

1 **WILTON-LYNDEBOROUGH COOPERATIVE**
2 **SCHOOL BOARD MEETING**
3 **Tuesday, March 6, 2018**
4 **Florence Rideout Elementary School-Library**
5 **6:30 p.m.**
6

7 Present: Harry Dailey, *Geoff Brock, Matt Ballou, Mark Legere, Joyce Fisk, Carol LeBlanc, Alex*
8 *LoVerme, and Miriam Lemire, Charlie Post (6:35pm).*
9

10 *Superintendent Bryan Lane, Business Administrator Lise Tucker, Director of Student Support Services*
11 *Betty Moore, Principals Brian Bagley (7:08pm), Tim O'Connell, Curriculum Coordinator, Julie Heon*
12 *and Clerk Kristina Fowler*
13

14 **I. CALL TO ORDER**

15 Chairman Dailey called the meeting to order at 6:32pm.
16

17 **II. ELEMENTARY STUDENT OF THE MONTH**

18 This was deferred until the first meeting in April.
19

20 **III. ADJUSTMENTS TO THE AGENDA**

21 Superintendent Lane informed members of one additional resignation and he has provided two additional
22 documents for reference. One regarding policy BCA and the other is a snapshot of budget comparisons.
23 Chairman Dailey added the BCA policy discussion would be moved ahead of the district meeting final
24 prep discussion.

25 **IV. PUBLIC COMMENTS**

26 Ms. Jessie Salisbury questioned if the kindergarten vote at district meeting would be by voice vote or
27 paper ballot and recommends that if voice vote, paper ballots are brought. It was confirmed it is currently
28 by voice vote. Ms. Salisbury noted the Historical Society has albums of student photos from
29 Lyndeborough Central School that were taken, likely by teachers/staff of school activities and thinks they
30 should be available at district meeting for residents to look through to see if any are their children.
31 Superintendent Lane responded an announcement could be made at the district meeting for residents to
32 view them as they exit. Ms. Salisbury will bring them.

33 **V. BOARD CORRESPONDENCE**

34 a. Reports

35 **i. Superintendent's Report**

36 Superintendent Lane reported he has been working on the final preparations for district meeting. He has
37 sent out three explanations of the warrant articles to parents and the newspapers encouraging citizens to
38 attend. He is in the process of writing reviews for the SAU staff and does this in narrative form with
39 goals and objectives. All should be completed by the beginning of May. He submitted a draft 2018-19
40 calendar to staff as a whole since adding additional days to the calendar affects everyone. He has
41 received feedback from one teacher and two paraprofessionals. There is conversation going on and what
42 comes to the board will be inclusive. He reviewed at the last meeting there was an RSA question within
43 the board ethics policy and he was asked to seek legal counsel. This is one of the documents provided.
44 He attended the national conference and some of the sessions were great in particular was keynote
45 speaker, Doris Kearns Goodwin. Principal Bagley is attending sports night however he wanted members

46 to be informed that the winner of the geography bee qualified for state. He will let you know the
47 outcome.

48 **ii. Business Administrator's Report**

49 Ms. Tucker reviewed her report which included working on the annual report with Ms. Fowler, budget
50 documents have been submitted to the DRA, the second wellness meeting has taken place and included
51 positive feedback on Cigna's sponsored mindfulness session. She hopes to bring this back next year. A
52 wellness fair is being planned for May. The next wellness meeting is March 14. The food service
53 quarterly review meeting was held facilitated by Ms. Tucker and Bob Deignan, Food Service Manager
54 which included reviewing the financial status of the program, disclosure of kitchen equipment for the CIP
55 and the upcoming SNH Spring Conference. This week is National School Breakfast Week and menus
56 and posters have been created to promote this. NH Buying Group plans on soliciting produce bids for the
57 consortium for this coming fiscal year. A narrative for Limited English Proficiency (LEP) households has
58 been added to the website with a link. (Free and reduced applications in different languages) She
59 reviewed the forecast for food service. Currently we have a loss of \$25,811 due to additional repairs and
60 lower meal counts. They continue to explore ways to increase participation. The facilities committee
61 met, facilitated by Ms. Tucker and Buddy Erb, Facilities Manager. They are working on getting contacts
62 and scheduling work orders for spring repairs.

