

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT DEPARTMENT

ESSEX, ss

Docket No. ES09E0094QC

ALEXANDER B.C. MULHOLLAND, JR.,
PETER FOOTE, DONALD WHISTON, JAMES
FOLEY, ELIZABETH KILCOYNE, PATRICK
J. MCNALLY, and INGRID MILES, as they are
the Feoffees of the Grammar School in the Town
of Ipswich,

Plaintiffs,

v.

ATTORNEY GENERAL OF THE
COMMONWEALTH OF MASSACHUSETTS,
IPSWICH SCHOOL COMMITTEE, and
RICHARD KORB, as he is Superintendent of
Schools in the Town of Ipswich,

Defendants.

FILED JAN 03 2012

**AFFIDAVIT OF CATHERINE T.J. HOWE
IN SUPPORT OF MOTION TO INTERVENE**

I, Catherine T.J. Howe, state the following on my own personal knowledge or
information and belief:

1. I reside at 21 Turkey Shore Road, Ipswich, Massachusetts.
2. I have two children in the Ipswich Public Schools, one at Ipswich High School
and the other at Ipswich Middle School.
3. I have been actively involved with the Ipswich schools since my older child was
in first grade. I ran the Winthrop School Destination Imagination (DI) Program for four years. I
was a member of FRIES. I was a volunteer in the Winthrop School classrooms for seven years.
I have been a speaker at the Career Day in the Middle School every year that it has been held

(three or four years). I have coached Middle School track. I have helped to coach Middle School field hockey. I helped to coach the varsity lacrosse team. I have supervised students at the High School who are interested in job-shadowing in the Court System. I am a guest lecturer in the Criminology and Forensic Criminology classes. I was a member of ICE (Ipswich Citizens for Education) which actively sought and obtained a Proposition 2½ override.

4. I believe the School Committee has had a difficult time understanding the funding issues and possibilities for at least the past ten years. I researched the funding discrepancies in the Chapter 70 formula. I found and spoke with the author of the original formula, met with the Assistant Head of the Board of Education, and presented the data to the School Committee. When I first broached the subject with the members of the School Committee, they said that it was not worth pursuing. When I came back to them with the data clearly demonstrating that the Ipswich schools were owed an additional \$1 million per year under Chapter 70, they still were unwilling to put their energy into the issue.

5. Similarly, the School Committee did not and would not look into the Feoffees' mismanagement of the William Payne Trust until Robert Weatherall provided them with the research and Edward Traverso pushed the issue.

6. As a result of what I believe is the School Committee's lack of ability or willingness to pursue funds that rightfully belong to the Ipswich schools, the schoolchildren have suffered. For example, accelerated programs were cut before my oldest child, who was reading at a fifth grade level in kindergarten, had an opportunity to take them. We established DI in first grade to give some children the opportunity to flourish academically, but other programs that have been cut include non-varsity sports (now funded through fees and donations) and Middle School foreign language, and many teachers have had to be fired.

7. When my oldest child was in third grade there were thirty children in her math class. Until I presented this fact to the members of the School Committee, they were not even aware of it. They stated that thirty children per class is unacceptable, and yet nothing was done to change or fix it.

8. Against this backdrop, I have moved to intervene in this action because the School Committee is not adequately representing my interest or that of the schoolchildren of Ipswich, including my own two children and their children – the true beneficiaries of the Trust. I had relied on the School Committee to oppose the sale of Little Neck and to seek the replacement of the Feoffees with a publicly-accountable board of trustees, positions that the School Committee had publicly committed to pursue. The School Committee's inadequate representation of our interest is proved by its executive session vote on December 17, 2011, and the announcement of the proposed settlement with the Feoffees on December 20, 2011.

Signed under the pains and penalties of perjury this 3 day of January, 2012.


Catherine T.J. Howe