

Concord School District
Board of Education
Regular monthly meeting
October 1, 2018

Board members: Tom Croteau, Chuck Crush, Nathan Fennessy, Jennifer Patterson, Liza Poinier, Maureen Redmond-Scura, Jim Richards, Pam Wicks

Board member absent: Clint Cogswell

Administrators: *Superintendent Terri Forsten, Assistant Superintendent Donna Palley, Business Administrator Jack Dunn, Director of Facilities Matt Cashman, Director of Human Resources Larry Prince*

Agenda Item 1. Call to Order

Board President Jennifer Patterson called the meeting to order at 7:00 p.m.

Agenda Item 2. Approval of Agenda

Tom Croteau noted that Item #6 could be taken off the agenda.

The Board voted 8-0 to amend the agenda with the deletion of Item #6 (motioned by Mr. Croteau, seconded by Jim Richards).

The Board voted 8-0 to approve the amended agenda (motioned by Maureen Redmond-Scura, seconded by Mr. Croteau).

Agenda Item 3. Public Comment– agenda items only

Concord Education Association President Michael Macri spoke about the current contract negotiations impasse between the Concord School District and the Concord Education Association. He provided an outline and a timeline for the negotiations process, noting that from January 3, 2018 until June 7, 2018, the CEA and the District engaged in multiple bargaining sessions but were unable to reach a settlement, including one day of mediation. He said the CEA had proposed simple cost-of-living increases of 2% each year on the salary matrix that has been in effect for over 30 years. He stated the District refused this offer, even though the union's proposals would cost the taxpayers less money than the District's revamped salary schedule. In June 2018, the offer from the District required the CEA team to dismantle a salary matrix that has been in effect for over 30 years and accept a salary schedule that would have most teachers in the District realizing a reduction in salary when compared to the current matrix. At the end of that bargaining session, the District informed the CEA that it was unable to make

any other counter proposals and that the union should just accept what had been offered. He said the CEA could not accept such an offer. Both parties ended the school year without reaching a settlement. The CEA received a revised proposal on September 10, and its team met to review the District's revised salary proposal on September 11. The team was alarmed by the District's revised schedule, which destroyed the order inherent in CEA'S current salary matrix and step multipliers. The team was also concerned that the District's proposal would end the longstanding element of the contract that ties co-curricular compensation to the bachelor's base salary. The team prepared two counterproposals and the teams met in a bargaining session on September 25. He said that during that bargaining session, the CEA initially proposed a 2% salary increase on the current salary matrix for each of the 3 years of a new agreement, and that co-curricular stipends continue to be tied to the bachelor's base. The District expressed disappointment and once again rejected this offer. During a caucus recess, the union made the difficult decision to offer a more stable and orderly version of the District's salary proposal, even though it would forever reduce and degrade the salary steps and multipliers that have been a part of the teachers' contract for over 30 years, and agreed to allow the co-curricular stipends to remain tied to the current bachelor's base for three years and then return to the new bachelor's base. The District team caucused on receipt of this offer and then accepted the CEA's salary schedule, but refused to agree to the co-curricular proposal and were unwilling to agree that the settlement be retroactive. That both parties started the current school year without an agreement is unfortunate, but now is the time to reach agreement. He stated that the CEA bargaining team made a major salary concession that should have resulted in a settlement; instead the District has chosen to punish and demoralize teachers by maintaining that any salary settlement will not be retroactive. He implored the Board to agree to the CEA's modest retroactive salary and co-curricular proposal. He said he admired the Board for its thoughtful and vigilant balance between the needs of the District and the taxpayers.

Agenda Item 4. Approval of Board Minutes

Ms. Patterson briefly reviewed the minutes of the September 4 Board meeting.

The Board voted 8-0 to approve the minutes of the September 4 Board meeting (moved by Mr. Croteau, seconded by Ms. Redmond-Scura).

