

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

CONTOOCOOK VALLEY SCHOOL BOARD

Policy Committee

Tuesday, March 16, 2021  
5:00 p.m.

Physical Location: SAU #1, Board Room  
106 Hancock Road, Peterborough, NH

Virtual Location:

<https://us02web.zoom.us/j/83120025698?pwd=bVlxNWo3b2FXUFp3alYyckx3Z3VnZz09>

Meeting ID: **831 2002 5698**

Passcode: **AHS8gs**

Phone: +1 312 626 6799 US

Meeting ID: **831 2002 5698**

Password: **178363**

Minutes

**School Board Committee Members:**

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

1. Call to order
2. Approval of the minutes from March 2, 2021 (pg. 1-2)
3. Any available updates on EBCG-Communicable & Infectious Disease; JLCG-Exclusion of Students; EBCF-Pandemic/Epidemic Emergencies; JLCE-First Aid & Emergency Care; DM-Cash in School Buildings; DN-Equipment & Supplies
4. School Board Policies and Administration (pg. 3-4)
5. Title IX discussion
6. Committee Assignment Policy (pg. 5-7)
7. Superintendent Evaluation Policy Development Discussion
8. DIA-Reserved Fund Balance (pg. 8-11)
9. Adjourn

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Policy Committee

Tuesday, March 2, 2021  
5:00 p.m.

Physical Location: SAU #1, Board Room  
106 Hancock Road, Peterborough, NH

**Virtual Location:**

<https://us02web.zoom.us/j/84915721864?pwd=Y2FXSWs5OXFVlQ0b2hxUkF2R013UT09>

Meeting ID: **849 1572 1864**

Passcode: **JAG2X3**

Phone: +1 312 626 6799 US

Meeting ID: **849 1572 1864**

Password: **456593**

Minutes

**School Board Committee Members:**

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

**Present:** Janine Lesser, Katherine Heck, Kevin Pobst, Tim Theberge, Stephen Ullman, Dr. Kimberly Saunders, Dr. Ann Forrest, Lori Schmidt

**1. Call to order**

Janine Lesser called the meeting to order at 5:04 p.m.

**2. Acceptance of the minutes from February 16, 2021**

Stephen Ullman moved to approve the minutes of February 16, 2021. Katherine Heck second. Unanimous.

**3. Report on any updates: Legal for Title IX policy set, EHAC Electronic & Digital Records Signature; Administrative review for EBCG-Pandemic/Epidemic Emergencies, JLCG-Exclusion of Students, JLCE-First Aid & Emergency Care; DM-Cash in School Buildings, DN-Equipment & Supplies**

Nothing new was reported on the status of the above policies.

**4. Revisit BEDH-Public Participation (Tim's reformulation of ConVal version)**

Discussion took place about two periods of public comment on School Board agendas; the first can be on topics on or off the agenda, the second period is designated for items on the agenda. Each person is allowed two minutes to speak, unless voted to extend.

Why can't the second public comment session be for any topic? The agenda is designed to streamline the meeting. Kevin Pobst said that if one sat through the meeting, they might have something to say that is non-agenda related. Katherine Heck said that she would like it to be general for both public comment sections whether the topic is on the agenda or not. It is important for citizen participation.

Stephen Ullman said that offering two public comment sessions is generous. He favored one being limited to agenda items only. During the second session, if limited to the agenda, the opportunity for an explanation from the board or administration might be allowed. He shared his concern for the length of meetings.

Kimberly Saunders said that her role is to provide insight of previous boards work. There is no reason why there can only be one comment session. The second was added to allow additional comment.

The School Board meeting is a business meeting, which is part of the reason why public comment were held to two minutes and agenda related.

Tim Theberge favored keeping it as drafted and outreaching to the community to encourage input.

Katherine Heck said that there is a trend to allow public comment and allow citizens to participate in hearings and meetings because it leads to more trust and overall satisfaction.

Tim Theberge said that we could go with the open approach and ramp it back if the board finds it problematic.

Therefore, both public comment sessions will be open to comments on any topic, not only related to the agenda.

Stephen Ullman agreed, adding that the two-minute limit should remain.

The committee agreed to leave it at two open topic public comment sessions.

#### **5. Revisit KE-Public Complaints**

Pulling Policy KE from New Hampshire School Board Association was discussed.

Kevin Pobst suggested the title be changed to Complaints from the Public.

Simply titling it "Complaints" was also suggested.

