

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS**

**106 Hancock Rd.**

**Peterborough, New Hampshire**

**CONTOOCOOK VALLEY SCHOOL BOARD**

**Tuesday, November 19, 2019**

**School Board Meeting**

**SAU Office**

**6:00 p.m.**

**AGENDA**

- 1. Call to Order and Pledge of Allegiance**
- 2. Non-Public Session: RSA 91-A:3,II**
  - a. Legal**
- 3. Acceptance of School Board Meeting Minutes (Board Vote Required)**
  - a. November 2, 2019 (pg. 1-8)**
  - b. November 5, 2019 (pg. 9-14)**
- 4. Points of Pride**
- 5. Public Comment**
- 6. Consent Agenda**
  - a. Personnel**
    - 1) Co-Curricular Nominations (pg. 15-16)
- 7. Superintendent's Report and Presentation of Business**
  - a. Board Roles & Responsibilities Training Session**
  - b. Monthly Events Calendar (pg. 17-18)**
  - c. Communications**
- 8. Approval of Manifests (Board Vote Required)**
- 9. Old Business**
  - a. Version Three (3) of Proposed Budget**
  - b. Capital Improvement Plan**
    - 1) Trust Fund Dollars
    - 2) Potential Bond
  - c. 2<sup>nd</sup> Read/Adoption Policy (Board Vote Required)**
    - EBBD: Indoor Air Quality (pg. 19)
    - JLF: Reporting Child Abuse (pg. 20)
- 10. Reports**
  - a. Student Representative – Lorien Tyne/Abby Kamieniecki**
  - b. Teacher Representative – Patricia MacFarlane**
  - c. Communication Committee –Niki McGettigan**
  - d. Budget & Property Committee – Jim Fredrickson**
- 11. New Business**
  - a. 1<sup>st</sup> Read Policy (pg. 21-33)**
    - GBEA: Staff Ethics
    - GBEB: Staff Conduct
    - JFABD: Education of Homeless Children and Unaccompanied Youth
    - JFABE: Education of Children in Foster Care
    - EHB: Data/Records Retention
- 12. Public Comment**
- 13. Non-Public Session: RSA 91-A:3,II (If Required)**
  - a. Personnel**
- 14. Non-Public Session: RSA 91-A:3,II (If Required)**
  - a. Legal**
- 15. Non-Public Session: RSA 91-A:3,II (If Required)**
  - a. Negotiations**



Questions to consider include proposed staffing changes, use of trust funds and other special revenue, warrant articles, outside programming, summer programming, funding major facilities projects, mission critical, and maintaining high quality programming for all students.

The Budget Prep Timeline was reviewed.

- FY21' Presentation and Discussion

- o Budget Assumptions

Assumptions fall into three categories; procedural (class size guidelines, special education caseloads, and potential reallocation of existing resources), financial (health insurance rate increase, transportation contract increase, increases for NHRS and dental, a reduction in both bond interest and worker's compensation) (decreases in fund balance, decreases in catastrophic aid and Medicaid), or programmatic (curriculum renewal, professional development, student services).

- o Revenues/District Assessment (Potential Tax Impact)

- o Budget by Object

- V.1.0 (Initial Proposals)

Version I of the proposed budget resulted in an increase of \$3.2 million over the current budget. The budget proposed totaled \$50,015,658.00. Putting forward a \$3.2 million budget was recognized as unacceptable to bring to the taxpayers. The budget was reviewed with an eye on equity.

Central questions were asked to justify expenditures. If the answer was not yes, it was removed from the proposed budget. From there, a deeper look by level took place. Questions asked included what the minimum number of staff to run a community elementary school is, review justifications for new staffing, review class sizes, review programming, review outside programming, review field trips, review capital improvement, and review technology.

Long-term planning solutions were looked for. How do we decrease the budget, or slow the increase of the budget, without risking a deficit?

- V.2.0 (Administrative Recommendations)

The proposed budget before this meeting represents \$47,381,483.59, which is an increase of \$565,780.59, which reflects a 1.21% increase. The gross budget is both operating and all revenues and is up .28%, totaling \$49,602,973.59. District assessment would have an 4.68% increase. Proposed revenues are listed as a decrease of \$1,291,469.25.

Salaries are up 2.37% or \$306,167.26 which is reflective of CVEA increases, decreases in positions/retirements, 4% merit pool for administrators, a new Business Administrator and new Assistant Principal at GBS, a 3% pool for support staff, and lane changes.

Benefits are up 2.18% or \$242,697.37. Professional Services are up 5.97% or \$160,915.44. Property Services is down 27.68% or \$309,030.80 as a result of deferred maintenance recommendations and use of trusts.

Other purchased services related to transportation are up .75% or \$32,204.75 due to reallocations.

Supplies and Materials are down 4.46% or \$101,680.36 based on the use of LED lighting and the review of the expenditures for this line over a three-year period.

Furniture and equipment is up 88.57% or \$283,489.68. This is due to the implementation cycle of the Technology Plan and the replacement of a truck and cub cadet.

Recommendations regarding facilities and use of trusts:

Use of Capital Reserve \$532,344 (HS Renovations to Special Education Areas \$94,860, Counseling Area \$201,484, PES 3<sup>rd</sup> Floor HVAC \$187,000)

Use of Equipment Trust \$25,000 for the purchase of a food service fan.

Use of Athletic Trust \$49,000 to resurface the track and JV Score Board.

Recommendations regarding facilities: Warrant Articles

PES field repair and softball field installation \$160,000

Asphalt \$710,000 for paving work at CVHS, PES, and TES.

Recommendations regarding facilities include the recommendation of a bond for the following work: Resolve all planned capital expenditures over 8-9 years for work related to facilities as well as upgrades to structural and surrounding ground areas.

Eliminate the current practice of transferring end of the year available monies to the Capital Trust Funds.

Work would be completed in a timelier and efficient timeline.

Without the proposed bond, the district would:

- Continue to address the areas of concern only as monies become available.
- Be limited to balances in the Capital Reserve Trust Funds.
- Identify projects to be placed on a timeline and may not be able to be addressed without further deterioration or failure.

Without a bond, addressing the Capital Plan Projects will not happen in a timely fashion. The ability of the Capital Trust Funds to handle the needs is not sustainable, particularly if the projected monies available at the end of each fiscal year is diminishing.

We have to find other ways to raise revenue.

Unreserved Fund Balance –

Mr. David Jack said that an unreserved fund balance is established at the completion of the fiscal year and the annual audit. This balance is a combination of funds not spent, although they were appropriated, and unanticipated revenues.

For towns to set the tax rate, we have to establish the unreserved fund balance. This year, when the tax rate was established, we had \$1.2M unreserved. The proposed budget is \$200K unreserved. There is no way that \$1.2 is sustainable. There is approximately \$3.2M established in trust funds. He said that as the budget exists today, FY'21, before it begins, increases will result, revenues will be down. Trust funds are funded with leftover monies; this will be difficult moving forward. A conservative budget will have a reaction down the line. How a bond might be helpful will be discussed. We've been fixing our infrastructure based on monies that are left over at the end of the year.

Questions to consider were outlined which included discussion on elementary, facilities, staffing proposals, curriculum, co-curricular, after school and summer programming, outside programming, use of trust funds, and warrant articles.

Kimberly Saunders shared an administrative recommendation to consider a warrant article to temporarily reassign Francestown students to another building(s) for a specific amount of time (5 years) or until the population reaches "N" at which time the building would be reopened.

#### **10:15 – 12:00 - Discussion**

##### **- Facilities**

Kimberly Saunders spoke about the proposal for a bond. The letter of intent is due by January 1<sup>st</sup>.

Rich Cahoon said that the idea that we would be squeezing down the budget closer to expenditures was discussed. We need to remind the towns that this is what they literally asked for.

Jim Fredrickson asked what of the \$2.7M is included in the budget.

Tim Grossi said that the concept of packing up the plan is not a new one. Building aid has been suspended in recent years and will now be funded more and more out of need.

The State reimburses .36 cents on the dollar. The work that will be done this year was highlighted in detail. Of the \$2.77M, how much is in the budget this year? \$71,800.00.

Discussion took place about items proposed for a bond and those that remain in the budget.

Jim Fredrickson said that he would like to see the proposed broken down to \$2.773M by four categories bond, budget, trust, and warrant articles.

Recommended bond total is approximately \$10.7M. However, if serious, an architect should be consulted.

There is a placeholder for renovation of the Lucy Hurlin Theatre.

Dick Dunning said that the district needs to go in the direction of whatever will save taxpayers money i.e. a bond and building aid.

Tim Theberge asked if any discussion has occurred with Peterborough to leverage the use of fields before work on a softball field at PES takes place. Tim Grossi spoke about the usage that the district needs.

The District is currently down to paying for two bonds.

Rich Cahoon proposed not to go through what is in capital reserve and what is in the budget until the next Budget and Property committee meeting.