63 **• Food Service Forecast 17-18**

64 Ms. Tucker reviewed; the income statement for food service should be at 50% for income or expenses.
65 The revenue is not as good as anticipated and expenses are over 50%. She reports some of this is because
66 we pay for things up front such as software annual fees and replacement equipment and some is obtained
67 through donations. The salaries are 12 months vs. 10 months and we need to continue to work on
68 participation. Discussion was had regarding the loss in food service being a revenue issue due to
69 participation loss (meal counts) however meal prices were increased. Chairman Dailey notes expenses
70 seem to be in line. It was questioned if that is commensurate with declining enrollment or is it declining
71 at a faster rate than enrollment. Superintendent Lane responds that we will have to look at that. He
72 added some is mandated by the state and why would we raise prices with lower participation but the state
73 makes us do this. He confirmed for Ms. LeBlanc the "Feds" are not paying for a la carte items but are for
74 meals and he does not believe we can bring the price down of meals. Mr. LoVerme notes he has heard
75 from students there is not enough time for them to eat lunch. Superintendent Lane responds we need to
76 survey the students and find out from them. Mr. Post indicates the research is here in the enrollment
77 (regarding participation), which he states is down almost 10%; there are 45 less students buying lunch.
78 Superintendent Lane notes for fewer students we would have fewer supplies; less demand. He notes
79 school districts have been trying to figure this out for a long time and some districts don't take state
80 subsidies or follow the program and believes one district is in the black now. Chairman Dailey
81 comments at some point we will have to have this discussion and when he started on the board this was
82 not an issue. Superintendent Lane responded that was when we had the ability to collect debt and we do
83 not at this time. Ms. Tucker added we also were not food restricted then. Chairman Dailey adds that
84 revenues are way below projection and expenses are slightly below or right on.

85 **iii. Principals' Reports**

86 Superintendent Lane reviewed Principal Bagley's report in his absences. He notes spirit week is one of
87 the best times of year and this year participation rate was great. WLC is starting spring testing. Ms.

88 Marcia Contarino received the Veterans of Foreign Wars, Smart/Maher National Citizenship Education
89 Teacher Award. She has been with WLC for a long time in the English department. The Sustainability
90 Fair is on Saturday, April 14. It includes a combination of things and some work with students from High
91 Mowing. The report includes a list of colleges that our students will be going to. The NEASC visit is in
92 May. From the library perspective, Ms. Amy White (WLC Media Generalist) is someone who works
93 hard on a collection that works for academics and motivates kids. Superintendent Lane notes the boys'
94 basketball team didn't make the first round of playoffs but played hard and there was a nice showing of
95 people who came to Pittsfield. Mr. LoVerme added the girls' varsity team won their last game
96 (outstanding game). They had lost 35 straight games before winning and didn't give up. Kudos to the
97 girls!

98 Principal O'Connell reviewed his report which included that testing has begun at FRES and is scheduled
99 for April and May. Data is currently being analyzed (from interim testing) by staff. Science assessment
100 is new this year. Odyssey's second session has begun and STEAM is involved in a lot of courses.
101 Students enjoyed today's first go at it. The Artist in Residence program is funded with the help of the
102 PTO. Third graders will be most involved. Ms. Shana Brautigam (professional potter) has a fire kiln she
103 will bring and students will be making hand sculpted rattles made in shapes of animals. This begins in
104 April. March 19-23 is Read Across America; invitations will be given for guest readers to take part in this
105 event. The third quarter ends March 23 and students will be recognized who show behaviors of
106 C.A.R.E.S. (Cooperation, Assertion, Responsibility, Empathy and Self Control).

107 **iv. Curriculum Coordinator's Report**

108 Dr. Heon reviewed her report which included working for a couple of months with the specialist teachers
109 at FRES on curriculum development. She attends regional curriculum meetings twice month.
110 Preliminary information attached to her report was reviewed. She noted in grades 1-5 STAR assessment
111 was used and there are 4 intervention people working in the W.I.N (What I Need) Program. Two are
112 grant funded, Title I tutors and one is the Intervention Coordinator (RTI). This has made a strong
113 difference with students, out of the 35-40 students, 13 have graduated out of the program (helped them
114 fill the gaps and be relatively successful), 12 additional students that were "sort of" next on the list have
115 been added. We are able to see them 5 days a week and the research all says this makes a difference. The
116 3rd grade math lab also includes 4th and 5th grade and is typically full with 24 students each day, some
117 consistently coming and some one day or the other which gives additional students the opportunity to
118 participate (35 participate overall). Title I tutors have flexed their schedules to stay until 4pm. End of
119 year results show 97% improved their scale score and for the other students we have student study teams,
120 those who are not making progress we may find other reasons they are having difficulty and we look for
121 resources. Sixty four percent have changed their level (red is most need, then yellow, blue and green).
122 There is quite a span within each level and to have 64% change level is very good. Eleven have moved
123 on to watch, out of intervention band although we continue to support them until they are ready, 6 or
124 more moved to at or above grade level. A lot of success in terms of the resources we are providing. With
125 math we are not quite where we are with reading and this is one reason we want to focus on this more
126 next year. Middle school intervention is quite different. We are working with regular staff and have
127 relied on online resources for those students. They are using Merit Reading and Khan Academy, there are
128 still some students that are not invested in the process and will reduce the results we are hoping for and
129 the staff and administration continues to work on motivating them. In reading, we have 14 that are
130 participating in enrichment work; this is all 6th, 7th, 8th graders, all participating and is leveled and

131 adaptive. In math 76% are making progress and teachers are primarily working on geometry which is
132 typically a weakness and done later in the year. Mr. Brock notes this is the type of reporting that is
133 needed to have available for district meeting and to continue this process. Responding to Mr. LoVerme
134 inquiring about students in the 8th grade who are reluctant or refusing to participate, she explained it is
135 pretty common and there are students in other grades for various reasons which we are addressing.

