

Today the Lynnfield Weekly News asked me for a statement regarding the recall petition; this is the response that I sent.

To my many Constituents,

I write to set forth my position on the current issue facing the School Committee concerning the meeting of September 11. Many in the community have made quick judgments, including circulating a recall petition, based on partial data. I want to provide the key facts and details of the process surrounding the September 11 notification to Mr. Hayman that occurred during that evening's meeting.

Superintendent Geary appropriately brought staff concerns to my attention during the preceding weeks. In addition, other committee members and Superintendent Geary also brought me concerns regarding Mr. Hayman's conduct of undermining both the Committee, the Chair, and the Superintendent. All these concerns and issues were brought to me, despite what others have stated. Additionally, I was accused of failing to follow the advice of Counsel, therefore I am also providing a timeline of discussions with our counsel on these issues.

On August 22 at 2:13PM, Attorney Colby Brunt, attorney for the Lynnfield School Committee and I spoke about several School Committee issues, including the need to meet in person to discuss the matters.

On August 23 at 7:20AM, I texted Attorney Brunt and followed up with an email at 9:43AM to setup a meeting to discuss everything in detail, in person.

On August 26 at 2:45PM: I met at the Central Office in person with Attorney Brunt, Superintendent Geary and Ms. Elworthy to discuss how the Committee needed to handle the staff concerns that had been raised to me, as well as concerns regarding instances of actions undermining the Committee, Chair, and Superintendent. In this meeting, Attorney Brunt told me that I needed to send Mr. Hayman a written notification regarding these concerns. I informed her that we had nothing formally in writing previous to this time. I asked whether this was to be sent privately or publicly. Attorney Brunt informed me it was to be sent via our official email making it a public record and, in the future, if such occurrences happened again that I would not need to be further involved, and she would deal directly with Mr. Hayman.

On August 28 at 9:24AM, I became aware of a previous reprimand that Mr. Hayman received for undermining a former school committee and a former superintendent.

On September 3 at 11:48AM, I called Attorney Brunt to discuss the notification. We discussed numerous reasons to read the notification into record, including being protective of the district and mitigating increased legal risk after the notification was sent. Attorney Brunt said she understood and that reading it was "OK". At 1:53PM, I emailed Attorney Brunt with a list summarizing the concerns to be addressed in the notification that we had all previously discussed in the August 26 meeting.

On September 6, a further issue was raised that involved confidential parties and involved a lack of process within the district's leadership and representation. I contacted Superintendent Geary to discuss the matter, and he recommended that I speak further with Administration. Administration contacted me at 3:54PM, we discussed the issue and other pending matters. Administration confirmed a plan to rectify the issue going forward, while staying aligned to our district's goals.

On September 9 at 12:20PM, I received the initial draft of the written notification from Attorney Brunt. This draft was intended by the attorney for service on Mr. Hayman. It was written in first person and identified one of the staff members involved.

On September 10 at 11:30AM, I met with the staff members and Superintendent Geary to discuss their concerns about exposure and potential repercussions. They asked us to edit the notification letter to have their names removed for their protection. We also discussed appropriate communication between School Committee and staff. After revisions were made to protect the staff, Attorney Brunt approved the final draft at 2:17PM to be sent to Mr. Hayman.

On September 10 at 5:30PM, at Central Office, the School Committee met with Attorney Brunt in Executive Session.

On September 11 at 8:44AM, I sent the notification letter to Mr. Hayman and cc'd other members and Superintendent Geary. I also texted Mr. Hayman so he was aware of the communications. I informed him that I sent an email, and that it would be discussed in the meeting that night. I invited him to call me to discuss it. Mr. Hayman and I spoke before the meeting started at 6:00PM.

On September 12 at 3:13PM Attorney Brunt called me to inform me of a conversation she had with Mr. Hayman. She let me know that he had asked her if she specifically asked or required me to read the letter in public and that she told him no she had not. She also informed me that she let him know she did not recall having a conversation with me concerning reading the letter. I reminded her of our discussion on September 3rd and the reasons we discussed for reading the letter. In response to my reminder, she gave an affirmation of "OK". I took this to indicate that she remembered the conversation. I asked her again "Was it ok to read to the letter in the meeting" to which she affirmed again "Yes it was ok to read. No harm, No foul."