The direction is to firm up the bond proposal.

If the letter of intent is submitted, it is for this biennium. We can't expend until approved for building aid.

**Motion to put together a plan for putting a bond on the warrant article. Jerry Wilson second. Unanimous.**

**Dick Dunning moved to consult with an architect for a preliminary discussion on proposed work at the high school and two middle schools. Tim Theberge second. Unanimous.**

Katherine Heck outlined what the bonds cannot exceed when looking forward.

- Elementary Discussion

Discussion took place about the proposal to cut one professional position at AES. Typically, kindergarten figures are higher than the prediction.

**Rich Cahoon moved to retain the proposed cut position at AES. Kristen Reilly second. Unanimous.**

Discussion took place about the staffing count necessary for a community school and how they are counted. Further discussion took place about teaching principals

Discussion took place about the proposal to send FES students to another school for a period of years. It would require a 2/3's vote on a warrant.

Crista Salamy noted that when looking at Dublin Consolidated, the numbers are the same as that of Francestown. Why not propose to send DCS students to another school as well?

Kimberly Saunders said that different models for school closure have been floated in the past.

As an educator, she knows that people love their small schools, but if your child is the only special education student, or doesn't have the necessary social skills, we are not doing what we ought to, to educate students. We are taking money and resources from taxpayers and other students in other schools to support these smaller schools.

Tim Theberge said that the services available to students at smaller schools are not the services available at larger schools.

Rich Cahoon noted that administration has told the board that there is a minimum of 7 staff required to run a small school. The towns want their small schools in their towns. As a result, we have shorted the high school, the two middle schools, AES, and PES in order to maintain small schools.

Kimberly Saunders said that if the proposed warrant article related to Francestown Elementary School passed in March, it would not happen until 2021.

**Rich Cahoon moved to accept the three staffing proposals, FACS at middle school, PES Assistant Principal, and high school Math Special Ed teacher. Crista Salamy second. They are not currently in the proposed budget.**

Rich Cahoon said that this is the cost of maintaining the smaller schools to no longer short the larger schools.

**Unanimous.**

Discussion was brought back to Francestown Elementary School.

**Dick Dunning moved to move onto the warrant to temporarily reassign the students at Francestown Elementary School based off of the recommendation. Tim Theberge second.**

Rich Cahoon said that it might make sense to keep a school open, even with lower enrollment, if there is a light at the end of the tunnel. What does the light at the end of the tunnel look like? A mid-December date was requested for this information.

Katherine Heck asked if there will be a policy to have this for all of the schools as a potential so that schools do not feel picked on. This would allow for support.

Alan Edelkind asked about the petition warrant article that came forward last year about a full analysis necessary. Kimberly spoke about the distinct differences between closing a school and reassigning students. What happens when a school reaches under 40 students? We have a fiscal situation.

There are educational and social/emotional issues. There are inclusion issues. We have reached a point where the discussion "When is small too small?" is imminent.

Dr. Ann Forrest confirmed that it is not best educationally for students when a school is too small. When you drop down too low, kids do not just learn from the teacher, they learn more from their peers. When in small groups, we are limiting what students can learn. ConVal has had significant turnover with staffing in this district due to retirement. We have new teachers in buildings without grade level partners in their building. This causes barriers for learning. For adults, walking into a small school is lovely. It feels better to adults and we are casting that onto what we feel students believe.

Rich Cahoon outlined how he viewed this and how we will vote for the remainder of the meeting.

Stephan Morrissey said that he felt an obligation to have a school board meeting in Francetown and bring this warrant article up at that time. Katherine Heck said that additional information about the educational benefits of reassigning FES students should be in place. Cost benefits should be apparent.

Dick Dunning said that until people feel the impact of what this board is asking them to do they will not see the change.

**Dick Dunning withdrew his motion. Tim Theberge withdrew his second.**

Stephan Morrissey moved to have a regular school board meeting in Francetown for this discussion on the agenda.

Crista Salamy said that absent all of the information needed, it is a bad idea.

Rich Cahoon said that the questions like "where will these students go?" is important. Additionally, where these kids will go to middle school is important for towns to support it.

Niki McGettigan said that if we believe that preschool is paramount, that for people to consider the reassignment of their children, she worries that if we are asking to add preschool and add a bond, but then say that we want to reassign, people will not support the extra. Values need to be decided to go forward.

Busing, classroom size, and staffing information would be valuable when making a decision to reassign.

The community would need to be reassured that the reassignment of students at the request of families would still be consistent in the consideration. Confirmed.

#### - Staffing Proposals

Justification for Universal Preschool:

Ben Moenter reported the work done so far on the proposal for Universal Preschool. Universal Preschool was defined. The proposal is to extend the current program to full day for the four year olds in the program. Phase II would further develop and expand the program to all four year olds. Work focus was shared. Ben outlined the staffing changes that would result with the two phases.

**Jerry Wilson moved to adopt the universal preschool Phase I proposal. Kristen Reilly second.**

Kimberly Saunders reminded that this is a step toward preschool for all. There would be an additional step to have preschool for all.

Cari Christian-Coates spoke about the sequential process.

Rich Cahoon said that it was agreed that it made no sense to pursue Phase I without also pursuing Phase II.

Tim Theberge asked about other preschool providers in the area that might present pushback. Cari said that the next step will be bringing the community to the table.

**Katherine Heck abstained. All else in favor. Motion carried.**

TES Classroom Teacher – based on class size guidelines, it is recommended that TES hire an additional teacher in order to have a straight 3<sup>rd</sup> and a straight 4<sup>th</sup> grade classroom. The 3<sup>rd</sup> grade classroom is projected to have 14 students and the 4<sup>th</sup> grade will have 11 students. Combined, it would total 25 students.

**Dick Dunning moved to add an additional teacher at TES next year. Kristen Reilly second. Unanimous.**

Special Education Staff member for Pierce School – Pierce School has the largest special education caseload of community schools. The recommendation is to add a special education program paraprofessional to support the services at Pierce School to meet the educational needs of students on IEPs. This para position is a general special education and is needed to serve the population.

**Jerry Wilson moved to recommend the additional special education paraprofessional at Pierce School next year. Dick Dunning second. Unanimous.**

#### COTA

- Curriculum and Professional Development Amounts

Dr. Forrest reported that key drivers are Curriculum Renewal Cycle and the Strategic Plan.

Ann highlighted the budget items and approximate cost information included in Title I and those in the budget. A focus on sustaining what has been put in place has been made. Letterland is expanding into grade 3. With the ten days for new hires, there is less money around curriculum mapping and grade level work. Noted was work that takes place during the summer in the area of emergency management, RtI, PBIS, and Responsive Classroom.

Anti-bullying curriculum for elementary and middle schools and Signs of Suicide for middle schools is proposed.

The costs are reflected in the proposed budget.

Tim Theberge asked about Cornucopia and Harris Center in terms of bidding and procurement.

Kimberly Saunders said that these are the only two programs that do the work that they do in this area. Rich said that sole sourcing is acceptable when there is one vendor.

Ann Forrest said that the Harris Center charges us 32% of the cost of programming as an example. We get a lot of bang for our buck there.

Rich asked that we keep track of each additional mandate that comes down from the State.

- Co-Curricular/Athletic Activities

Kimberly Saunders said that there was a stipend that was budgeted for JV Golf. We do not have a JV Golf team, therefore, the stipend was removed. We do not have the capacity to have Freshmen, JV, and Varsity teams.

Kimberly said that it was good to look at co-curricular with an eye to equity for the middle schools.

- Summer Programming

- Outside Programming

Linda Quintanilha asked about summer adventures for middle school. She wasn't sure she wanted to give up on it quite yet. Kimberly shared that the students that were intended for this programming are not the students who are accessing it with the exception of one or two. The students that did access it didn't need the extra which caused additional inequity.

Dick Dunning asked about Quest. The original intent for Quest was to provide a camp experience or those who were needy. Are we not continuing to fund it because that is not the population accessing it? Yes, in part.

Ann said that the issue is getting paperwork back. Social workers went out to homes and still paperwork did not come back. It did not happen.

Rich Cahoon said that Quest sent out a yearbook every year with student information. Katherine Heck shared her experience where spots were not filled so she was asked to send her child there.

Kimberly said that this is not mission critical. She struggles with the claims that students will not slide academically. To do this, it would take longer than a week long program.

Linda Quintanilha spoke about the sense of belonging that this program brings.

Stephan Morrissey said that we have to cut some things that are not critical.

Dick Dunning said that if we have reached out to these families and they have not responded he would agree.

Stephan Morrissey asked if it is appropriate for this school district to continue to fund this.

Kimberly said that as administrators, they do not believe this to be critical.

Rich Cahoon said that the cheapest other camp around is boy scouts. It might be reasonable to ask families who can afford it to pay their part.

Stephan Morrissey said that someone has to manage this and it is time and costs us money.