Kimberly Saunders shared concern with the various complaint topics outlined. Certain complaints should not go directly to the board.

The word "complaint" is the germane term. The chain of command does need to be followed.

Under item 3, considering rather than hearing a complaint is preferred.

Discussion ensued.

Attaching the communication was suggested.

Janine Lesser said that she wasn't all in on attaching it.

Dr. Forrest noted several changes for suggestion; omitting the "or" in item 1 and also eliminating the second sentence.

#### **6. Review proposed new Board member materials**

"Operating Procedures" under the School Board shared drive is where this manual sits.

A final review of the manual will take place and sent to the incoming Board Chair.

This too, can go on the agenda for March 16<sup>th</sup>.

It will be sent to the entire board – letter to board members.

#### **7. BDE – Committees and School Board Member Special-Duty Assignments**

Kevin Pobst said that he would like this to be made a policy.

Janine Lesser said that this should be given a closer look.

Kevin Pobst said that this policy allows flexibility.

Janine Lesser shared her concern for not knowing what some of what is stated means.

Committees set goals for their work for the year. Typically, they are aligned to the goals established by the Board.

The majority of the committee was in favor with this committee moving forward for a first read as a new policy.

#### **8. Adjourn**

**Stephen Ullman moved to adjourn at 6:02 p.m. Katherine Heck second. Unanimous.**

Respectfully submitted,

Brenda Marschok

# **BAAA - SCHOOL BOARD POLICIES AND ADMINISTRATIVE PROCEDURES**

## ***Category R***

### **GENERALLY**

The policies of the Board are intended to establish the general and overall rules within which day-to-day operations of the School District are to be governed. Procedures for carrying out and implementing the broad policies of the Board on a day-to-day basis are to be fashioned and adopted by the administration, under the direction of the Superintendent. As applicable, members of the District community are expected to comply with both Board policy and administrative procedures, subject to the limitations and exceptions set forth herein. However, the failure of the Board or the Administration to comply with policy shall not invalidate any lawful action taken.

### **CONTENTS OF BOARD POLICY AND ADMINISTRATIVE PROCEDURE**

The policies of the Board shall be composed of (1) the policies contained in this Policy Manual; (2) the contents of administrative job descriptions adopted by the Board; (3) all formal Student Handbooks; and (4) all formal Employee Handbooks.

Administrative procedure is not part of Board policy and may be altered by the administration without Board action. Administrative procedure, however, may not conflict with Board policy.

### **LIMITATIONS OF POLICY**

Neither the policies of the Board nor the procedures of the administration are intended, nor shall they be construed, to supersede or preempt any applicable laws, whether constitutional, statutory, regulatory, or common in origin. Consequently, all Board policies and administrative procedures shall be given both an interpretation and application which is lawful. The Board shall have the final interpretation of its policies and the administration shall have the final interpretation of its procedures.

As the Board policies and administrative procedures are limited by legal constraints, so too are the rights of those to whom the Board policies and administrative procedures apply. Neither the policies of the Board nor the procedures of the administration are intended to expand the rights of individuals beyond those established by law or to give to any individual a cause of action not independently established in law. Enforcement of Board policy shall rest exclusively with the Board, and enforcement of administrative procedures shall rest exclusively with the administration.

Board policy and administrative procedure shall not preempt, create, supplant, expand or restrict the rights or liabilities of students, employee, taxpayers, or others within the School District beyond those that are established in law and are not intended to restrict or limit students, employees, or other members of the School District community from pursuing any claims or defenses available under law.

### **Exceptions**

Exceptions to any policy or the application of any policy may be made if requested or recommended in accordance with the following procedures:

- a. Any person may request an exception to any Board policy or the application of same by submitting a letter to the Superintendent. The request shall identify: (1) the name, address and telephone number of the person making the request; (2) the policy for which the exception is being requested; (3) the action that the requesting individual desires, and (4) the rationale supporting the need for an exception.
- b. The Superintendent or his/her designee, shall conduct a sufficient investigation of any request for an exception so as to be able to formulate a recommendation for the Board. Among the factors to be evaluated are the relevant facts related to the request, the rationale of both the policy and the request for the exception; and the disposition of prior requests for exceptions to the same or similar policies.

c. Following the Superintendent's investigation, the Superintendent may place the request for exception on the agenda and shall report to the Board the circumstances surrounding the request and his/her recommended disposition. The person requesting the exception shall be notified in advance of this agenda item, and shall be given a reasonable opportunity to address the Board before the Board determines whether to grant the request for an exception.

d. The Board shall have final and exclusive authority to determine whether to grant any request for an exception and shall be the sole judge of whether the rationale for the exception is sufficient, taking into consideration the recommendation of the Superintendent. Moreover, the granting of exceptions in the same or similar cases shall not constitute binding precedent or practice inasmuch as the prior grant of an exception may establish that the granting of an exception is ill-advised.

e. Exceptions to administrative procedure shall be made in accordance with the procedures established by the Superintendent.

