



Martha White &lt;mwhite@natickma.org&gt;

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**Display of Banners, Etc. on Town of Natick Property**1 message

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**John P. Flynn** <jflynn@mhtl.com>

Fri, Sep 1, 2017 at 6:28 PM

To: "Jonathan Freedman (jfreedman@natickma.org)" &lt;jfreedman@natickma.org&gt;

Cc: Martha White &lt;mwhite@natickma.org&gt;, Karis North &lt;knorth@mhtl.com&gt;

Jonathan:

In my opinion, the following actions do not violate the First Amendment to the United States Constitution:

1. Display of a diversity flag at the Community/Senior Center
2. Use of the rainbow symbol in Community/Senior newsletters or other documentation
3. Display of a peace flag in the School Committee office or meeting room, both located in the Natick Town Hall.

I interpret applicable case law of the Supreme Court of the United States and of the United States Court of Appeals for the First Circuit to mean that each of these activities is a form of government speech, and, as such, is not prohibited or regulated by the Free Speech Clause of First Amendment of the United States Constitution. In this context, government speech means that each of the subject three activities are meant to convey and have the effect of conveying a government message.

This opinion applies to Town of Natick property in general. It is not limited to the locations of the items described above.

The Board of Selectmen has broad discretion in deciding what banners, flags, symbols, etc. may be displayed on Town of Natick property. This is not an unlimited discretion, however. One example where government speech may be subject to regulation is the Establishment Clause of the First Amendment to the United States Constitution (the Establishment Clause). If display of a banner, flag, etc. has the effect of establishment of a religion, the First Amendment would come into play. This is a complex area of the law which has generated a substantial amount of litigation and Supreme Court of the United States decisions. Suffice it to say that the Establishment clause is not an issue in the present situation.

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Donna Donovan &lt;ddonovan@natickma.org&gt;

## MSBA/Natick JFK Middle School: Upcoming Facilities Assessment Subcommittee Meetings

1 message

**Brian Lynch** <Brian.Lynch@massschoolbuildings.org>

Wed, Sep 13, 2017 at 10:34 AM

To: "mwhite@natickma.org" &lt;mwhite@natickma.org&gt;

Cc: "selectmen@natickma.org" <selectmen@natickma.org>, "ltabenkin@natickps.org" <ltabenkin@natickps.org>, "pesanchioni@natickps.org" <pesanchioni@natickps.org>, "annolin@natickps.org" <annolin@natickps.org>, "smeyler@natickps.org" <smeyler@natickps.org>, Jeff D'Amico <jdamico@compasspminc.com>, Tim Bonfatti <tbonfatti@compasspminc.com>, "apina@compasspminc.com" <apina@compasspminc.com>, "jordan@ai3architects.com" <jordan@ai3architects.com>, "thibeault@ai3architects.com" <thibeault@ai3architects.com>, "Dunlap@ai3architects.com" <Dunlap@ai3architects.com>, Katie Loeffler <Katie.Loeffler@massschoolbuildings.org>, Christina Forde <Christina.Forde@massschoolbuildings.org>

Good morning, Ms. White:

The MSBA has received a Preferred Schematic Report (a "PSR") from the Town of Natick (the "District") for the John F. Kennedy Middle School project (the "Proposed Project") on August 30, 2017. Associated with the District's PSR submission are two potential [Facilities Assessment Subcommittee](#) (two "FAS") dates. We ask that the District continue to hold both September 20, 2017 and October 4, 2017 from 9am-12pm as potential FAS meeting dates/times as the MSBA will be finalizing both agendas once all PSR submissions are received.

In the meantime, I offer the following so that the District and its consultants may begin preparations for the District's presentation: The District and Design Team will have a total of 20 minutes to present details of the Proposed Project to the FAS and MSBA staff. We ask that the District present the key components of their educational program that informed the design. The Designer should list the options studied during the Feasibility Study, briefly present the key factors that led to the selection of the preferred solution, and provide a description of the site and building layout of the District's preferred solution including a District map of where the proposed building and other public school buildings are in the District. A significant portion of the Designer's presentation should be spent thoroughly describing how the proposed layout meets the District's educational program and the needs of the students and teachers. The Designer should demonstrate the flexibility of spaces within the building and describe how the spaces can be used for multiple purposes. The Designer should demonstrate the flexibility of the building, the potential for future expansion opportunities, and describe the rationale for spaces and square footage beyond the MSBA's guidelines. The District and Design Team should conclude with presenting the preliminary costs of the options studied and a brief overview of the community outreach program and community feedback regarding the preferred solution. The PowerPoint presentation should consist of 12-15 slides, but no more than 15 slides.

A formal invitation indicating the scheduled date and time for the Town of Natick to present to the FAS is forthcoming. In the meantime, please contact me with any questions that you may have.

Sincerely,

**Brian Lynch**

Project Coordinator

Massachusetts School Building Authority

9/14/2017

Town of Natick Mail - MSBA/Natick JFK Middle School: Upcoming Facilities Assessment Subcommittee Meetings

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