Focus at high school was discussed. Low prescribed programs were the focus. 5<sup>th</sup> Block is being scaled back. Have we been able to stagger a teacher to cover 5<sup>th</sup> block? We could hire a new teacher to work blocks 2-5. No, this has not occurred.

**12:00- 12:30 - Lunch**

Niki McGettigan exited the meeting when the meeting broke for lunch.

**12:30 – - Discussion (Cont'd)/Additional Considerations**

- Unreserved fund balances
- Use of Trust and Capital Reserve Fund
- Potential salary/wage increases for those individuals not covered by the CVEA contract and the CVAA agreement

Kimberly Saunders reported that a 4% pool for administrators for those not covered in agreements and a 3% pool for those staff not covered in CVEA contract has been the norm. We budget to maximum exposure and this is already reflected in the budget.

Tim Grossi asked if the pool for both groups could be the same. Kimberly said that the group with the individuals in the 4% pool actually have a range of 0-5% in their contract. We budget 4%.

Optics were discussed in terms of what it looks like to the public.

**Tim Grossi moved that both pools to be 3.5%. Katherine Heck second.**

**Tabled.**

**Tim Grossi and Katherine Heck withdrew their motion and second.**

**Rich Cahoon moved to reconsider. Second. Unanimous.**

- Capital Plan
- Medicaid Update
- Preschool
- Mandated Expenditures – Special Education

Rich Cahoon said that it is important when talking about the cost of the district to talk about this. Not to single it out. There are mandated expenditures for a reason. When talking about small schools it is important to know. In the example where seven staff members is the necessary number of staff to have in a small school, one of them is special education related.

David Jack reported that 20% of the budget is special education related. The question is, how much is mandated by the feds that is not funded.

Looking at unfunded mandates in general was suggested. Not all unfunded mandates are special education related.

Kristen Reilly exited the meeting at 1:45 p.m.

**- New Strategic Plan**

Kimberly reported that a timeline is being worked on to bring to the November Strategic Plan meeting to bring to the full board in December.

**- Technology**

Mark Schaub spoke about work underway in the area of refreshing technology. In addition, cataloging devices to identify it as an asset and placing it in the renewal cycle was noted. The majority of Chromebook purchases will soon be 2-3 years old. If we were to wait and not implement the renewal cycle, we could make it work, but in the following year, we would be using machines that are six years old.

Stephan Morrissey asked if the goals put in place with the 1:1 initiative are being met. Ann Forrest said that she has seen educational shifts. We do not want kids sitting in front of a device. The use is intentional to develop collaboration and critical thinking skills.

**- Initial Default Discussion**

Default budget will start to be managed. Last year, the board was public about what would be removed in the event of a default.

Rich said that the list is typically the same. The hockey boosters would not be surprised if their program was cut in the event of a default.

Discussion took place about a communications relations person.

Katherine Heck said that what you get back for the cost is voter awareness, voter approval etc.

Rich Cahoon said that there might be big things coming to talk about in the near future.

**Dick Dunning moved to authorize the Superintendent to find resources in the current operating budget to support professional services to provide Communications/PR services up to \$25K. Second. Unanimous.**

- **Final Thoughts**

**Kimberly Saunders said that work on Version 3 will be developed and brought back to the board.**

- **Next Steps**

- **Non-Public Session: RSA 91-A: 3, II**

- a. **Legal**

**Linda Quintanilha moved to enter into non-public session at 2:23 p.m. for legal matters. Unanimous on a roll call vote.**

**Linda Quintanilha moved to exit non-public session at 2:43 p.m. Jerry Wilson second.**

**Linda Quintanilha moved to seal the minutes of non-public session for a period of ten (10) years. Katherine Heck second. Unanimous.**

**Linda Quintanilha moved to adjourn at 2:44 p.m. Second. Unanimous.**

Respectfully submitted,

Brenda Marschok

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS**

**106 Hancock Rd.**

**Peterborough, New Hampshire**

**CONTOOCOOK VALLEY SCHOOL BOARD**

**Tuesday, November 5, 2019**

**School Board Meeting**

**SAU Office**

**7:00 p.m.**

**MINUTES**

**BOARD**

Rich Cahoon, Richard Dunning,  
Alan Edelkind, Jim Fredrickson,  
Katherine Heck, Janine Lesser,  
Niki McGettigan, Stephan Morrissey,  
Linda Quintanilha, Kristen Reilly (7:10),  
Crista Salamy, Tim Theberge  
Jerome Wilson

Lorien Tyne, Student Rep.  
Abby Kamieniecki, Student Rep.

**ADMINISTRATION**

Dr. Kimberly Saunders, Supt.  
Dr. Ann Forrest, Asst. Supt.  
Tim Markley, H.R.  
David Jack, B.A.  
Kat Foecking, FES  
Amy Janoch, HES  
Fabi Woods, TES

**1. Call to Order and Pledge of Allegiance**

**Stephan Morrissey called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.**

**2. Acceptance of School Board Meeting Minutes (Board Vote Required)**

**a. October 15, 2019**

**Dick Dunning moved to accept the minutes of October 15, 2019. Tim Theberge second. Janine Lesser, Rich Cahoon, and Linda Quintanilha abstained. All others in favor. Motion carried.**

**3. Approval of Manifests (Board Vote Required)**

David Jack certified that manifests listed totaling \$537,204.71 and Payroll totaling \$2,680,315.08 have been reviewed by him and found to be proper charges against the Contoocook Valley School District for goods and/or services received and have been properly processed prior to their submittal to the School Board.

**Dick Dunning moved to approve the manifests as read. Jerry Wilson second. Unanimous.**

**4. Expenditure and Encumbrance Report (Board Vote Required) – David Jack**

David Jack reported little change in the past month. The budget status remains the same. There are no areas of concern.

Rich Cahoon asked if there were any new encumbrances within the report. David Jack confirmed that there were.

**Rich Cahoon moved to accept the expenditure report and the encumbrances contained therein. Tim Theberge second. Unanimous.**

**5. Points of Pride**

Kimberly Saunders shared various Points of Pride as reported to her by administrators.

**6. Public Comment**

Stephan Morrissey opened the meeting to Public Comment and reminded those present that they can speak for a maximum of 2 minutes.

Emily Manns, Peterborough, Chair of the Peterborough Energy Committee proposing the solar project, said that there is no cost to the solar project for the district. There appears to be some confusion, there is an option to purchase the project out in year 6 but it is not required. The bond is funded by the additional savings of the project and not by taxpayers. She spoke about snow removal.

Dr. Joel Huberman, Peterborough, shared his concern about proposed risks with this solar project. If the School Board signs and subsequently signs, ConVal would be responsible for costs up to \$10,000. There are two ways to avoid the risk; sign the letter of intent this evening with the advantage of a faster start for the project and the investor would

benefit from the 2019 tax credit; or wait to approve next spring and there would be no reason to withdraw; risk would be of substantial cost savings.

Dory Drachman, Peterborough, said that she led the first solarized campaign. After bid, Revision Energy was selected for their project and they were pleased with their decision. The company is a quality producer and she shared various points of recognition that they have received.

Jonathan Bass, Peterborough, said that ConVal is fantastic for solar. He worked with the data provided for this project

Ann Huberman, Peterborough, said that the commitment requires some advance work before this project goes ahead. Steps are laid out in the letter of intent. If the board votes to sign the letter of intent and the exclusivity intent, the result will be a cost savings for energy.

Paul Frehner, Hancock, spoke about the level of anxiety he speaks with the youth about that they have with the environment. This project would have a positive impact on the environment.

Mary Lou O'Neil, Hancock, said that students past, current, and future need support. She spoke in favor of both Michelle Russell and Dan Weeks for their work on this project, both ConVal alums.

Steve Walker, Peterborough, said that he has a 30 year history in energy. He has been involved in many projects. Solar is a commodity; financing is not. The district wants clean energy, doesn't want to pay for it, and wants to save money. Revision Energy was the only company that has anything close to what this project needs.

Emma Shapiro-White, Peterborough, said that she has remained in Peterborough because of the community. She wants to invest in a community that invests in the environment. She shared her excitement for the project.

Michele Russell, shared her work on this project that she is confident in. The educational value of this project would be a natural way to inspire STEM curriculum. There is great potential for the development of learning modules. Thirty-three schools also have solar. She shared various ways that school districts have been involved in various ways in the project. She said that this is a win/win project.

Melanie Russell, Hancock, said that she would love to have our Points of Pride say that we have solar. She said that the board is looked to for leadership. She hopes for the letter of intent.

Amy Bright, Harrisville, said that she is excited about the solar project but shared one concern. She asked what would happen to potential renovations down the road should solar be on the roof. Is there a place on the ground to place the solar array?

Phil Suter, Peterborough, encouraged if any questions about this project arise to speak with Keene.

Brian Field, spoke about the positive educational component to this project. He said that the importance of this project should be recognized for the students.