136 **b. Letters/Information**

137 **i. Enrollment**

138 Superintendent Lane reported at the end of February enrollment for the district is 526 and since October
139 it has been pretty much level. Mr. Post questioned that during budget time, Superintendent Lane reported
140 having 8 additional students. Superintendent Lane responded we lost some and January is the time when
141 families generally move, it is just the “eb and flow” of how things go. We do not know about
142 withdrawals until the sending school sends the request for records and the students are kept on the roster
143 until then, it can be a one or two week transition.

144 **VI. CONSENT AGENDA**

145 There was no consent agenda to report.

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147 **VII. DISTRICT MEETING FINAL PREP**

148 This was addressed later in the meeting.

149
150 **VIII. POLICY REVIEW-BCA-SCHOOL BOARD MEMBER ETHICS**

151 This was a very long discussion and debate with varying opinions spoken.

152 Chairman Dailey reported at the last meeting there was a lot of discussion around policy BCA and he
153 asked Superintendent Lane to consult with the attorney around some of the legal aspects of it. He thinks
154 everyone is onboard and clear on what the expectation is. The feedback members received in a memo
155 from Superintendent Lane was regarding the attorney’s response. Mr. Post asked when this went out and
156 if Mr. Dailey could read it to be part of the record. The memo from Superintendent Lane was read and
157 can be found with these minutes.

158
159 Chairman Dailey reports his interpretation is it’s an aspirational policy and not mandated and said we
160 could change the language to make it “more clear” to strike *will* and put *should* on #10 of the policy.
161 Yesterday he received an email from the Legal Director of Civil Liberties of NH; they are aware we are
162 discussing it and hope we will address it and it does not violate the case from “Timberlane”. Mr. Post
163 adds, this is the Director of the American Civil Liberties Union and he says nothing about making it
164 aspirational and asks if Chairman Dailey would like him to read this. Chairman Dailey responds that he
165 read what he got from the lawyer then discussed what he got from the Civil Liberties Union (ACLU). He
166 didn’t say it should be aspirational, that’s what our lawyer said; we shouldn’t encourage board members
167 to speak against board decision. Superintendent Lane confirmed he did not have the email (from the
168 attorney) with him but can get that to members. His (the attorney’s) point is the language of #10 is not
169 appropriate as a long time person who works with schools he indicated “boards work together to be
170 successful”. Paraphrasing he says, it can be considered as written as a violation of the first amendment
171 and is advising to change the language so that it does not violate the first amendment. Mr. Post stated for
172 those of you who were not there (last meeting) I expressed that I wanted to speak against it (article 7) and
173 “turns out I was right”, it is a violation of the first amendment. Chairman Dailey notes he interpreted it
174 differently and interpreted it to mean when the board makes a decision we are the final decision makers

175 in the process and that is different than the board recommending to the public how we vote. Mr. Post
176 comments that it is clearly used to “tamper down descent”. Chairman Dailey disagrees and notes he was,
177 in a lot of cases, the lone vote and responds to Mr. Post when asked why he didn’t speak up said that he
178 believes anytime there was a vote made he had time to state his opposition and once the decision was
179 made, that was it. He had his opportunity to speak in a public forum and they (the board) chose to go in a
180 different direction. Mr. Post, continuing, reported the “Timberlane case” was based on the same thing
181 and asked how can we teach civics down the hall and violate speech. Mr. Brock asked Mr. Post how
182 long he had been on the board and if he was provided access to the policy. Mr. Post responded agrees he
183 had access and has been on for two years. Mr. Brock questions Mr. Post, why he did not see this sooner.
184 Mr. Post states he was not a board member then (regarding Timberlane) but the fact that the board didn’t
185 act, why didn’t the NHSBA or did they and (the board) chose to ignore it he questioned. Mr. Brock
186 responds, we either didn’t see it or didn’t get it. Chairman Dailey adds that the Timberlane policy was
187 extremely different, it said that no board member could talk to the press other than the board chair, it
188 wasn’t the regarding the language from the NHSBA. Superintendent Lane comments the language from
189 Timberlane was not from the NHSBA. He notes he is stating fact as he understands it. He does not recall
190 NHSBA sending a notice from their office to his to make a change or advise of it; it was not about that
191 language it was about Timberlane’s language. Those are the facts as he understands them. Chairman
192 Dailey notes from time to time they get updates but it is usually around laws and not decisions by the
193 legislature. He does not recall ever seeing an email from NHSBA discussing a lawsuit. The trigger to
194 change a policy has always been legislature in his experience. The good news he says is we did take
195 under advisement and these are the recommended changes to the policy and we can now decide how we
196 want to handle it. Mr. Post proposes to eliminate rule #10 as it is unconstitutional.