Reviewed: February 2004

New policy: October, 1999

(Download policy)

### ***Category R***

The Board may have the following standing committees as deemed necessary:

1. Building and Maintenance
2. Extracurricular
3. Policy
4. Finance/Audit
5. Transportation
6. Negotiations

Standing and special committees and delegations shall be appointed by the Chairperson of the Board and approved by vote of a majority of the Board. Committees will meet as needed on problems pertaining to said committee and will make recommendations for action by the full Board.

Reviewed: February 2004

Revised: July, 1998

## School Board Subcommittees and School Board Member Special-Duty Assignments--Kevin

### School Board Subcommittees

a. Standing Subcommittees Purpose.

The School Board utilizes standing subcommittees to consider issues, proposals, and tasks in a smaller venue to allow members to delve more deeply into issues than may be possible at full School Board meetings. The subcommittee structure is an efficient way of allowing for more thorough consideration of policy proposals, constructing budgets, initiating new programs, reviewing curricular issues, monitoring of progress toward School Board goals, and Board communication. The subcommittees may initiate and investigate any matter within their scope of responsibility and jurisdiction. All recommendations of these subcommittees should represent a majority vote of subcommittee members. No vote or discussion of a standing subcommittee will constitute the establishment of School Board policy unless so authorized by School Board action at a public meeting. Additional subcommittees may be created, or existing subcommittees dissolved, by a vote of the School Board at the annual School Board organizational meeting following the annual School Board election.

The following subcommittees currently exist as part of the governance of the ConVal School Board:

Budget and Property

Education

Policy

Strategic Plan

Communication

Equity

b. Subcommittee Organization.

Each subcommittee should have at least four members. The Chair of the School Board, in consultation with School Board members, makes subcommittee appointments annually. These appointments are for a term of one year. All appointments will be made promptly after each School Board election. An organizational meeting of each subcommittee will be held annually promptly after each School Board election and the announcement of subcommittee appointments by the School Board Chair. A Chair for the subcommittee will be selected annually by the appointed members of the subcommittee at the organizational meeting of the subcommittee.

Any School Board member may attend and participate in any subcommittee meeting at any time. However, the voting members of each subcommittee will be limited to those who have been appointed. All subcommittee meetings shall be posted to all School Board members, the Superintendent, and the public.

c. Subcommittee Administration

The Superintendent and/or his/her designee shall attend subcommittee meetings whenever possible, as non-voting members. The Chair of the subcommittee is responsible for prioritizing issues, setting meeting agendas, dates, and times, and shall be responsible for records of the meetings. Copies of these records will be maintained on file in the School Board office. The Chair of each standing subcommittee shall be responsible for reporting on the committee's business at the full School Board meeting. No vote shall be taken by a subcommittee unless there is a majority of those eligible to vote present.

d. **Subcommittee Responsibility and Jurisdiction**

Each subcommittee of the School Board will be charged with a specific scope of responsibility and jurisdiction. This charge of responsibility and jurisdiction will be reviewed and confirmed annually by the School Board following the organizational meetings of all subcommittees. Each subcommittee Chair may periodically initiate review and adjustment of the subcommittee's charge of responsibility and jurisdiction when deemed appropriate; any change to a subcommittee charge of responsibility and jurisdiction must be approved by the School Board. All subcommittee charges of responsibility and jurisdiction will be posted on the School Board's website. A subcommittee of the School Board shall not appoint a subcommittee of that committee without approval of the School Board.