Kaitlin Hassle, Peterborough, thanked the board for considering the project. She highlighted the anxiety about climate change in favor of this project. She asked that the board lead the way with this symbolic gesture.

Zoe Wirth, Peterborough, worked at the Cornucopia Project for years. It is important to act. It is her future. She said that the state of the environment and climate change causes anxiety. She asked the board to do the right thing and pursue solar.

#### **Solar Discussion (moved up on the agenda) –**

Jim Fredrickson spoke about his role on the Budget & Property Committee and in his employment. He said that this project is not a "no brainer". He said that the board decided that three important components must be included to consider the project; immediate savings, no upfront capital, and an educational value. The system will degrade .5% each year. It would be installed on a roof top, would require an investor, and there is a 30% tax credit this year for the investor. There would be a purchase power agreement with a buyout option in year 6 for roughly \$400K. Assumptions include utilities costs escalating at 2% each year which would result in greater savings if that is true. Revenue will vary depending on utility costs. After a buyout, if bought out, the savings would be \$50K each year.

Are utility costs going to go up 2% each year? Jim spoke about degradation of the system and the weather. Real project risks have to do with the roof. The evaluation of the roof would be conducted. One concern is the future potential roof cost. This would be ConVal's responsibility. Snow removal costs would make it difficult and expensive with solar panels. Is this \$400K buyout the best use of limited funds. On Saturday, much time was spent reviewing the

proposed budget. This would be a multi-year contract which entails certain things. ConVal's Bidding Policy requires a board vote to go with a single source provider. The letter of intent would be non-binding and conditional on the satisfactory condition of the roof. If the board moves forward tonight, we would be agreeing to put a warrant article on the March ballot. Intuitively, it appears that this could all be done. The immense amount of community support is evident.

Jim Fredrickson highlighted two motions necessary:

**Dick Dunning moved that the district policy DJE be suspended in the case of the proposed ConVal High School Solar Project and that the project move forward with Revision Energy if the Board approves the Letter of Intent.**

**Jim Fredrickson moved to amend the motion to read that "the district policy DJE be suspended in the case of the proposed ConVal High School Solar Project".**

**Dick Dunning second the amendment.**

Rich Cahoon said that Policies that require competitive bids do so for a reason. If ever there were a project that should be subject to competitive bid, it is one that binds the district to a contract for 20 years. Regardless of the merits of the project, he has a problem with sole sourcing.

**In favor: Alan Edelkind, Jerry Wilson, Dick Dunning, Kristen Reilly, Janine Lesser, Jim Fredrickson, Linda**

**Quintanilha, Niki McGettigan**

**Opposed: Tim Theberge, Rich Cahoon, Crista Salamy, Katherine Heck**

**Motion carried.**

**Jim Fredrickson moved that the project move forward with Revision Energy as sole source supplier. Linda Quintanilha second.**

**Opposed: Tim Theberge, Rich Cahoon, Katherine Heck, and Crista Salamy.**

**All others in favor. Motion carried.**

**Jim Fredrickson moved to authorize the Superintendent to negotiate a non-binding letter of intent for the purpose of moving forward with Revision Energy with the proposed solar project at CVHS and that a Warrant Article be prepared for March 2020 subject to legal review.**

**Linda Quintanilha second.**

Rich Cahoon said that this was presented in Budget & Property Committee as a letter of intent, not binding to the district in anyway. The \$10,000 was not mentioned before but now shows up in the letter of intent.

Stephan Morrissey said that this goes in front of the voters if it is multi-year obligation. The letter of intent requires us to negotiate that letter and not accept it as is presented.

Niki McGettigan asked if it is a warrant article and it is not supported what happens?

Kristen Reilly asked where the educational component would be visible. Would it be part of the letter of intent?

**In favor: Alan Edelkind, Jerry Wilson, Dick Dunning, Kristen Reilly, Janine Lesser, Jim Fredrickson, Linda Quintanilha, Niki McGettigan, Katherine Heck, Stephan Morrissey**

**Opposed: Tim Theberge, Rich Cahoon**

**Motion carried.**

A five minute recess was called at 7:55 p.m. The meeting resumed at 8:02 p.m.

## **7. Consent Agenda**

### **a. Personnel**

#### **1) June 2020 Retirements**

**Tim Theberge moved to accept the resignation of Gib West in June 2020. Dick Dunning second. Linda Quintanilha added that it is accepted with great thanks for all of his work in the district. Unanimous.**

Tim Markey asked that he be paid in July 2020 for his buyback.

**Dick Dunning moved to approve the request for buyback paid out in July 2020. Rich Cahoon second. Unanimous.**

#### **2) June 2021 Retirements**

**Tim Theberge moved to accept the June 2021 resignation of Janice Hughes. Dick Dunning second. Unanimous.**

#### **3) October 2019 Resignation**

**Tim Theberge moved to accept the resignation of Kathryn Artzerounian in October 2019. Dick Dunning second. Unanimous.**

4) 2019-20 Nominations

**Linda Quintanilha moved to approve the nomination of Julie Anderson for the position of Special Education Teacher at SMS. Tim Theberge second. Unanimous.**

5) Co-Curricular Nominations

Tim Markley referenced the co-curricular nominations for notification only of the board. Mr. Markley noted that the three Block 5 positions were scratched from the list because they are not happening.

6) Job Descriptions – 2<sup>nd</sup> Read (Board Vote Required)

- Administrative Assistant/Applied Technology Center (ATC)

**Linda Quintanilha moved to approve the job description as presented. Dick Dunning second. Unanimous.**

Linda asked when records are destroyed. Rich said that they can be destroyed when requested to do so by parent or student.

**8. Superintendent's Report and Presentation of Business**

**a. Monthly Events Calendar**

The Education Committee meeting was cancelled on Thursday, November 7<sup>th</sup>.

Budget & Property Committee will meet on Thursday, December 12<sup>th</sup> at 5:30 to finalize the proposed budget.

**b. November 1, 2019 Enrollment Update**

Kimberly referenced the November 1<sup>st</sup> enrollment data.

**c. Field Trip Requests (Board Vote Required)**

1) South Meadow School, grade 8, students will travel on April 20-24, 2020 to Philadelphia, PA, Washington D.C., and Gettysburg, PA for the American Heritage Tour.

**Linda Quintanilha moved to approve the field trip as proposed. Dick Dunning second. Unanimous.**

**d. Field Trip Requests (Board Vote Required)**

1) ConVal High School, grade 9-12, students will travel on February 20-23, 2020 to Boston, MA to Harvard Model Congress.

**Linda Quintanilha moved to approve the field trip as proposed. Dick Dunning second. Unanimous.**

Kimberly Saunders referenced two letters from students that were written as part of a class assignment.

**e. Budget Update & Timeline**

David Jack reported that as a result of decisions on Saturday, the proposed budget increased \$1.447M, which includes universal preschool. The total proposed budget is now \$48,262,839.83 which reflects a 3.09% increase.

Dick Dunning asked about middle school soccer discussed on Saturday. Kimberly will look into.

Rich Cahoon said that the budget was going to go up \$600K regardless. Preschool resulted in the difference.

Rich Cahoon insisted that the additional staffing is the difference for the small school model.

Kimberly expressed her concern more with the following year's budget. Preschool and a teacher's contract will impact.

Rich asked the legalities and the mechanism that we approve preschool formally. It is a two year item. Does it have to be its own warrant article or in the budget?

Kimberly said that she is worried about the lack of state funding that impacts the taxpayer.

David Jack said that it behooves the board to be cognizant of the following year's budget. It is the revenue that is needed and it is diminishing. It will complicate itself. The funding mechanisms used in the past won't be there. There is no way to replace them without another source of revenue.

Rich Cahoon said that every two years the NHRS resets their expected rate of return. Next year is likely to be bigger than the current year.

Rich Cahoon asked about the Athletic Trust. The FCVA and ConVal Football Boosters wanted to buy the speaker system that got taken care of by the district. They are looking to purchase legacy gifts that would be longstanding. Kimberly Saunders suggested that Katherine Heck and she set up time to meet with the FCVA so as not to cloud roles.

Rich Cahoon said that the reason we are squeezing down the undesignated fund balance is because the Selectmen have been requesting that for several years.

Kimberly Saunders said that the reason this is higher is because we did a soft freeze last year.

Katherine Heck said that there has to be wiggle room with the budget. She said that there is a point that the cash flow may be affected.

Kimberly said that the recommendation is to have approximately \$800K in unreserved every year.

Rich Cahoon said that we have discussed putting a warrant article about retaining a 2.5% balance in trust in the past.

## 9. Reports

### a. Student Representative – Lorien Tyne/Abby Kamieniecki

Lorien Tyne reported that the boys' soccer won their first round. Boys XC competed in the Meet of Champs and did well. National Honor Society applications went out, new members coming soon. Action against climate change. Abby Kamieniecki reported that 39 pints of blood were donated yesterday at the blood drive. Nov. 16<sup>th</sup> is the date of the craft fair in the gym from 10-3.

