

**OFFICE OF THE SUPERINTENDENT OF SCHOOLS  
106 Hancock Road  
Peterborough, New Hampshire**

**CONTOOCOOK VALLEY SCHOOL BOARD**

**Policy Committee**

**Tuesday, October 20, 2020  
5:00 p.m.**

**Physical Location:** ConVal High School Library

**Virtual Location:**

<https://us02web.zoom.us/j/81551068913?pwd=b3VkZTdMzkRob01Zek1NREtsdXZHZz09>

Meeting ID: **815 5106 8913**

Passcode: **TcZm1G**

Phone: +1 312 626 6799 US

Meeting ID: **815 5106 8913**

Password: **140060**

**Minutes**

**School Board Committee Members:**

- Katherine Heck
- Janine Lesser
- Kevin Pobst
- Tim Theberge
- Stephen Ullman

**Present:** Janine Lesser, Katherine Heck (5:07 pm), Kevin Pobst, Tim Theberge, Dr. Kimberly Saunders, Dr. Ann Forrest

**1. Call Meeting to Order**

**Janine Lesser called the meeting to order at 5:05 p.m.**

**2. Approval of minutes from 10/8/20**

**Tim Theberge moved to approve the minutes of October 8, 2020. Kevin Pobst second. Unanimous.**

**3. Review of 10/8/20 Title IX proposed framework policies i.e. the "working" policies:**

**a. AC**

Tim Theberge shared language updates. The Note: "If the Human Rights Officer..." was removed. Under "Complaint and Reporting Procedures" and further under 1. and 2., the word "by" preceding employees and also students will be replaced with the word "involving".

Kevin Pobst noted the absence of training in this policy. He suggested using language from JICK in this policy. Tim asked if it (training) is a requirement. Other policies that require training could be listed as well. Kimberly Saunders shared concern about efficiency. She suggested a subcommittee.

Kevin Pobst suggested that JBAA and GBAA designate the Superintendent. Janine Lesser said that policies AC and ACAC need completion first.

**b. ACAC**

Janine Lesser noted areas in the New Hampshire School Board Association (NHSBA) Policy where ConVal would have to insert language preferred. Discussion took place about who the designee would be for certain situations.

This policy will move to legal for review.

**c. GBAA**

**d. JBAA**

Janine Lesser said that policies GBAA and JBAA will be put aside until ACAC is completed.

Kevin Pobst said that they are not meant to be coordinated. They are meant to be either/or. Janine Lesser said that if there were a complaint, identification would need to be determined if it met the Title IX criteria to move on. The terminology should be consistent. Kevin Pobst said that the presumption is that everything starts as though it might be Title IX unless it doesn't meet the standards. Others agreed. Kevin shared concern with the three criteria required to qualify. The word "or" after two is absent from 1. Tim Theberge said that it is an implied "or". In Policy AC, there is no "or" at all, it is all "and". It should be collective or exclusive. In JBAA, the word "or" is missing. Language matching the designee should be adjusted. Janine lesser said that the language should coordinate and not necessarily match. Kevin Pobst said that the investigative procedures will be different. The definition will be different.

e. KED

Kevin Pobst said that this policy should have different procedures and it does. He said that the titles should match i.e. Civil Rights Coordinator, Title IX Coordinator. Katherine Heck said that Civil Rights falls under Section 504 of Rehabilitation Act. This policy needs no further work or approval. Ann Forrest noted a conflict between this policy and ACE. In practice, working through the process brought this to light. She suggested reviewing policy ACE as well while the conversation is fresh.

f. JICK

The ConVal and NHSBA policies are significantly different. Katherine Heck noted that the statute is clear that annual training is required. The NHSBA has a reference to social media. It was suggested that both policies should be put side-by-side for comparison purposes. Kevin Pobst said that he would be happy to compare. RSA 189.70 is not in the ConVal policy. Kimberly said that she is unsure why NHSBA included this RSA. Katherine Heck said that it talks about giving social media logins and passwords to the district vs. cyberbullying and the issues surrounding social media. They might not be in conflict. Nothing in the policy informs that login and password information cannot be asked. It adds a layer of legal protection. The legal reference will be added and reposted. No need for a board vote of adoption. The NHSBA Note, September 2014 will not be included in the ConVal policy. Discussion took place about rights to appeal. Ed 200 says that dispute resolution should be present. RSA 541-A was also cited in the NHSBA Policy. Kimberly Saunders said that there is often an overreach in NHSBA Policy where it is not dictated in law. Anything that happens at the school level is appealable to the School Board. In addition, it can be appealed to the State Board. If we included these pieces in the policy, we would give appeal rights on manifestation hardship that were not required by law. If we put these in policy, we may be giving people rights that don't actually exist in law. Unless 193 says that a reference to the appeals process should be added, it should not be added.

**4. Review:**

- a. EBCG
- b. EHAC

**5. Adjourn**

**Tim Theberge motioned to adjourn at 6:05 p.m. Katherine Heck second. Unanimous.**

Respectfully submitted,

Brenda Marschok