



AUTHORIZE NEW MIDDLE SCHOOL NAMING – NAME THE NEW CONCORD MIDDLE SCHOOL ELLEN GARRISON MIDDLE SCHOOL ARTICLE 22.

Mr. Palumbo and Ms. Foncerrada move that the Town ask the School Committee to name the publicly financed and owned property currently being built at 923 Old Marlboro Road in Concord, MA.

as ELLEN GARRISON MIDDLE SCHOOL.



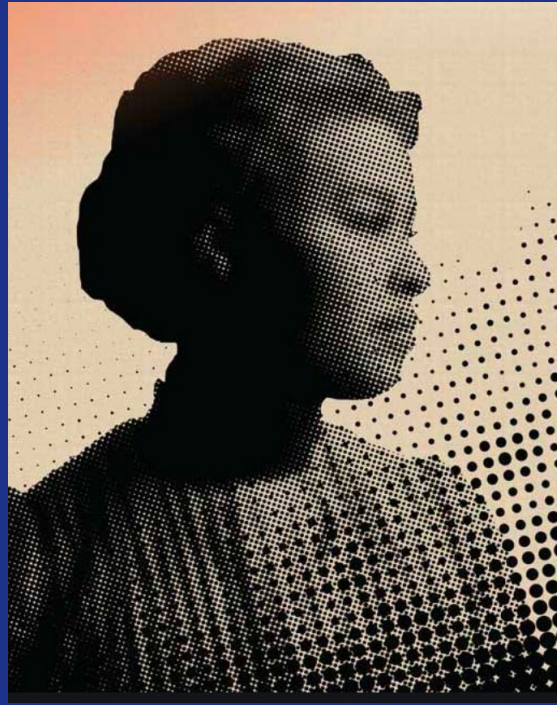
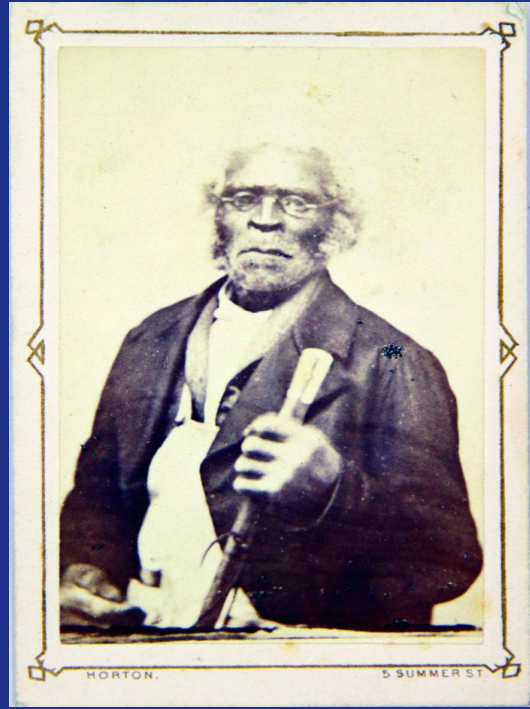
**AUTHORIZE NEW MIDDLE SCHOOL TO BE NAMED
ELLEN GARRISON MIDDLE SCHOOL ...**

Ellen Garrison was born in Concord, Massachusetts , daughter and grand daughter of enslaved men. Her Grandfather Cesar Robbins was a Patriot of Color who stood at the Old North Bridge.

Ellen attended and graduated Concord Public Schools and spent her life as an educator teaching the formerly enslaved . Almost a century before Rosa Parks, Ellen became one of the first African Americans in the United States to challenge the legitimacy of the Civil Rights Act of 1866. Ellen’s lawsuit was later cited as precedent in the Rosa Parks case.

Ellen Garrison would be the first alumni of the Concord Public Schools and the first person of color to have a public building named after them in nearly 400 years in Concord.

Ellen Garrison is an American Patriot who fought for the expansion of freedom and democracy. She represents the best of Concord and she will be an inspiration for students now and in all the years to come.



IS THERE ROOM FOR ELLEN?





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Via Email

November 13, 2023

Alexa Anderson, Chair
Concord School Committee
Ripley Administration Building
120 Menam Road
Concord, MA 01742
aanderson@concordps.org

Re: Legal Advisory on Naming of School Buildings

Dear Chair Anderson:

You have requested a legal opinion as to the Concord School Committee's authority to name Concord Public School buildings. For the reasons set forth in greater detail below, it is my opinion that the Concord School Committee has the legal authority to name the Concord Elementary and Middle School buildings and other facilities under the control of the Concord School Committee. However, pursuant to the policy adopted by the Concord School Committee on September 22, 2015, this authority has been delegated to the Concord Select Board.

Legal Analysis

1. Concord School Committee's General Authority Over School Buildings and Naming Rights.

In researching this matter, I reviewed applicable state law, the Charter and By-Laws for the Town of Concord, and the policies of the Concord Board of Selectmen and the Concord School Committee.

Generally speaking, the local board with control of a building has the rights of use, occupancy, and most other rights incidental to ownership over a building, which in our opinion would include naming the building. As such, the starting point for this analysis is the authority over school buildings vested by statute in school committees. M.G.L. c.71, §68 vests authority for the supervision and maintenance of school buildings with the School Committee. See, *Mohreri v City of Boston*, 333 Mass. 394, 130 N.E.2d 925 (1955) and cases cited therein, noting in reference to the school committee's authority over schoolhouses "no other officer has authority over the

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2022-2023

Outreach, meetings with CPS Staff, SC and SB

Fall 2023

Public advocacy at SC meetings to begin APP #43, TM Warrant created,

NOV to DEC SC changes naming policy in place since 2015 to regain its authority

JAN 2024 Using new policy SC creates process, Jan 9 Supt advocates for her preferred choice. Process results in SC vote on Ellen Garrison Middle School

- 2 YES
- 2 NO
- 1 ABSTAIN

March SB Votes Affirmative Action on Article 22 encouraging a YES vote

MON April 29 The Town gets to ask the School Committee

2654
Ellen Garrison
of Concord
Age 31
State 5/21
Complexion Black
Eyes - "
Hair Curly Black
to Virginia and
other States of the United
States -
July 31, 1854
Judge Hoar

This is the paper
"passport" that was
issued to Ellen Garrison
in 1854, by
Massachusetts Judge
Ebenezer Hoar of
Concord, a passport "to
travel to Virginia and
other states of the
United States."

(Massachusetts Historical Archive)

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IS THERE ROOM FOR ELLEN?



Freeman
Trail



Rideout
Field



Fowler
Library



Wheeler
Community Center



Emerson
Hospital



Goodwin
Library Forum



Emerson
Field



Ripley
School



Hunt
Gymnasium



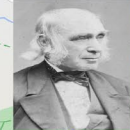
Thoreau
School



Sanborn
School



Emerson
Field



Alcott
School



Wright
Town Forest



Beede
Swim Center



Peabody
School



Willard
School