On September 14 at 11:50AM, to provide Mr. Hayman with further information that he requested during the September 11 meeting, I proposed an Executive Session to be held as soon as possible.

On September 16 at 10:46AM, I emailed Attorney Brunt that Mr. Hayman had made a verbal FOIA request for more information and that I had scheduled an Executive Session to provide him with this information. I let Attorney Brunt know that I wanted to ensure we proceed appropriately and asked her to advise me on the procedural steps to follow in this meeting as well as how to proceed forward regarding discussions of conduct. She drafted a letter, that she informed me I should send Mr. Hayman, notifying him of his rights. She also informed me that any further discussions about undermining the School Committee and Superintendent would need to take place in a separate workshop/retreat style meeting as not to violate Open Meeting Law.

On September 16 at 11:45AM, Attorney Brunt sent me the letter she drafted to send to Mr. Hayman regarding his rights. It was also written in first person from me.

On September 16 at 1:51PM, I sent the letter to Mr. Hayman, and cc'd the committee, Superintendent Geary, and Attorney Brunt.

On September 16 at 8:42PM, I informed Attorney Brunt, Vice-Chair Elworthy, and Superintendent Geary that I was recusing myself from Chairing these two proceedings that were addressing the information about the Executive Session and workshop. I was handing them over to Vice-Chair Elworthy in order to allow these sessions to maintain their impartiality due to personal matters between Mr. Hayman and I.

On September 18 at 5:20PM, I was informed by Ms. Elworthy that Attorney Brunt now recommended avoiding an Executive Session and instead recommended a meeting with herself, Ms. Elworthy and Mr. Hayman in which Attorney Brunt would inform Mr. Hayman directly of the staff concerns. She also indicated that there would be no workshop to inform Mr. Hayman of the undermining concerns. She also stated that members and the Superintendent could follow up individually regarding any continuing undermining concerns.

On September 19, I reluctantly stepped down as chair to allow the Committee to move past this matter and continue to focus on the more important work at hand.

On September 24, Attorney Brunt reiterated her changed recommendations on how the committee should have handled this matter. In her statements at the School Committee meeting, Ms. Elworthy informed us that Attorney Brunt believes this should have been a simple conversation and a notification. She also stated that "perhaps" her legal recommendations may have been misinterpreted.

While I do not plan on discussing personal matters between Mr. Hayman and I any further, I believe that I need to briefly address community discussion around the police report. Contrary to the false narrative that some are spreading throughout the community, the police have not done an investigation, nor have they made any claims as to the validity of either party's statement. This matter is and always has been a civil matter between Mr. Hayman and I.

Throughout this entire process, I have sought legal advice from Attorney Brunt and acted upon that advice. Based on the advice provided to me and her actions taken after the September 11 meeting, I no longer have confidence in her abilities as Counsel for the School Committee.

I firmly believe that the School Committee has received questionable legal advice that has caused these issues. It is my belief that Attorney Brunt should be terminated from her contract with the School Committee, effective immediately. My prior track record in dealing with district legal matters over the last 8 months speaks for itself. As Chair, I previously handled all direct interaction with Attorney Thomas Mullen, our prior School Committee Legal Counsel, working with him closely to resolve two major, complex legal issues. These matters were dealt with no issues or complications.

The Committee has now elected to close this matter and to move forward, placing it in the past. I too am seeking to move forward with the goals of continuing to pursue the good work of this Committee. It is our objective to inspire excellence in teaching and learning, while prioritizing every student, every day, in every way. However, this does not mean that I will be bullied into silence by those continuing to distort the facts of what occurred. I will not hide in shadows because we are uncomfortable with having honest difficult conversations. I will not allow people, who came forward in good faith, to be silenced, afraid to speak out. I will continue to believe and do all that I can to protect staff, students and the district, as I have always done.

Thank you to all the staff, residents, neighbors, and friends who have shown great kindness and support to me and my family during this time.

I remain your public servant.

Kate DePrizio
Lynnfield School Committee