

AMENDED MEMORANDUM OF AGREEMENT

Between

EAST GREENWICH SCHOOL COMMITTEE (“Committee”)

and

EAST GREENWICH TOWN COUNCIL (“Council”)

WHEREAS the Committee and the Council are desirous of revising a Memorandum of Agreement entered into between the Parties on March 29, 2018 in which the Parties agreed to the consolidation of certain financial and operational positions to facilitate the delivery of accounting and administrative functions within the Town to support the East Greenwich School Department (“School Department”); and

WHEREAS, the Parties, through the formation of a Joint Working Group (“JWG”), sought to analyze and reconsider the effectiveness of all aspects of the consolidation plan that was the subject of the March 29, 2018 MOA, including but not limited to the consolidation of the position of School Department Director of Administration with the position of the Town’s Finance Director, with the combined position becoming a direct report of both the Town Manager and Superintendent; and

WHEREAS, the JWG recommended to both the Committee and the Council at a joint meeting of the Parties on March 25, 2019 that they collectively reconsider the consolidation plan as it relates only to the combined position of Finance Director/Director of Administration; and

1. The JWG reviewed an organizational chart which included draft job duties, functions, responsibilities and reporting requirements. In addition, the JWG found that the School Department must manage its own finances given that the Committee and the Council are two

separate public bodies. As such, the Committee must retain autonomy over its budget. Accordingly, the JWG recommended that the Parties deconsolidate the combined position of Finance Director/Director of Administration such that the Finance Director for the Town will be responsible for overseeing the finance function for the Town of East Greenwich, and the Director of Operations/Administration (title TBD) for the schools will be responsible for overseeing the finance and operations functions of the East Greenwich Public Schools. The JWG also recommended that the Town Finance Director shall, as part of his/her duties, review the School Department's general ledger to ensure transparency adherence to town accounting procedures. The JWG further suggested that the governing bodies ensure that the Town Manager and the Superintendent, the Town's Finance Director and the School Department's Director of Administration, along with other personnel as determined by the Town Manager and Superintendent meet regularly to ensure collaboration and transparency. The JWG also expressed the expectation that the Parties will engage in open dialogue in order to provide healthy checks and balances with respect to fiscal controls and procedures; and

WHEREAS, the Parties deliberated and voted on March 25, 2019 to adopt the JWG's recommendation to deconsolidate the combined position of Finance Director/Director of Administration, but to retain all other aspects of the March 29, 2018 MOA.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged by the Committee and the Council, and intending to be legally and equitably bound hereby, this Amended Memorandum of Agreement is designed as a mechanism to address and resolve any conflicts or disagreements that may arise as follows:

1. As soon as reasonably practicable, the Committee is free to retain the services of a full time Director of Operations/Administration who will also serve as the Finance Director for

the School Department and who shall possess or be eligible to attain the RIDE Business Manager certification. The Town covenants to appropriate sufficient funds to cover the cost for the position of Director of Operations/Administration, as determined in the reasonable discretion of the Town Council as part of its annual appropriation to the School Department through the Town Budget process. As soon as reasonably practicable, the Council is free to retain the services of a full time Finance Director who will assume the duties and responsibilities imposed on such person by state law and town charter or ordinance. The Parties are free to assign a reasonable level of compensation and benefits commensurate with the individual's qualifications, credentials, experience and levels of expertise in their respective professional fields.

Accordingly, paragraphs 1-8 of the March 29, 2018 MOA are hereby declared null and void.

2. The position of Human Resources Coordinator shall remain consolidated and the person holding the position shall be responsible for overseeing and administering human resource functions for the Town and School Department.

3. The Human Resource Coordinator shall be a direct report to the Superintendent for employees of the School Department and a direct report to the Town Manager for employees of the Town and the cost of compensation, inclusive of fringe benefits, shall be apportioned during the Town's budget process between the Town and the School Department.

Notwithstanding the direct reporting responsibility of the Human Resource Coordinator, the Superintendent and Town Manager shall possess joint-decision making authority and shall work cooperatively with each other in the spirit of collaboration and compromise. In the event the Town Manager and Superintendent reach impasse, they shall notify the Council and Committee, after which any dispute shall be referred to a mediator appointed by the American Arbitration Association for a recommended resolution.

EAST GREENWICH SCHOOL
COMMITTEE



By: Carolyn Mark, Chairperson

5/1/19

Date

EAST GREENWICH TOWN COUNCIL



By: Mark Schwager, President

5/1/19

Date