### b. Teacher Representative – Patricia MacFarlane

None.

### c. Education Committee – Jerome Wilson

Jerry Wilson reported receiving a status report on the proposed Universal Preschool. Discussion centered on the scope of the program. In addition, supporting student's social and emotional needs was discussed. Supporting students who have experienced trauma was focused.

Dick Dunning said that he has not seen anything come forward that is more important than Universal Preschool.

### d. Communication Committee –Niki McGettigan

Niki McGettigan reported that an overview guide for the year took place at the last meeting. An inventory grid showing communication coverage in newspapers and Twitter since last July was reviewed. What was noticed was that the summer programs were not communicated. This is an area in need of improvement. Niki reported that the need for a communications person was discussed. Contracted service providers would be the focus to search for fulfillment of this need.

### e. Food Service Committee – Linda Quintanilha

Linda Quintanilha reported that the committee is recommending that the summer food service program continue. Discussion took place about someone else taking this on took place. ConVal is centrally located. The committee wanted to bring this forward.

### f. Selectmen's Advisory Committee- Tim Theberge

Tim Theberge said that the transition of leadership was a continued discussion. John Jordan will not seek a new term. Discussion of the broadband issue in the district was discussed and updates provided. Dublin has gone out with their RFP as well as Hancock. Brief discussion on enrollment also took place.

### g. Policy Committee – Rich Cahoon

Rich Cahoon said that if a policy is discussed in committee and no changes, the policy would be noted under this reporting for the record.

## 10. Old Business

### a. Policy DJE – Bidding Requirements Discussion and Potential Waiver (Board Vote Required)

Discussed and voted under agenda item 6 above.

### b. Solar Power Discussion

Discussion took place under agenda item 6 above.

### c. 2<sup>nd</sup> Read/Adoption Policy (Board Vote Required)

- JCA: Change of School or Assignment

**Linda Quintanilha moved to adopt policy JCA. Rich Cahoon second. Unanimous.**

- JIA: Student Due Process Rights

**Linda Quintanilha moved to adopt policy JIA. Rich Cahoon second. Unanimous.**

## 11. New Business

### a. 1<sup>st</sup> Read Policy

- EBBD: Indoor Air Quality

- JLF: Reporting Child Abuse

Rich Cahoon noted these policies for first reads. Please send any comments to the Policy Committee.

### b. NH Municipal Bond Bank

Kimberly Saunders reported three different scenarios for a potential bond.

David Jack reported out on several factors with respect to a potential bond. ConVal has the potential for capacity to borrow according to Bond Bank. School Building Aid entails 18 months of work to know what would be supported. ConVal is approved for 36% building aid. If the bond goes this year, there would have to be coordination to determine what we would be eligible for. It would cost \$200-300K to service the debt in the first several years. Decisions on if a

staggering is desired with building aid or to run the two and not pursue a bigger bond this year need to be made. Bond payments and interest in specific years were noted. 3.2% to 3.75% are anticipated interest rates. Rich Cahoon said that we should not do anything that jeopardizes building aid. Discussion took place about the need for renovations for both middle schools and parts of the high school. A letter of intent would be dated before the start of the year with work to begin within six months. Rich Cahoon asked if the work needed could be narrowed down and listed. What is in the budget? What is in the CIP? What is in if we don't do a bond?

## **12. Public Comment**

None.

## **13. Non-Public Session: RSA 91-A:3,II (If Required)**

### **a. Personnel**

## **14. Non-Public Session: RSA 91-A:3,II (If Required)**

### **a. Legal**

## **15. Non-Public Session: RSA 91-A:3,II (If Required)**

### **a. Negotiations**

Dick Dunning moved to enter into non-public session for matters of personnel, legal and negotiations at 8:57 p.m. Unanimous on a roll call vote.

Linda Quintanilha motioned to exit non-public session at 9:31 p.m. Jerry Wilson second. Unanimous.

Tim Theberge motioned to seal the minutes of non-public session for the first discussion of negotiations for 5 years. Rich Cahoon second. Unanimous.

Tim Theberge motioned to seal the minutes of non-public session for the second discussion of negotiations for 5 years. Rich Cahoon second. Unanimous.

Tim Theberge motioned to seal the minutes of non-public session for the legal for 5 years. Rich Cahoon second. Unanimous.

Linda Quintanilha motioned to adjourn at 9:32 p.m. Dick Dunning second. Unanimous.

Respectfully submitted,

Brenda Marschok

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS  
Peterborough, New Hampshire**

**CONTOOCOOK VALLEY SCHOOL DISTRICT**

**November 19, 2019  
Personnel Agenda**

**Co-Curricular Nominations:**

See Attached

## NOTICE OF STIPEND POSITIONS

First	Last	DAC	Position	Stipend Amt	FTE
<b>Non-Athletic</b>					
Taylor	Koban	SMS	Drama Tech	\$800.00	1
<b>Athletic</b>					
Leah	Fiasconaro-Conway	CVHS	Spirit Team - Basketball	\$3,487.99	1
Kyle	Murray	CVHS	Basketball - Girls Varsity Assistant	\$2,790.39	1
Leslie	Foster	SMS	Special Olympics - Winter	\$1,050.60	1
Leslie	Foster	SMS	Special Olympics - Spring	\$1,050.60	1
Jennifer	Greenough	SMS	Special Olympics - Spring	\$1,050.60	1

# November 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					<b>1</b>	<b>2</b> School Board/Budget Work Session @ 8:30 am @ SAU
<b>3</b>	<b>4</b>	<b>5</b> Policy Committee @ 6:00 pm @ SAU  School Board @ 7:00 pm @ SAU	<b>6</b>	<b>7</b> Education Committee @ 5:30 pm @ SAU	<b>8</b>	<b>9</b>
<b>10</b>	<b>11</b> District Closed -- Veteran's Day	<b>12</b> Communication Committee @ 5:15 p.m. @ SAU  Budget & Property Committee @ 6:00 pm @ SAU	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>
<b>17</b>	<b>18</b>	<b>19</b> Policy Committee @ 6:00 pm @ SAU  School Board @ 7:00 pm @ SAU	<b>20</b>	<b>21</b> Education Committee @ 5:30 pm @ SAU  Selectmen's Advisory Committee @ 7:00 pm @ SAU	<b>22</b>	<b>23</b>
<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b> District Closed - Thanksgiving	<b>28</b> District Closed - Thanksgiving	<b>29</b> District Closed - Thanksgiving	<b>30</b>

# December 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<b>1</b>	<b>2</b>	<b>3</b> Policy Committee @ 6:00 pm @ SAU School Board Mtg. @ 7:00 pm @ SAU	<b>4</b>	<b>5</b> Education Committee @ 5:30 pm @ SAU	<b>6</b>	<b>7</b>
<b>8</b>	<b>9</b>	<b>10</b> Communication Committee @ 5:15 pm @ SAU Budget & Property Committee @ 6:00 pm @ SAU	<b>11</b>	<b>12</b> Budget & Property Committee @ 5:30 pm @ SAU	<b>13</b>	<b>14</b>
<b>15</b>	<b>16</b>	<b>17</b> Policy Committee @ 6:00 pm @ SAU School Board Mtg. @ 7:00 pm @ SAU	<b>18</b>	<b>19</b> Education Committee @ 5:30 pm @ SAU Selectmen's Advisory Committee Mtg. @ 7:00 pm @ SAU	<b>20</b>	<b>21</b>
<b>22</b>	<b>23</b>	<b>24</b> District Closed	<b>25</b> District Closed	<b>26</b> District Closed	<b>27</b>	<b>28</b>
<b>29</b>	<b>30</b>	<b>31</b> District Closed				

## **EBBD – Indoor Air Quality**

In order to ensure that all school buildings have adequate indoor air quality, the Board directs the Superintendent to address methods of minimizing or eliminating emissions from buses, cars, delivery vehicles, and other motorized vehicles. The Superintendent may delegate the implementation of these methods to the Facilities Director. The Board encourages the Superintendent to utilize methods and recommendations established by various State agencies.

In addition to addressing methods eliminating emissions, the Facilities Director is directed to annually investigate air quality in school buildings using a checklist provided by the New Hampshire Department of Education.

In support of this policy, the Superintendent is authorized to establish regulations and/or administrative rules necessary to implement anti-idling and clear air measures aimed at improving indoor air quality.

### **Legal References:**

*RSA 200:11-a, Investigation of Air Quality*

*RSA 200:48, Air Quality in Schools*

*NH Code of Administrative Rules, Section Ed. 306.04(a)(24), Air Quality in School Buildings*

*NH Code of Administrative Rules, Section 306.07(a)(4), School Facilities*

***Category: Priority/Required by Law***

**1st Reading: November 5, 2019**

**2nd Reading: November 19, 2019**

**Adoption:**

## JLF: Reporting Child Abuse

Each school employee, designated volunteer, or contracted service provider having reason to suspect that a child is being or has been abused or neglected, shall immediately report (or have the Principal or designee report) his/her suspicions to the Division for Children, Youth, and Families (DCYF) Central Intake Unit, and the Building Principal or designee. Reporting to the Principal, etc., will not cause any undue delay (measured in minutes) of the required reports to DCYF/law enforcement.