**School Board Member Special Duty Assignments**

a. **Special Duty Assignment Purposes**

Individual School Board members may be designated to fulfill special assignments on behalf of the whole School Board to facilitate the efficient, or confidential, completion of School Board responsibilities.

b. **Special Duty Assignments**

The following special duty assignments will be made to facilitate School Board governance:

Negotiation Committee

Student Discipline Committee

Grievance Committee

Food Service

Review of the Manifest

Representative to the NHSBA Delegate Assembly

c. **Special Duty Assignment Procedures**

The Chair of the School Board, in consultation with School Board members, makes special duty appointments annually. These appointments are for a term of one year. All appointments will be made promptly after each School Board election. The committees on Negotiation, employee Grievance, or Student Discipline are not open to participation by School Board members who have not been appointed. Nor are meetings of the Negotiation, Grievance, or Student Discipline subcommittee meetings open to the public.

Board members appointed to fulfill a special duty assignment will report to the full School Board as requested to do so by the School Board Chair.

Board member(s) designated to review the Manifest prior to each School Board meeting will bear the responsibility of recommending approval of the Manifest at the School Board meeting.

The Board member appointed as the representative of the ConVal School Board to the NHSBA Delegate Assembly will review all proposals with the Board prior to the annual Delegate Assembly and seek School Board advice regarding his/her vote at the Delegate Assembly.

**Ad-Hoc Subcommittees and Committees**

a. **Ad Hoc Subcommittees of the School Board**

Ad hoc subcommittees of the School Board may be appointed by the Chair of the School Board. The function of the ad hoc committee will be to study specific issues for a specifically limited period of time, and if appropriate, to make recommendations to the full School Board for approval. The dates, times, and location of ad hoc

subcommittee meetings will be made public and the meetings will be open to all members of the School Board. No vote or discussion of an ad hoc committee will constitute the establishment of School Board policy, unless such authority is granted by the School Board at a public meeting.

**b. Ad Hoc Committees with School Board Members**

The School Board may form committees with members of the public, students, parents, and/or employees to do specific tasks and make recommendations to the School Board. The School Board Chair may appoint members of the School Board to such ad hoc committees. Meetings of ad hoc committees must be properly posted and open to the public. School Board members not appointed by the School Board Chair may attend and participate in ad hoc committee meetings but may not be voting members of the ad hoc committee. The School Board will establish the charge of the scope of responsibility for such ad hoc committees. Such ad hoc committees are advisory and have only such authority as specified by the School Board. The School Board will receive reports or recommendations from an ad hoc committee at the direction of the School Board Chair. A record must be kept of the proceedings of each meeting of an ad hoc committee. That record must be approved by the membership of the ad hoc committee and kept on file at the School Board offices. The School Board retains the right and has the duty to make all final decisions related to such reports or recommendations of an ad hoc committee. The School Board reserves the right to limit, create or dissolve an ad hoc an ad hoc committee at any time as it deems appropriate.

**First Read: March 16, 2021**

**Second Read:**

**Adopted:**



**DIA – Fund Balance-ConVal**

In accordance with the governmental accounting standard, GASB Statement No. 54, the Contoocook Valley School Board recognizes the following five categories of fund balance for financial reporting purposes:

1. Non-spendable Fund Balance – non-cash assets such as inventories or prepaid items.
2. Restricted Fund Balance – funds legally restricted for specific purposes, such as grant, food service, and expendable trust funds.
3. Committed Fund Balance – amounts that can only be used for specific purposes pursuant to a formal vote of the Contoocook Valley School Board or by a vote of the legislative body by official ballot.
4. Assigned Fund Balance – amounts intended by the Contoocook Valley School Board for specific purposes. Items that would fall under this type of fund balance would be encumbrances.
5. Unassigned Fund Balance; residual fund balance after subtracting all of the above amounts.

*Category: R*

1st Read: November 18, 2014  
2nd Read: December 16, 2014  
Adopted: December 16, 2014

## **DIA - FUND BALANCES**

### ***Category: Recommended***

The School Board will return to the Town any unassigned general fund balance at year-end to offset the next fiscal year's tax rate unless the school district legislative body authorizes the school district to retain year-end unassigned general funds in accordance with RSA 198:4-b.

Additionally, any fund balance shall only be used or returned in accordance with applicable New Hampshire law and/or Governmental Standards Board Statement 54 (GASB 54).

***NHSBA Note, September 2012:*** RSA 198:4-b was amended, effective June 2012, to allow the school district legislative body to vote to allow the school district to retain year-end unassigned general funds in an amount not to exceed, in any fiscal year, 2.5 percent of the current fiscal year's net assessment.

***NHSBA Note, June 2011:*** Governmental Standards Board Statement 54 (GASB 54) was issued March 2009 and becomes effective June 30, 2011. School district auditing firms have recommended that school board enact and implement policies relative to GASB 54.