197
198 *A MOTION was made by Mr. Post to eliminate #10 (of BCA-School Board Member Ethics Policy).*
199 *There was no SECOND.*

200
201 Mr. Ballou suggests we could suspend rule #10 so we have time to discuss it. Chairman Dailey explains
202 we now have a legal opinion and the attorney advises us of the option of language changes that would
203 make it lack of a better word, legal. We can change it and go through the normal reading of a policy; we
204 can suspend it or eliminate it.

205
206 *A MOTION was made by Mr. Brock and SECONDED by Mr. Ballou to suspend rule #10 until a 2nd*
207 *reading.*

208
209 Mr. Post expressed his dissatisfaction and states it should be eliminated not suspended. He requests a date
210 to be added for the amount of time it is to be suspended for.

211 *Mr. Brock AMENDS his motion to include “either May 30 or until the policy has been upheld or*
212 *amended”.*

213 Mr. Dailey comments we are doing a policy change and this is the normal protocol that it can the same
214 day or many days to give everyone a chance to review it, then it goes to a second reading, then the third
215 to adopt. Mr. Brock notes typically the second reading is at another meeting; it also gives the public a
216 chance to see it. Mr. Post voices his dissatisfaction and comments, despite the fact you got calls, “the
217 ACLU sent you a letter, you think it’s a good idea to think about it”. Mr. Post, speaking to the other
218 members of the board states, “To the rest of you, you got a letter, a letter from the ACLU”. Members

219 voiced they had not seen this letter. Mr. Post reads the email/letter. A copy can be found with these
220 minutes. There was discussion as to how Mr. Post received a copy of this as it was addressed to the
221 Chairman. Mr. Post informs him he filed a complaint with the American Civil Liberties Union and he
222 received a subsequent copy. Mr. Post adds, there are a lot of free speech advocates and he thinks you
223 will get a strong representation at the district meeting. Chairman Dailey reiterates we went through the
224 normal procedure, got a legal opinion and our lawyer provided language we can use to make it compliant.
225 Now we are aware of this, (the reason we get a legal opinion), if they recommend a change we have the
226 option of what we do next. He reviewed the options again noting we have to do something now that it has
227 been brought to our attention. (Suspend, eliminate, or leave it alone) It is his opinion to not recommend
228 leaving it alone but to either suspend or start the policy review now. Mr. Post questions Chairman
229 Dailey about regarding the board approving to get a legal opinion. Chairman Dailey responds there was
230 consensus but he doesn't need board approval as the Chairman. Chairman Dailey asks for a vote on Mr.
231 Brock's motion.

232 *Voting: seven ayes, one nay from Mr. Post, motion carried.*

233
234 *A MOTION was made by Mr. Brock and SECONDED by Ms. LeBlanc to amend article (#10) of BCA-*
235 *School Board Member Ethics Policy to recommended language of the attorney and make this the first*
236 *reading.*

237
238 Chairman Dailey reads the recommended language from the attorney. (Removing *will*, adding *should*,
239 adding *members should*, removing *will*) "Recognize that final Board actions ~~will~~ **should** be supported by
240 all members of the Board; **members should** take no private action that ~~will~~ compromise the Board or
241 administration; and refrain from private actions which undermine or compromise official Board action."

242 Mr. LoVerme questions what that does about the first amendment. Chairman Dailey responds by our
243 attorney's recommendation, it makes it compliant. Mr. LoVerme adds, so members can speak against it,
244 Mr. Brock responds yes, it is not recommended but they can. Discussions continued regarding Mr. Post
245 speaking at the district meeting. It was noted he needs to be recognized by the Moderator in which Mr.
246 Post responded that he is now then subject to censor. Mr. Post continues, you are following the
247 attorney's recommendation which is aspirational, and asks what the consequences would be and the
248 response from other members was "nothing" and he questions why have it. Mr. Brock comments that he
249 thinks everyone should have the right to speak if they disagree. The board should make decisions that
250 they have to make if there is not time for the voters to do so or that are easy, the tough ones should go to
251 the voters. People on the other side should make sure it is fair and shouldn't need further comment from
252 other board members. Mr. Post comments if you don't speak on behalf of the voters they won't vote for
253 you.