Agenda Item 5. Special Presentation by ConcordTV

Josh Hardy and Justin Scarpelli spoke about the 20th Anniversary 'Concord On Air' annual televised production of *Concord On Air*, October 28 from noon to 8 pm, an 8-hour telecast celebrating the city of Concord, its citizens and creative culture, which will be dedicated to the memory of Gene Connolly, a great supporter of ConcordTV. Cable subscribers can watch on public access channel 22, government channel 17 and education channel 6. Those outside the Concord area can watch live streaming on

yourconcordtv.org. The telecast will feature more than 70 video clips on the City's government, schools, businesses, nonprofits, neighborhoods and arts and culture, demonstrating a vibrant and active Concord. Get to know the city's 2018 *Most Fascinating Individuals* as well as an all-new lineup of working artists in the region, *Concord Originals*. The show will highlight ConcordTV's commitment to civic and educational communication, making school activities, meetings, sports and the arts available to all, as well as original programming and community messaging. ConcordTV is a nonprofit organization with a mission to help Concord residents and nonprofits that serve the Concord area learn how to create video content and distribute content locally. The station provides a bulletin board for local groups and nonprofits to publicize events; live coverage of Concord City Council, Planning Board, Zoning Board and School Board meetings; community events; classes in camera, editing, studio production, marketing and youth video and filmmaking camps.

Agenda Item 6. Personnel

Mr. Prince presented one teacher nomination for the 2018-2019 school year. Salary is based on the 2017-2018 CEA salary schedule. Steps reflect 2017-2018 placement unless otherwise indicated with an asterisk.

Jennifer Edwards, Speech-Language Pathologist, Rundlett Middle School and Strong Foundations Charter School, \$52,531, M-11, prorated 136 days, 20% one year only. Jennifer replaces Paula Koehler at Rundlett Middle School (50% of M-14 prorated 136 days = \$29,974) resignation and contracted services at Strong Foundations Charter School. Budgeted at \$57,299

The Board voted 8-0 to approve the teacher nomination as presented (moved by Nathan Fennessy, seconded by Ms. Redmond-Scura).

Mr. Prince presented two coaching nominations for the 2018-2019 school year.

Lynn Reyes, Unified Soccer Coach, Concord High School, \$832, Step 1, Group 14, 2.0%. Lynn replaces Amanda Bacher

Angela Dater, Cross Country Supplemental, Rundlett Middle School, \$832, Step 1, Group 14, 2.0%. Angela replaces Amy Sherr

The Board voted 8-0 to approve the coaching nomination as presented (moved by Ms. Redmond-Scura, seconded by Chuck Crush).

Agenda Item 7. Negotiations Committee

Mr. Fennessy provided an outline and timeline of the negotiations process, which begins with a "Request to Negotiate," "The parties shall meet within a reasonable period of time after the written request of either party." (CEA Master Agreement). The next stage is to establish ground rules, "During this initial period, the parties discuss the style of

bargaining to be used during this round of negotiations.” (NEA) This is followed by actual negotiations “It is the obligation of the public employer and the employee organization certified by the board as the exclusive representative of the bargaining unit to negotiate in good faith.” (RSA 273-A). The parties then, ideally, enter into a tentative agreement, ““When both bargaining teams are satisfied with the changes, they sign a “tentative agreement.” (NEA) The agreement remains tentative until it is approved by both CEA members and the School Board. At this stage, the union and employer teams review and ratify the proposal with their respective constituency groups. Finally, “If the tentative agreement is ratified by both sides, then the parties have a new (or successor) agreement.” (NEA)

Current status of negotiations

Guided by NH RSA 273-A (“It is the obligation of the public employer and the employee organization certified by the board as the exclusive representative of the bargaining unit to negotiate in good faith”), there have been 17 meetings: 11/28/17, 12/6/17, 12/20/17, 1/3/18, 1/11/18, 1/24/18, 2/20/18, 2/22/18, 3/16/18, 3/28/18, 4/18/18, 5/8/18, 5/16/18, 5/29/18, 6/7/18, 6/19/18, 9/25/18.

This has been followed by mediation, at which an impartial neutral person facilitates dialogue between the parties to help create and reach a resolution. There has been one meeting: 4/11/18.

Unfortunately, the parties have reached impasse (“the failure of the 2 parties, having exhausted all their arguments, to achieve agreement in the course of good faith bargaining, resulting in a deadlock in negotiations.” NH RSA 273-A). At this point the content and details of negotiations may become public.