**To report child abuse or neglect to DCYF, call 24/7 (800) 894-5533 (in state) or (603) 271-6562. In cases of current emergency or imminent danger, call 911.**

After business hours, if the employee believes the child is in imminent danger, a call must be made to the local police department. New Hampshire state law, RSA 169-C, the Child Protection Act, states that any person who has reason to suspect that a child under the age of 18 has been abused and/or neglected, must make a report to the Division of Children, Youth, and Families. RSA 169-C:30 requires an oral report to be made immediately and permits DCYF to request a written report within 48 hours.

Staff training is required on an annual basis on how to identify and report suspected child abuse and neglect.

### **Legal References:**

*NH Code of Administrative Rules, Section Ed 306.04(a)(10), Reporting of Suspected Abuse or Neglect*

*NH Code of Administrative Rules, Code of Conduct for NH Educators, Ed 510.05(e), Duty to Report*

*RSA 169-C:29, Persons Required to Report*

*RSA 169-C:30, Nature and Content of Report*

*RSA 169-C:31, Immunity from Liability*

*RSA 169-C:34, III, Duties of the Department of Health and Human Services*

**Category: Priority Policy - Required by Law**

**Related Policies:** GBEB, IJOC, JICK

**1<sup>st</sup> Reading: November 5, 2019**

**2<sup>nd</sup> Reading: November 19, 2019**

**Adopted:**

## GBEA – Staff Ethics

All employees of the District are expected to maintain high standards in their conduct both on and off duty. District employees are responsible for providing leadership in the school and community. This responsibility requires the employee to maintain standards of exemplary conduct. To these ends, the Board adopts the following statements of standards. District employees will adhere to the standards enunciated in this Policy in the decision-making process involving their interactions with students, the school community, colleagues, parents and the public.

### A. Adoption and Incorporation of Standards of Code of Ethics for New Hampshire Educators.

The Board incorporates by reference and adopts as independent ethical standards relative to employment in the District, the provisions of the New Hampshire Code of Ethics for New Hampshire Educators (the "NH Code of Ethics"), as the same may be amended by the State from time to time.

### B. Additional Ethical Standards.

In addition to the ethical standards set forth in the New Hampshire Code of Ethics, and without limiting the application thereof to District employment, employees will:

- Make the wellbeing of students the fundamental value of all decision-making and actions.
- ~~Staff members shall~~ Maintain a reasonable standard of care for the supervision, control and protection of students commensurate with their assigned duties and responsibilities.
- Maintain just, courteous, and proper relationships with students, parents, staff members, and others.
- Fulfill their job responsibilities with honesty and integrity.
- ~~Direct any criticism of other staff members toward improving the District. Such constructive criticism is to be made directly to the building administrator.~~
- Obey all local, state, and national laws.
- Obey and implement the School Board's policies, administrative rules and regulations.
- Avoid using position for personal gain through political, social, religious, economic, or other influence.
- Maintain the standards and seek to improve the effectiveness of the profession through research and continuing professional development.
- Honor all contracts until fulfillment or release.
- Maintain all privacy and confidentiality standards as required by law.
- Exhibit professional conduct both on and off duty.

### C. Dissemination.

The content of this policy should be included in every employee/staff member handbook, and/or otherwise provided annually to each employee, designated volunteer, and contracted party.

## GBEA – Staff Ethics

### **Legal References:**

*N.H. Dept. of Education Administrative Rule – Ed 303.01*

*N.H. Dept. of Education Administrative Rule – Ed 510.01- 510.05, Code of Conduct for NH Educators*

*N.H. Dept of Education, Code of Ethics for NH Educators*

### ***Related Policies: GBEAB, GBEB, & GBEBB***

**1<sup>st</sup> Reading: November 19, 2019**

**2<sup>nd</sup> Reading:**

**Adoption:**

## GBEB – Staff Conduct

### A. General Provisions.

All employees have the responsibility to make themselves familiar with, and abide by, the laws of the State of New Hampshire as they affect their work, all policies and decisions of the Board, and the administrative regulations and directives designed to implement them.

All employees shall be expected to carry out their assigned duties, support and enforce Board policies and administrative regulations, submit required reports, protect District property, and where applicable, provide oversight of students and contribute to the education and development of the District's students.

Employees are advised that failure to abide by this and other school board policies can lead to disciplinary action, up to and including dismissal, and can result in non-renewal. Any action taken regarding an employee's employment with the District will be consistent with all rules, laws, and collective bargaining agreements, if applicable.

### B. Adoption and Incorporation of Standards of Code of Conduct for New Hampshire Educators.

The Board incorporates by reference, and adopts as independent standards of conduct relative to employment in the District, the provisions of the New Hampshire Code of Conduct for New Hampshire Educators (Ed 510.01-510.05) (the "NH Code of Conduct"), as the same may be amended by the State from time to time. The District reserves the right to take employment action against any employee based upon the District's interpretation of the provisions of the NH Code of Conduct and the District's independent assessment of whether an employee has violated said provisions. The District's interpretation, assessment and/or action thereon, are independent of any interpretation by the New Hampshire Department of Education ("DOE") with respect to those standards, and irrespective of any investigation by or action taken by the DOE relative to a District employee's conduct.

### C. Dissemination.

The content or a copy of this policy should be included in every employee/staff member handbook, and/or otherwise provided annually to each employee, designated volunteer, and contracted party.

#### Legal References:

*N.H. Dept. of Education Administrative Rule – Ed 303.01*

*N.H. Dept. of Education Administrative Rule – Ed 510.01- 510.05, Code of Conduct for NH Educators*

*NH Code of Administrative Rules, Section Ed 511, Denial, Suspension or Revocation of Certified Personnel*

*N.H. Dept of Education, Code of Ethics for NH Educators*

*RSA 189:13, Dismissal of Teacher*

*RSA 189:14-a, Failure to be Renominated or Reelected*

*RSA 189:14-d, Termination of Employment*

**Category: Recommended**

**Related Policies: GBEA, GBEAB & GBEBB**

**1<sup>st</sup> Reading: November 19, 2019**

**2<sup>nd</sup> Reading:**

**Adoption:**

## **JFABD: Education of Homeless Children and Unaccompanied Youth**

It is the Board's intent to remove barriers to the identification, enrollment and retention in schools of homeless children and youth. All staff shall take reasonable steps to ensure that homeless students and children are not segregated or stigmatized and that educational decisions are made in the best interests of those students.

### **A. Homeless Students**

Under the federal McKinney-Vento Homeless Assistance Act ("McKinney-Vento"), and guidance provided by the New Hampshire Department of Education ("NHDOE"), the term "homeless children and youths" means "individuals who lack a fixed, regular and adequate nighttime residence." Under both section 752(2) of McKinney-Vento and the NHDOE guidance\*, the term includes children and youth who are:

1. sharing the housing of other persons due to loss of housing, economic hardship or a similar reason;
2. living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations;
3. living in emergency or transitional shelters;
4. abandoned in hospitals;
5. have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
6. living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
7. are migratory children who qualify as homeless because they are living in circumstances described above.

Additionally, as used in this policy, the terms "unaccompanied youth," "school of origin," "enrollment," and "attendance area school" shall have the same meanings as set forth in the McKinney-Vento Homeless Assistance Act ("McKinney-Vento") and guidance provided by the New Hampshire Department of Education ("NHDOE"). For purposes of this policy and its accompanying regulation, "homeless students" shall refer to and include "homeless children and youth" and "unaccompanied youth."

\*Note: under RSA 193:12, IV, the definition of "homeless children and youth" also includes children "awaiting foster care placement", see RSA 193:12, IV (a). That criterion, however, was removed from McKinney-Vento in 2015 as well as NHDOE guidance documents regarding McKinney-Vento. Under both McKinney-Vento, and NHDOE guidance, children who are awaiting foster care may fall within the definition of a homeless student if they meet other criteria as set forth above. See also Policy *JFABE*.

Each homeless student shall have access to and shall be provided education services for which the student is eligible comparable to services provided to other students in the school, including career and technical education programs, gifted education programs, and school nutrition programs. Transportation services for homeless students shall be provided in accordance with applicable law and as generally described below.

# **JFABD: Education of Homeless Children and Unaccompanied Youth**

## **B. Enrollment and School Stability**

Enrollment of a homeless student shall be immediate even if the homeless student lacks records routinely required prior to enrollment or has missed application or enrollment deadlines (academic, immunization, etc.). The District shall make arrangements to obtain any necessary records and to have the student receive any necessary immunizations. When feasible, the District shall seek immunization through no- or low-cost health care providers. If an expense is incurred, the District shall seek reimbursement through Medicaid if possible.