254 Ms. Lemire (clarifying), the last motion was to suspend until we make a more educated vote. Chairman
255 Dailey confirms and adds this is to make it the first reading. Ms. Lemire is not comfortable striking it
256 because there must be some legal reason they recommend it and believes there should be more time to
257 look at this. Chairman Dailey notes we have until May 30 to correct it (so to speak). Ms. Lemire
258 questions; the next meeting we will have a second reading and go through it again and someone can
259 make a motion then, and Chairman Dailey responds yes, we are trying to remove this impediment now
260 with district meeting coming, we could decide to strike the whole policy, rewrite it; it's a board decision.
261 It is important to realize we are a group and work together as a group he adds. He was on the opposing

262 side many times and never felt he wasn't allowed to speak his opinion. The caution in this is to make it
263 clear there is dissenting opinion, as a school board member they are assuming everything you say has
264 been vetted or signed off on by the board. Mr. Post responds then you exercise your right to of free
265 speech and say this person doesn't know what they are talking about. Mr. Legere questions if *should*
266 refrain should be added to #10. Mr. LoVerme suggests running this through legal counsel first and Mr.
267 Brock agrees.

268 *Mr. Brock AMENDS his motion to include the word should (before refrain), SECONDED by Ms.*
269 *LeBlanc.*

270 Mr. Post notes he believes you need to have a unanimous vote to change a policy. This was briefly
271 discussed. Superintendent Lane confirms there are three responsibilities of the school board, to create
272 policy, support the financial education of students and hire staff (from NHSBA orientation).
273 Superintendent Lane asked for clarification on Mr. Post's question, is it required to have a unanimous
274 vote to change a policy only, only to change? Mr. Post responds yes, I want you to ask. There was a
275 short debate regarding this including not needing a unanimous vote, needing a unanimous vote, seeing
276 many other board meeting (other districts) having voted policies in without a unanimous vote but no
277 recollection of suspended. Mr. Legere asked Mr. Post if he could see the RSA, Mr. Post will provide
278 this. Mr. LoVerme will not vote until he is provided the RSA from Mr. Post. Ms. Fisk recommends
279 tabling this and coming back to it.

280 *A MOTION was made by Mr. LoVerme and SECONDED by Mr. Post to table the discussion (and the*
281 *vote) to later in the meeting.*

282 *Voting: all aye; motion carried unanimously.*

283

284 • **DISTRICT MEETING FINAL PREP**

285 Superintendent Lane reviewed he previously provided slides to the board for review. Members discussed
286 the slides. Chairman Dailey referring to a slide which shows budget history, is concerned about the way it
287 is presented (for example) in the bond year it jumps to almost \$20,000,000 and he would instead like to
288 see two columns, one with the actual approved budget standing alone and another with the approved total
289 amount with all warrant articles as we are talking about the actual operating budget. He believes it would
290 be difficult to explain as it is complicated and wants to compare "apples to apples" and some contain
291 warrant articles and some don't. He asks for other opinions, (a lengthy discussion) which included shared
292 and varied opinions, including removing the related slides, leaving them in, several suggestions on ways
293 to show it, and the purpose being to show the good things that have gone on and wanting to be as clear as
294 possible, it being rambling, meandering data which doesn't serve a purpose, the presenter needing to feel
295 he can portray it accurately or it may be more detrimental to the presentation. Final changes will be to
296 have one column showing the operating budget, the second slide with related numbers will be changed as
297 well.

298

299 They reviewed the rest of the slides and speaking roles in the presentations and Superintendent Lane
300 provided further clarification when needed. It was agreed to leave in the teacher reduction slide and
301 suggested to move it in front of the class size slide, the font size will be changed. Mr. LoVerme will
302 speak to the CBA slide with Chairman Dailey to second if Mr. Ballou is absent at district meeting. There
303 are three l's in full, one will be removed, and one spacing issue with Lyndeborough's portion, all will be
304 fixed. Ms. Lemire suggested finding out how many years the other districts had kindergarten and not
305 show ones that recently started. Superintendent Lane will research this and make appropriate changes on
306 the full day kindergarten comparison slide. The flow of the meeting was discussed included the

307 moderator will authorize nonresidents to speak (school administration) and if any issues come up the
308 presenters can defer to the Superintendent or anyone who they feel can answer. It was confirmed that
309 Superintendent Lane will not speak unless he is asked. The CIP is in the annual report and a statement
310 will be made as the CIP slide is quite small. It was suggested to indicate the page it's on. Superintendent
311 Lane confirmed votes will be by voice vote unless someone asks for a paper ballot which needs to be in
312 writing by 5 registered voters who have to present this to the moderator as part of the procedure prior to
313 the article. The moderator will explain this process during the meeting if needed. Mr. Legere questioned
314 if there can be motion from the floor. Superintendent Lane confirmed the day of the meeting anyone can
315 ask for a ballot vote as long as it is presented prior to the article as citizens not the board. The scripts will
316 be updated and emailed in advance. Hard copies of the script will be provided in its entirety to members
317 at the meeting so they can follow along.