Mr. Fennessy read a statement from the Negotiations Committee: The Board’s Negotiations Committee is disappointed that we have been unable to reach agreement with the Concord Education Association (CEA) for a new teacher contract at this time. Both our negotiating team and the union have worked hard, but agreement has not been reached at this point. It has been a long-standing objective of the Concord School Board to hire and retain the best teachers available and provide them with wages and benefits that are among the best in the state. The offers put forth during the negotiations were consistent with this objective. The intent of sharing publicly at this point of impasse is to offer clarity to the entire Board so that all members can more effectively inform constituents. As happens in the midst of confidential conversations and processes, rumors have begun that are incorrect, and not all Board members know the history so that they can properly address the misinformation. The intent of this presentation is to share information and details so that the Board can effectively respond to the misinformation and remain assured that the Negotiations Committee has structured the proposals so as to provide District teachers with wages and benefits that are among the best in New Hampshire.

He then detailed the content and details of negotiations, and the points of disagreement.

Salaries:

Teachers – The last offer made by the District team increased teacher starting salary by \$1,657 to \$43,237 in year 1. The maximum salary paid under the District team’s proposal would increase to \$91,836 by the end of the three-year contract.

Nurses – The last offer made by the District team increased the nurses RN starting salary by \$3,171 to \$41,500 in year 1. The last offer made by the District team increased the nurses BSN/MSN starting salary by \$3,091 to \$42,500 in year 1. The maximum salary paid under the District team’s proposal would increase to \$64,662 for RN, \$66,218 for BSN, and \$68,058 for MSN by the end of the three-year contract.

Healthcare: the three-year contract offered by the Board maintained the current health insurance package and member contributions toward health insurance premiums. The Board’s offer ensures that the District will continue to pay 95% of teachers’ health insurance premiums for the majority of teachers and 85% for those hired after June 30, 2015.

Tentative agreements include the following: the three-year contract will cover 2018-2021; health insurance contributions; “cadillac tax” date; change of carrier to SchoolCare; no need for TB testing; Co-Curricular Committee to be established; declination payment distribution in December and June; new teachers – 20 sick days at start of year; elementary co-curricular increased from \$20,000 to \$30,000; change to new salary schedule multiplier

The open items include establishing the effective date of new salary increases; co-curricular stipends frozen for two-years with increase in third; starting salary for B1 in year 2 and year 3.

Regarding next steps, the District’s negotiations team has made a counter proposal on outstanding issues. CEA has not provided a response to the team’s counter proposal. The team remains hopeful that the parties can come to agreement.

Agenda Item 8. Instructional Committee

Committee Chair Maureen Redmond-Scura reported on the meeting of September 5, at which a proposal was made to add JV Ice Hockey to the extracurricular offerings. Director of Athletics and Sport Steve Mello noted that, as there is no longer a “Midget” hockey program in the area that served this age group, an increasing number of students interested in hockey cannot find a team to play on. The total cost for one season is \$10,895. Over \$6,930 will come from player fees; the hockey booster club will supply funds for equipment, coaching and ice time. Continuation of this program would be considered within future budgets. Mr. Fennessy asked whether the booster club would provide scholarships, and whether there is a cap on the number of players; Ms. Redmond-Scura noted that typically the booster club provides scholarships, and there would be 18 players. There was further discussion of scholarships and cost.

The Board voted 8-0 to approve the revenue-neutral addition of Junior Varsity Ice Hockey for the 2018-2019 school year (motioned by Mr. Croteau, seconded by Pam Wicks).

The Committee then discussed the two-day Crisis Prevention Institute training provided by inhouse trainer Michele Speckman. This is non-violent crisis intervention stressing care, welfare, safety and security, which helps defuse challenging and destructive behaviors before an incident escalates to a crisis.

The Committee discussed the incidents of restraint, seclusion and intentional physical contact over the last year. There were 63 incidents of restraint involving 21 students and 49 incidents of seclusion involving 9 students, for a total of 128 incidents involving 25 students. Mr. Crush asked that the committee minutes be amended to indicate that he had asked to visit seclusion spaces in the schools.