If a homeless student becomes permanently housed during the school year, the student shall no longer be considered homeless and may only continue enrollment in the District for the remainder of that school year.

## **C. Homeless Liaison**

The Superintendent shall appoint a staff member to serve as the local liaison for homeless students and their families/guardians (the "Homeless Liaison" or the "District Homeless Liaison"). The District shall provide training and other technical assistance to Homeless Liaison and other appropriate District staff regarding the District's obligations to homeless students. Duties of the District Homeless Liaison shall be as provided in state and federal law, as well as local policies and procedures. The duties shall include, among others: procedures for identification, enrollment, transportation, dispute resolution for homeless students, as well as direct assistance shall be made in accordance with the accompanying regulation and applicable law.

Among other things, the District Homeless Liaison shall:

- a) assist in requesting the student's records;
- b) mediate and assist with disputes concerning school enrollment and homelessness determinations;
- c) assist in making transportation arrangements;
- d) ensure that homeless students receive the educational services for which they are eligible or entitled;
- e) coordinate with other Districts, entities, institutions and agencies to help assure that homeless children and youths are identified by school personnel;
- f) ensure that unaccompanied youth and/or parents of homeless students are informed of the educational and related opportunities available to homeless students;
- g) work to assure that parents/guardians of such students are provided with opportunities to participate in the education of their children (excepting instances when court or other protective orders indicate otherwise);
- h) ensure that unaccompanied youth and/or parents of homeless students are informed of all transportation services including transportation to the school of origin;
- i) assure that notice is publicly disseminated of the educational rights of homeless children and youths;

## **JFABD: Education of Homeless Children and Unaccompanied Youth**

- j) coordinate with other Districts and with local social services agencies and other agencies or programs providing services to homeless students as needed;
- k) assist any unaccompanied youth with enrollment, credit accrual, and career and college readiness decisions;
- l) work with the Superintendent or designee to monitor regulations and guidance related to this policy that may be issued by applicable state and federal agencies (e.g., DCYF, NHDOE, and the U.S. Department of Education).

### **D. Enrollment Determinations for Homeless Students**

Enrollment determinations shall be based upon the best interests of the homeless student, with the presumption that keeping the homeless student in the school of origin is in the homeless student's best interests, except when doing so is contrary to the request of the parent/guardian, or if applicable, unaccompanied youth.

### **E. Transportation of Homeless Students**

Under McKinney-Vento, homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the homeless student is located outside of District boundaries but a determination has been made that the student shall remain in the school of origin within the District, or, if a homeless student is located within this District, but a determination had been made that the student shall remain in the school of origin outside of the District, then the two Districts shall agree on a method to apportion cost and responsibility for the student's transportation or share the cost and responsibility equally.

### **F. Dispute Resolution**

For any decision in the enrollment process of a homeless student, including any determination whether a living situation meets the definition of homeless, if the decision is in conflict with the wishes of the homeless student's parent/guardian, or, if applicable, the unaccompanied youth, the District shall provide a written explanation, in a manner and form understandable to the student's parent, guardian or unaccompanied youth. District personnel receiving enrollment requests or information pertaining to homeless students should immediately refer those request to the District Homeless Liaison and Superintendent's office.

In the event of a dispute, the District shall immediately enroll the student in the school in which the parent/guardian or unaccompanied youth seeks to enroll, which enrollment shall continue pending resolution of the dispute. Additionally, while enrollment disputes are pending, students have the right to participate fully in school and receive all services for which they would be eligible, as the definition of enrollment includes "attending classes and participating fully in school activities."

#### **1. Notification of Appeal Process**

If the District seeks to place a homeless child in a school other than the school of origin or the school requested by the parent, or the District has determined that the living situation does not qualify as homeless ("eligibility decision"), the District shall inform the parent or the

## **JFABD: Education of Homeless Children and Unaccompanied Youth**

unaccompanied youth of the right to appeal. The District shall provide the parent or unaccompanied youth with written notice including:

- a. A succinct explanation of the child's placement/eligibility decision and contact information for the District Homeless Liaison, as well as the NHDOE State Coordinator for Education of Homeless Children and Youth;
- b. Notification of the parent's right to appeal(s);
- c. Notification of the right to enroll in the school of choice pending resolution of the dispute;
- d. A description of the dispute resolution process including a petition/appeal form that can be returned to the school to initiate the process and timelines; and
- e. A summary of the McKinney-Vento Act.

While the Superintendent or Homeless Liaison may prepare and make available forms for the process, use of such forms is not required to initiate the appeal process.

### **2. Appeal to the District Homeless Liaison – Level I**

- a. If the parent or unaccompanied youth disagrees with the District's placement decision, he/she/they may appeal by filing a written request for dispute resolution/appeal ("appeal") with the school, the District Homeless Liaison, or Superintendent. The request for dispute resolution should be submitted within fifteen business days of receiving notification of the District's placement.
- b. If the appeal/request for dispute resolution is submitted to the school or Superintendent, it will be immediately forwarded to the Homeless Liaison.
- c. The District Homeless Liaison must log the complaint including a brief description of the situation and reason for the dispute and the date and time of the appeal was filed. Upon receipt, the District Homeless Liaison will forward a copy of the appeal document to the Superintendent.
- d. Within five business days of the receiving the appeal, the Homeless Liaison must provide the parent or unaccompanied youth with a written decision and notification of the parent's right to further appeal, with a copy to the Superintendent. At this time, the Homeless Liaison will also provide to the parent or unaccompanied youth an "appeals package" consisting of a copy of the written decision, a copy of the original appeal document, and copies of any additional materials provided to the Homeless Liaison by the parent or unaccompanied youth.

### **3. Appeal to the Superintendent – Level II**

The parent or unaccompanied youth may appeal the Level I decision to the Superintendent or the Superintendent's designee, using the appeals package provided at Level I.

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- a. The Superintendent/designee will arrange for a personal conference to be held with the parent or unaccompanied youth within five business days of receiving the Level I appeals package. (Upon the request of the parent or unaccompanied youth, this conference may be held telephonically).
- b. Within five business days of the conference with the parent or unaccompanied youth, the Superintendent/designee will provide that individual with a written decision with supporting evidence and notification of their right to appeal to NHDOE.
- c. The Superintendent/designee shall provide a copy of the Superintendent's decision to the District's Homeless Liaison, as well as the NHDOE State Coordinator for Education of Homeless Children and Youth.

### **G. Records**

The District shall maintain copies of all written decisions, appeals and notifications concerning eligibility or enrollment requests made under this policy for the same period as it does for Title I records.

### **Legal References:**

*20 U.S.C. 1232g (Family Educational Rights and Privacy Act – "FERPA")*

*20 U.S.C. 1701-1758 (Equal Educational Opportunities Act of 1974 – "EEOA")*

*20 U.S.C. 6313(c)(3) (reservation of Title I funding for homeless children and youths)*

*42 U.S.C. §11431 and §11432 (McKinney-Vento Homeless Assistance Act – Education for Homeless Children and Youth)*

*Plyler v. Doe, 457 U.S. 202 (1982)*

*RSA 193:12, Legal Residence Required*

*NH Code of Administrative Rules, Section Ed 306.04(a)(19), Homeless Students*

**Category: Priority/Required by Law**

**Related Policies: EEA, JFA, JFAA, & JFABE**

**1<sup>st</sup> Reading: November 19, 2019**

**2<sup>nd</sup> Reading:**

**Adoption:**

## **JFABE – Education of Children in Foster Care**

It is the ConVal School Board's intent to remove barriers to the identification, enrollment and retention in school of children who are in foster care. All staff shall take reasonable steps to ensure that children in foster care are not segregated or stigmatized and that educational decisions are made in the best interests of those students.

### **A. Definition.**

Under guidance issued jointly by NHDOE and the N.H. Department of Health and Human Services, and for the purposes of this Policy, "foster care" shall mean "24 hour substitute care for children placed away from their parents or guardians for whom the child welfare agency has placement and care responsibility. This includes children in foster family homes, shelters, relative foster homes, group homes and residential facilities, regardless of whether the foster care facility is licensed or whether payments are made by the state." To the extent required under applicable law, a child in foster care under this policy also includes children whom an appropriate child welfare agency indicates are awaiting a foster care placement. (Note: children awaiting foster care may also qualify as homeless under policy JFAB.)

The District shall coordinate with other districts and with local child welfare agencies and other agencies or programs providing services to students in foster care as needed. The coordination requirements apply to both situations (i) when a student who is a resident of the District is placed in foster care in another district, or (ii) when a student residing in another district is placed foster care in a home within this District.