318 **IX. ACTION ITEMS**

319 **a. Approve Minutes of Previous Meeting**

320 *A MOTION was made by Ms. LeBlanc and SECONDED by Mr. LoVerme to approve the minutes of*
321 *February 20, 2018 as amended.*

322 *Voting: all aye; motion carried unanimously.*
323

324 **b. Amendment to Minutes of 2.6.18**

325 Superintendent Lane noted the minutes of February 6, 2018 should be amended (on line 213), from
326 \$6,000 to \$9,000 although the actual cost is about \$7,000. The section now reads "Superintendent Lane
327 notes by increasing the days, the hours of the paraprofessionals who are not working would need to be
328 increased. The cost is about \$9,000."
329

330 **X. COMMITTEE REPORTS**

331 There was no committee report.
332

333 **XI. RESIGNATIONS / APPOINTMENTS / LEAVES**

334 Superintendent Lane reviewed we have two resignations, one is for WLC Social Studies Teacher,
335 Michael Dupont who will resign his position at the end of the year and Ms. Patricia Walz, H/R & Payroll
336 Specialist who's last day is March 16. Ms. Tucker and Superintendent Lane will have something in place
337 prior to her leaving. There is no need for a board vote on either of these resignations.
338

339 Superintendent Lane reviewed the board's policy BGF-Suspension of Policies. He reported in looking at
340 the policy the board previously voted to suspend the policy (BCA), if we brought in writing, in advance a
341 majority vote would have been appropriate the vote was not unanimous so the previous motion should be
342 considered mute. It was appropriate in the scenario that it made sense. In his opinion the board has two
343 options; to revote and if not unanimous then policy BCA remains in place as written until such time as
344 you can't revise without a unanimous vote, you can do a revision but can't suspend a policy. Mr. Post
345 reiterates his wishes of eliminating #10 for now, and believes it would be a unanimous vote.
346 Superintendent Lane clarifies suspension as he understands it would be the temporary nullification until it
347 is reinstated. He adds, to Mr. Post's point it doesn't say you can't vote to eliminate a policy or come to
348 an agreement; that is something you could do, you don't need a unanimous vote, just a vote.
349 Superintendent Lane continues, at any time a board member wants to bring up as a policy review it can
350 be put back on (the agenda) to reinstate, change or maintain the elimination in question. Chairman Dailey
351 adds so simply having a review of a policy is not the same as an agenda item that says we will suspend a
352 policy unless it was in writing up front. Superintendent Lane responds within the suspension piece, we
353 need to understand it is mute and cannot be put into effect because it is a violation of another policy. It
354 can be left in place as written or eliminate #10 and be brought back up at a later date (as an agenda item).
355 Mr. LoVerme clarifies, we can eliminate it, bring to the SAU Office in advance what you want to do.
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*A MOTION was made by Mr. LoVerme and SECONDED by Ms. Lemire to remove article 10 (#10) (and bring to the School Board Chair for policy review at the next meeting).
Voting: all aye; motion carried unanimously.*

Mr. Ballou noted they have to write up what they are suspending.

Superintendent Lane confirms, a board member at any time who is a current board member can ask the Chair to make an agenda item for the next meeting whether it's the current board or next new board and at that point the Chair directs the Superintendent to have it as an agenda item if the members of the board did not want to discuss it that can be done. The Chair is the current Chair until the election happens. Chairman Dailey states as the Chair, he wants it on the next agenda to review policy BCA.

XII. PUBLIC COMMENTS

Ms. Tracy Ewing comments when you do discuss this next time without the comparison the word "must" sounds strongly isolated on its own, seems very mandatory when you don't have the consideration of the previous wording.

Ms. Lisa Post questions Dr. Heon, when she spoke of the new intervention coordinator, was that the same person as the RTI Coordinator. Superintendent Lane confirmed it is. (Response to Intervention)

Ms. Post questioned Dr. Heon referring to when she was talking about students having difficulty and using different modalities do you stick with the common core methods. Dr. Heon responded that is not delineated by the common core, she added you always have to do place value so students understand two digit operations. Ms. Post noted parents complain students have to go through all the steps to do math. Dr. Heon explained research shows if students just do procedural math in the long run they don't understand the concept behind it, (for example) ten is a value of ten but also made up of ten little ones, we have the students do some practice at doing that method in order to understand what the value of the method really is. It's a minor lesson here and there. Ms. Post questioned for kids that are struggling would that kind of thing be more hands on. Dr. Heon responded yes, absolutely.

