could have been prevented had

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the School Committee members attended. This story misleadingly omits key facts. As shown in the attached emails, the group of citizens demanded that five, and only five, designated members of the Committee attend this meeting. Pointing out the unusualness of the group's request to meet with some Committee members while excluding others, the Committee offered as an alternative that the Chairperson and two Vice-Chairs would meet with the group if the School Committee's attorney and the Committee's Executive Assistant (to take minutes) could also attend. That offer was flatly refused by the group. The group of residents also rejected repeated requests from the Committee to learn the subject matter they intended to discuss if the meeting were to occur. In addition, the group issued the demand for a meeting as an ultimatum; giving very little time to respond, and providing no allowance for those committee members to coordinate their schedules in the rigid timeframe demanded.

The Acton Forum chose to print these confidential documents. We have asked the Forum to remove the documents from its website, in deference to Dr. Brand, but the Forum has declined to do so. A small group of residents chose to use threats to pressure school committee members into attending a meeting for an undisclosed purpose. If one of those residents had instead simply let the School Committee know that the un-redacted executive session minutes had been inappropriately obtained, rather than hiding the reason for the meeting the group demanded, we might have been able to take some steps to protect Dr. Brand's privacy rights. As we continue to respect those rights, we will be unable to discuss the substance of the un-redacted minutes, or to answer questions concerning them.



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## Fwd: Requesting Urgent Meeting !!!

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Anuradha Mazumdar <

Thu, Jul 20, 2017 at 11:33 AM

To: Amy Krishnamurthy <akrishnamurthy@abschools.org>

Cc: "Ebb, Peter L." <>, AB School Committee <abrsc@abschools.org>, AB Schools GMail <bbieber@abschools.org>, Mary Brolin <mbrolin@abschools.org>, Paul Murphy <pmurphy@abschools.org>, Kristina Rychlik <krychlik@abschools.org>, Steven Ballard <>, Stow Laboratories Inc <>  
Sunanda Pepalla <>

Dear Ms. Krishnamurthy,

I am sorry that you are unwilling to agree to our request.

Thank you for your attention in this matter.

Regards,

Susri Anuradha

On Thu, Jul 20, 2017 at 10:50 AM, Amy Krishnamurthy <akrishnamurthy@abschools.org> wrote:

Dear community members,

If you are unable to give us a comprehensive agenda for why you are requesting a meeting of just 5 specific school community members, then we are not able to agree to your request. It would be completely inappropriate for us to act in a manner that is less than transparent, and to the exclusion of the entire committee.

The only thing we feel that would be appropriate to offer is a meeting with the chair and 2 vice-chairs. Included in that meeting would be our school committee attorney and the executive assistant to the committee in order for her to record the minutes. Please let us know your response.

Amy Krishnamurthy

Acton Boxborough Regional School Committee Chairperson

On Thu, Jul 20, 2017 at 10:12 AM, Anuradha Mazumdar <> wrote:

Dear Ms. Krishnamurthy,

We cannot get more into the subject than what we have said before. As we said in the previous email, there is specific reasons for requesting the presence of the 5 members we mentioned before. There cannot be more school committee members present at the requested meeting otherwise we would be violating the open meeting law.

We do need a confirmation by 11:00 AM TODAY.

Regards,

Susri

On Thu, Jul 20, 2017 at 9:02 AM, Amy Krishnamurthy <akrishnamurthy@abschools.org> wrote:

I am in receipt of your email. To allow us to assess your request, could you please let us know what would be discussed at the meeting, and why you believe it would be appropriate to meet with five specified members of the Committee, while excluding the others?

Amy Krishnamurthy

On Wed, Jul 19, 2017 at 10:46 PM, Anuradha Mazumdar <> wrote:

Dear Chair Amy Krishnamurthy,

Thank you for the email. **Please note that there is a matter of extreme emergency which has come to my attention.** I request that you, along with

Mary Brolin, Kristina Rychlik, Brigid Bieber and Paul Murphy meet with me and a few other community members - Steve Ballard, Charlie Kadlec, Sunanda Pepalla on Friday afternoon. We have specific reasons for the requests for each of these members to be present. It would be in the interest of each of you, the entire school committee and the school district to agree to this meeting. **There is an urgent problem we are trying to resolve and prevent from quickly turning into what may be a very damaging event for the entire school district and its reputation, should we all fail to work together to prevent it from occurring.** Time is of the essence.

**We need a confirmation by email from you, no later than 11:00 AM tomorrow, Thursday (July-20th, 2017) that you are agreeing to this meeting. If we do not hear by 11:00 AM tomorrow, we will assume your answer is NO and in that case we are worried about the implication.**

Regards,

Susri Anuradha