The Superintendent is responsible for providing any required assurances to applicable state and federal agencies that the District is complying with applicable requirements related to ensuring the educational stability of children in foster care; and for reasonably monitoring compliance with such assurances. In doing such, the Superintendent is entitled to reasonably rely upon the information and assurances provided to her/him by District staff, including the District's "Foster Care POC."

### **B. District Point of Contact with Child Welfare Agencies.**

The Superintendent shall designate a staff member to serve as the District's point of contact (the "Foster Care POC") between the New Hampshire Division of Children, Youth and Families ("DCYF"), NHDOE, other districts, and other child welfare agencies. The main duty of the Foster Care POC is to facilitate the prompt and appropriate placement, transfer, and enrollment of students in foster care, pursuant to applicable state and federal statutes, regulations and guidance. Additionally, the Foster Care POC shall work with the Superintendent or designee to monitor regulations and guidance related to this policy that may be issued by applicable state and federal agencies (e.g., DCYF, NHDOE, and the U.S. Department of Education).

The District shall provide training opportunities and other technical assistance to the Foster Care POC and other appropriate district staff regarding the District's obligations to students in foster care.

### **C. Best Interest Enrollment Determinations, Disputes and Enrollment.**

Generally, a student in foster care will remain in his/her school of origin, unless there is a determination that it is not in the student's best interest. The Foster Care POC shall assist DCYF or any other child welfare agency to make a "best interest determination" education decision, particularly the determination of whether or not it is in the best interest of the student in foster care to

## JFABE – Education of Children in Foster Care

remain in his/her school of origin or to enroll in a new school. Unless local procedures are established in accordance with state and federal law, the District will use the model procedures prepared jointly by the NHDOE and DCYF.

If the determination is that the best interests of a child is not to remain in the school of origin, and instead placed within a new school within this District, the child in foster care shall be immediately enrolled in the new school ("receiving school"), even if any documents or records otherwise required for enrollment are not immediately available.

If there are disputes regarding a determination regarding the best interest determination for a child in foster care, it is expected that DCYF and the separate school districts, both sending and receiving, will work collaboratively at the local level to resolve the issue. Should there be no resolution, RSA 193.12, V-b, requires the Department of Health and Human Services to request in writing that the two Superintendents involved resolve the dispute. If the residency dispute remains unresolved after 10 days after such request, the Department of Health and Human Services shall request that the Commissioner of the Department of Education determine the residence of the child for purposes of school enrollment.

If a school within the District is a receiving school, such receiving school shall accept the student's certified coursework as if it had been completed at the receiving school. To the extent such coursework is not aligned with the curriculum, the awarded credit may be elective, but it must be counted toward required credits for advancement or graduation.

### **D. Transportation.**

When the District is notified that a student in foster care needs, or may need, transportation to a District school, the Foster Care POC will take steps to establish an individualized plan that addresses transportation to maintain the student in his/her school of origin will be arranged, provided and funded for the duration of time that the student in foster care is attending his/her school of origin.

In establishing such a plan, the Foster Care POC and other district staff shall follow any existing transportation procedures, systems-level plan or agreement that the District, acting in collaboration with DCYF and/or other departments of human services, has adopted or otherwise expressly agreed to implement for the cost-effective transportation of the student. Out of District transportation of children in foster care shall be provided in accordance with DCYF's or other child welfare agency's authority to use child welfare funding for school of origin transportation.

If there are disputes regarding the provision or funding of transportation, the school district foster care point of contact and child welfare agency representative will contact their respective Supervisor and Superintendent of the school to resolve the dispute. To the extent feasible and appropriate, the school districts involved should ensure that a child remains in his or her school of origin while the disputes are being resolved to minimize disruptions and reduce school transitions.

### **Legal References:**

-20 U.S.C. 1232g (*Family Educational Rights and Privacy Act – "FERPA"*)

-20 U.S.C. 1701-1758 (*Equal Educational Opportunities Act of 1974 – "EEOA"*)

-20 U.S.C. 6311 (g)(1)(E) and 6312(c)(5) (*provisions in ESSA regarding obligations to students in foster care*)

## **JFABE – Education of Children in Foster Care**

*-42 U.S.C. 671 (a)(10) and 675 (1)(G) (child welfare agency requirements related to supporting normalcy for children in foster care and ensuring educational stability of children in foster care)*

*-42 U.S.C. §11431 and §11432 (McKinney-Vento Homeless Assistance Act – Education for Homeless Children and Youth)*

*-Public Law 110-351, The Fostering Connections to Success and Increasing Adoptions Act of 2008*

*-34 C.F.R. 200.30 (f)(1)(iii) (ESSA's definition of "foster care")*

*-Plyler v. Doe, 457 U.S. 202 (1982)*

*-RSA 193:12, Legal Residence Required*

*-"N.H. Guidance on ESSA and Foster Care to Ensure that the Educational Needs of Children and Youth in Foster Care are Being Addressed", January 2017, NHDOE and NHDHHS*

*"Non-Regulatory Guidance: Ensuring Educational Stability for Children in Foster Care," U.S. Department of Education and US Department of Health and Human Services, June 23, 2016*

**Category: Recommended**

**Related Policies: EEA, JFA, ~~JFAA~~, & JFABD**

**1<sup>st</sup> Reading: November 19, 2019**

**2<sup>nd</sup> Reading:**

**Adoption:**

## **EHB – Data/Records Retention**

The Superintendent shall develop procedures for a records retention system that is in compliance with RSA 189:29-a and Department of Education regulations, and also addresses retention/destruction of all other records which are not subject to specific statutes or regulations. The procedures should ensure that all pertinent records are stored safely and are stored for such durations as are required by law. The Superintendent shall develop procedures necessary to protect individual rights and preserve confidential information.

This policy shall apply to all district records, irrespective of the specific medium of the record, i.e., paper, electronic, digital, cloud, or other media.

### **A. Special Education Records**

1. Upon a student's graduation from high school, his or her parent(s)/guardian(s) may request in writing that the District destroy the student's special education records, including any final individualized education program.
2. The parent(s)/guardian(s), or adult student who has graduated or is over the age of 21, may, at any time prior to the student's twenty-sixth birthday, request, in writing, that the records be retained until the student's thirtieth birthday.
3. Absent any request by a student's parents or adult student who has graduated or is over the age of 21, to destroy the records prior to the twenty-sixth birthday, or to retain such records until the student's thirtieth birthday, the District shall destroy a student's records and final individualized education program within a reasonable time after the student's twenty-sixth birthday, provided that all such records be destroyed by the student's thirtieth birthday.
4. A permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation. 34 CFR 300.624.
5. The District shall provide parents/guardians, or where applicable, the adult student, with a written notice of the District's document destruction policies upon the student's graduation with a regular high school diploma or at the transfer of parental rights to the adult student, whichever occurs first.
6. The District shall provide public notice of its document destruction policy at least annually. The method of destruction for digital, electronic, and cloud-based records shall be thorough enough to ensure that they are deleted and no longer accessible.

### **B. Litigation Hold**

On receipt of notice from legal counsel representing the District that a litigation hold is required, the routine destruction of governmental records, including paper and electronic or digital records, which are or may be subject to the litigation hold shall cease. All third-party letters and notices requesting a litigation hold shall promptly be forwarded to legal counsel for the District, and routine destruction of potentially relevant records shall be suspended pending advice of counsel.

## **EHB – Data/Records Retention**

The destruction of records subject to a litigation hold shall not resume until the District has received a written directive from legal counsel authorizing resumption of the routine destruction of those records in accordance with the retention requirements of this policy and the associated procedures.

### **C. Right-to-Know Request Hold**

On receipt of a Right-to-Know law request to inspect or copy governmental records, the Superintendent shall cease any destruction of governmental records which are or may be the subject of the request. The records shall be retained regardless of whether they are subject to disclosure under RSA Chapter 91-A, the Right-to-Know law. If a request for inspection is denied on the grounds that the information is exempt under this chapter, the requested material shall be preserved for no less than ninety (90) days and until any lawsuit pursuant to RSA 91-A:7-8 has been finally resolved, all appeal periods have expired, and a written directive from legal counsel representing the District authorizing destruction of the records has been received.

### **Legal References:**

- *RSA 91-A, Right to Know Law*
- *RSA 189-C:10-a Retention of Individualized Education Programs*
- *RSA 189:29-a, Records Retention and Disposition*
- *NH Code of Administrative Rules, Section Ed 306.04(a)(4), Records Retention*
- *NH Code of Administrative Rules, Section Ed 306.04(h), Records Retention*
- *NH Code of Administrative Rules, Section Ed. 1119.01, Confidentiality Requirements*
- *20 U.S.C. 1232g, Family Educational Rights and Privacy Act (FERPA)*

**Category: *Priority - Required by Law***

**Related Policies: *EH, EHAB, JRA, & JBJ***

**See also: *EHB-R (Records Retention Schedule)***

**1<sup>st</sup> Reading: November 19, 2019**

**2<sup>nd</sup> Reading:**

**Adoption:**