Ms. Post questioned Superintendent Lane referring to enrollment, when he was talking about students who left, she asked, so can a child be out of the class and no one knows they are going? Superintendent Lane responded with an explanation that when a student is absent for a normal amount of time, parents don't always call in, we try to contact them. Sometimes the cell phone is full, it may just ring and ring and if we eventually don't know where the student is we call for a wellness call with the police department. It may be 4-5 days before we get police involved, sometimes they (parents) tell us sometimes they don't. Ms. Post asked if we have a policy that parents have to call in. Superintendent Lane responded yes, should the child be responsible for the parent not calling? Mr. LoVerme added that in 10 years he has never gotten a call later than 10AM asking where your child is. If I forget to call, the school calls. Superintendent Lane clarified if we don't hear back on consecutive days, (a wellness check is called for) we have some parents who are not as diligent as others. Ms. Post questioned if he refers to DCYF. Superintendent Lane responded if a special education student, we have child find. We do a wellness check and the state makes us responsible. DCYF is called if appropriate.

Ms. Post, referring back to the budget slide of the draft district meeting presentation, she comments, when you talked about putting one and two items together, the columns, when you add the warrant article in it shows what is raised and appropriated and people generally know if you have a CBA, people know you are only showing that number to be taxed on and the rest goes into subsequent years. She thinks it's a good representation to do that and for the other things like bonds or CIP where you may spread that out,

407 to use a transfer document to see it clearly. She thinks it gives people an option to see what things are
408 offset by revenue it shows what it will cost them after the revenue comes in. She thinks it's more
409 appropriate to show both. Chairman Dailey adds we should have all the years of all the same thing, what
410 did we approved as an operating budget including capital projects etc. He just wants to make sure people
411 know what they are voting on.

412
413 Mr. Jonathan Vanderhoof spoke regarding the slide that shows the comparison of districts with full day
414 kindergarten in the draft presentation and notes this came up before and it is his opinion that it is
415 misleading, he comments you are asking the viewer to say look all these districts, how far behind we are
416 than them. He suggests adding the slide from the budget committee presentation that shows the half day
417 kindergarten comparison. He notes he thought since it was an issue before the information would be
418 presented to be used to counter act this slide. This was briefly discussed. Ms. LeBlanc notes you can get
419 any number of data points, you can google it and find whatever guidelines you want to find, we are
420 missing something with our wonderful data and computers, the people who know how these children are
421 coming into school and if they are ready to go into first grade or maybe not until they finish the half year
422 and that is the teachers and parents. We don't need data to find out if a child is ready to go onto first
423 grade. Mr. Vanderhoof questions why it is not in the presentation and notes we depend on data; that will
424 be an issue. He further states to Ms. LeBlanc, "I think we agree I just don't think you understand what I
425 am saying". Mr. Ballou agrees with some of things Mr. Vanderhoof said but ultimately it will have to be
426 explained if it comes up. Ms. Lemire also agrees it is a valid point, if the public sees it as a manipulation
427 of data, do we want someone else to present more data. Chairman Dailey commented he assumes the
428 budget committee would be putting out factual data; if they will present it they will present factual
429 information that supports their decision. He felt strongly the public should make a decision; they will
430 look at this information and make a decision. Ms. Post comments she believes Ms. Lemire is right, to
431 just put it in, to choose for ourselves because we couldn't make a decision. Mr. Brock disagrees; it was
432 not that the board could not make a decision. Ms. Post adds it was contentious; some wanted it as a
433 warrant article and some wanted it in the budget and she thinks the public should see both sides of the
434 information so it will be all new material at the district meeting and in all fairness you should show both.
435 People who want full day kindergarten, if they show up they will get it and if a lot of people who don't
436 want it show up they will get it. She believes it is better form to show both. A brief discussion ensued
437 including: it being more confusing; showing all the data, presenting all the facts, pros and cons, the voters
438 are the ultimate deciders, and arguing against ourselves (board), wishing this was brought up prior when
439 discussed, the opposing side being presented already, the slide was prepared by the Superintendent
440 originally, there will be a different audience, and the board's position would still be presented. Mr.
441 Vanderhoof commented he didn't bring this up prior as he missed the first public comment of the
442 meeting as he went to a different building. Some members voiced having no problem adding the slide.
443 Ms. LeBlanc has no problem giving the presentation as it was given and feels that that information has
444 already been provided. Chairman Dailey responds if the board wants to include it is up to the board
445 although wishes it had been part of the prior discussion as the presentation was decided earlier. Mr.
446 Ballou notes it is not good practice to take action during public comment. Mr. Post responds that Mr.
447 Ballou read policy BCA at public comment last time. Mr. Ballou agrees, it was public comment and
448 action should not be taken during public comment.