GASB 54 is an entirely new accounting model for fund and defines various restrictions within the fund balance in a more detailed manner than previous Standards.

### ***Legal References:***

*RSA 32, Municipal Budget Law*

*RSA 33, Municipal Finance Act*

*RSA 35, Capital Reserve Funds*

*RSA 198:4-b Contingency Fund*

*Governmental Standards Board Statement 54 (GASB 54)*

Revised: September 2012

New Sample Policy: June 2011

**FUND BALANCES**

**Purpose**

The purpose of this policy is to establish guidelines for the general fund unreserved fund balance. To improve and maintain the Contoocook Valley School District (District) financial stability in order to protect the District from unforeseen or unbudgeted situations such as sudden changes in revenues or spending requirements; emergencies and disasters, major infrastructure failures and unexpected litigation.

**Background**

Fund balance is a measure of the financial resources available in a governmental fund. Unreserved fund balance is that portion of fund balance that reflects expendable available financial resources. It is essential that the Contoocook Valley School District maintain adequate levels of unreserved fund balance to mitigate current and future risks and to ensure stable tax rates. Fund balance levels are a crucial consideration in long term financial planning as well.

The Government Finance Officers Association recommends that government entities, regardless of size, maintain unreserved fund balance in their general fund. Under RSA 198:4-b-The State of New Hampshire allows school district to retain up to to 5% of the current fiscal year’s net assessment.

**Definitions**

1. In accordance with the governmental accounting standard, GASB Statement No. 54, the school board recognizes the following categories of fund balance for financial reporting purposes:

- a. Non-spendable Fund Balance – non-cash assets such as inventories or prepaid items
- b. Restricted Fund Balance- funds legally restricted for specific purposes, such as grant, food service and expendable trust funds.
- c. Committed Fund Balance – amounts that can only be used for specific purposes pursuant to a formal vote of the School Board.
- d. Assigned Fund Balance – amounts intended by the Board for specific purposes. The Board can choose to delegate this authority to the Superintendent or designee, depending on the situation. Items that would fall under this type of fund balance could be encumbrances.
- e. Unassigned Fund Balance – residual spendable fund balance after subtracting all of the amounts.

2. Committed Fund Balance. The school board, as the government’s highest level of decision making authority, may commit fund balance by a formal vote prior to the government’s fiscal year-end for that fiscal year. Future modification or rescission of committed funds must likewise be accomplished by a formal vote of the school boards prior to fiscal year-end.

3. Assigned Fund Balance. The school board expressly delegates to the Superintendent the authority under this policy to assign funds for particular purposes.

4. Spending Prioritizations:

- a. When an expenditure is incurred that would qualify for payment with either restricted or unrestricted funds, it will be paid from restricted funds.
- b. When an expenditure is incurred that qualifies for payment from either of the three unrestricted fund balance categories, it will be applied in the following order:
  - 1) Committed,
  - 2) Assigned, and
  - 3) Unassigned

5. Deficit Fund Balance. At year end if any of the special revenue funds (ie. grants, etc.) has

a deficit unassigned fund balance then the Superintendent is authorized to transfer funds from the general fund to cover the deficit, providing the general fund has money to do so.

**Policy Statement**

These policy guidelines will provide direction during the budget process and demonstrate a commitment to maintain adequate reserves for financial stability and for long term financial planning:

The District will maintain an unreserved fund balance, in the general fund, of no more than 2.5% of the net district assessment.

The Board may adjust retained levels of fund balance within the parameters of RSA 198:4-b, only by amending this written policy with a vote of the Board at a property noticed meeting.

It is the intent of the Board to retain the minimum levels of reserves to meet the fiscal needs of the district.

The use of unreserved fund balance to reduce the tax rate of for emergencies will only be permitted under certain circumstances: Emergency defined: An emergency is what the School Board determines it to be. It will always reflect a careful balancing of the body's desire to maintain adequate reserves with its desire to maintain essential services.

Prior to expending retained general funds, the School Board shall hold a properly noticed public hearing on the action to be taken with such funds.

An annual accounting and report of the activities of the retained general funds shall be presented to the School Board and published in the annual report.

Legal references:

RRSA 32, Municipal Budget Law Governmental

RSA 198:4-b Contingency Fund

Accounting Standards Board (GASB) Statement No. 54,

Fund Balance Report and Governmental Fund Type Definitions