449
450 *A MOTION was made by Mr. LoVerme and SECONDED by Ms. Lemire to add the budget committee's*
451 *slide (half day kindergarten comparison slide) to the prepared deck.*

452 *Voting: six aye; one nay from Ms. LeBlanc, one abstention from Mr. Ballou, motion carried.*

453
454 It was noted that Superintendent Lane and Ms. LeBlanc could decide where the slide goes and Ms.
455 LeBlanc can refer questions to Superintendent Lane or Principal O'Connell if needed.

456

457 **XIII. NON-PUBLIC SESSION RSA 91-A: 3 II (A)**
458 *A MOTION was made by Mr. LoVerme and SECONDED by Ms. LeBlanc to enter Non-Public Session to*
459 *discuss a student matter RSA 91-A: 3 II (A) (C) at 9:26pm.*
460 *Voting: all aye via roll call vote; motion carried unanimously.*

461
462 **RETURN TO PUBLIC SESSION**
463 The Board entered public session at 9:49pm.

464
465 *A MOTION was made to seal the non-public session minutes for 50 years by Mr. Brock and*
466 *SECONDED by Mr. LoVerme.*
467 *Voting: all aye; motion carried unanimously.*

468
469 **XIV. ADJOURNMENT**
470 *A MOTION was made by Mr. Brock and SECONDED by Mr. LoVerme to adjourn the Board meeting at*
471 *9:49pm.*
472 *Voting: all aye; motion carried unanimously.*

473
474 *Respectfully submitted,*
475 *Kristina Fowler*
476

DRAFT

Wilton-Lyndeborough Cooperative School District

School Administrative Unit #63

192 Forest Road Lyndeborough, NH 03082
603-654-8088

Bryan K. Lane
Superintendent of Schools

Betty Moore, M.Ed.
Director of Student Support Services

Lise Tucker
Business Administrator

TO: The WLC School Board
FROM: Bryan Lane
DATE: 3/1/18
RE: Policy BCA- School Board Ethics

After the board meeting on February 20, questions arose in regard to policy BCA- school board ethics. In particular articles 9 and 10. This policy was approved by the board in 2010 and the language was taken from the NHSBA website. These articles state:

9. Recognize that no individual member has authority to speak or act for the entire Board, except as specifically designated to do so by Board action.

10. Recognize that final Board actions will be supported by all members of the Board; take no private action that will compromise the Board or administration; and refrain from private actions which undermine or compromise official Board action.

To ensure that there is a clear understanding of these policy statements and that they are appropriate in their wording I consulted with our attorney to get a legal opinion.

Article 9 is appropriate as written. Unless designated to speak on behalf of the board a vote of the board; board members have no authority outside of an official board meeting. When speaking in public outside of a board meeting, members do not have the authority to speak on behalf of the board, obligate the board to expend resources, or to grant requests.

Article 10 could be perceived in how it is written to limit or take away the right of a citizen to their rights under the first amendment. The board policy cannot limit a board member's rights in a public forum to express an opinion or to act in a manner that is contradictory to any board action. Our attorney indicates that the policy should be a statement of aspiration and in our conversation recognizes the importance of board members supporting the decisions of the board.

The NHSBA in their orientation materials reflects that in order for boards to be successful, member behavior should reflect,

“That effective board service means being able to hold the minority viewpoint when voting on a given issue; then openly supporting the majority vote of the board in your community.”

Our legal counsel advises the policy should be modified. A change in the language could be:

Recognize that final Board actions ~~will~~ **should** be supported by all members of the Board; **members should** take no private action that ~~will~~ compromise the Board or administration; and refrain from private actions which undermine or compromise official Board action.

From: Gilles Bissonnette <gilles@aclu-nh.org>
Date: March 1, 2018 at 3:39:37 PM EST
To: "h.dailey@sau63.org" <h.dailey@sau63.org>
Subject: School Board Member Ethics Rule No. 10

Dear Chairman Dailey,

I hope all is well. I am the legal director for the ACLU of New Hampshire. I am writing with respect to the "School Board Member Ethics Rules," which are here: <https://www.sau63.org/cms/lib/NH01912507/Centricity/domain/80/b%20policies/BCA.pdf>. In particular, I am referring to Rule No. 10, which states that members shall "[r]ecognize that final Board actions will be supported by all members of the Board; take no private action that will compromise the Board or administration; and refrain from private actions which undermine or compromise official Board action." This rule, in our view, violates the First Amendment, and we ask that Board not enforce it going forward. We addressed a similar rule several years ago at the Timberlane School District (see attached), and that rule was subsequently changed. If you have any questions, do not hesitate to contact me.

Best,

Gilles Bissonnette

Legal Director

American Civil Liberties Union of New Hampshire

18 Low Avenue, Concord, NH 03301

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aclu-nh.org