The committee discussed assessment results, including the AIMSWEB reading assessment, Fountas & Pinell benchmark and the Smarter Balanced assessment. It was noted that 36% of students in Concord are in the free and reduced-price lunch program, vs. 28% at the state level, as well as 9% of English language learners vs. 3% at the state level. Progress could be seen in all the above areas.

Board members also discussed the Behavior Task Force of 40 members, guided by the question, "What are the best practices in social-emotional learning development and how do those connect with the school community?" Anyone interested in joining this task force can contact the Superintendent, including Board members.

Agenda Item 9. Capital Facilities Committee

Committee Chair Jim Richards reported on the meeting of September 27, describing the new system that will register visitors, volunteers, contractors and substitute teachers as they enter the school buildings, requiring a photo ID and printing out a name badge. The system will perform a quick background check on contractors as well. The data will be recorded and kept on a computer drive. It will track volunteer hours and check all visitors. School administrators will be able to call up the list of those in the school and, in the case of emergency, would be able to account for everyone in the school and whether they have evacuated. Mr. Crush asked whether there is a process to track contractor work timeframes. Mr. Cashman noted that he knows when contractors are working in the schools. Mr. Richards noted that the next two meetings of this Committee will involve discussions of additional items to be acquired as part of the security grant, and the demographic study and expense of the middle school project.

Agenda Item 10. Communications & Policy Committee

The Committee did not meet in September, but a number of policies were before the Board for a second reading and vote: #132 Agenda Preparation and Dissemination;

#136 Public Participation at Board Meetings;

Ms. Patterson noted that there was quite substantial discussion about this policy in September, particularly on the 5-minute per-person speaking limit. She said she had suggested adding language encouraging written comments. There was discussion of including written public comment verbatim; Ms. Patterson noted that there had been discussion at the Board Retreat about adopting a practice for the Superintendent to summarize written comment. It is Board practice that, if any Board member receives written communication from any party, that it would be forwarded to the Superintendent for dissemination to all Board members. She said that if Policy #136 included language encouraging submission of written comment, further details would likely be covered in existing policies.

Policy #450 Teacher Performance and Evaluation; #451 Other Employees; #461 Substitutes; #480 Trust Fund; #101.1/#481 Board Member Indemnification – Save Harmless; #482 Teachers, Exploitation of; #482.1 Concord School District Self-Funding Plus Program Statement of Policy Regarding the Use and Disclosure of Protected Health Information; #483/740 Liability; #491 Cafeteria Workers (change of name and replacement of text); Policy 492 Custodians (deletion).

Ms. Redmond-Scura made a motion to adopt the policies named below, and to delete policies as indicated. This motion was seconded by Mr. Crush.

The Board voted 8-0 to adopt revisions to Policies #132 Agenda Preparation and Dissemination, #450 Teacher Performance and Evaluation System, #451 Evaluation of Non-Teaching Employees (change of name), #461 Substitutes, Policy #482 Personnel Records (change of name), Policy #483/740 Liability and Pooled Risk Management (change of name); Policy #491 Employment of Personnel (change of name); and to delete Policies #482.1 Concord School District Self-Funding Plus Program Statement of Policy Regarding the Use and Disclosure of Protected Health Information and Policy #492 Custodians (motioned by Ms. Redmond-Scura, seconded by Mr. Crush).

Mr. Fennessy made a motion to revise Policy #136 Public Participation at Board Meetings with the addition of the sentence at the end of paragraph 3, "The Board encourages the submission of written comments." Mr. Crush noted that the submission of written comments would be according to a supporting policy. Ms. Patterson noted that the revised policy would not need to come before the Board for a new "first reading," as this change had been discussed at the September Board meeting.

The Board voted 8-0 to adopt Policy #136 Public Participation at Board Meetings as revised (motioned by Mr. Fennessy, seconded by Ms. Redmond-Scura).

Agenda Item 11. Proposed calendar of meetings

Superintendent Forsten discussed the proposed Board calendars for October and November.

Agenda Item 12. Public comment

Three individuals offered public comment.

Dawn Morris is a kindergarten teacher at MBS in her 29th year of employment in the District. She noted it was awkward and uncomfortable to address the Board about the contract impasse, and that it was interfering with her job. She commented on her dedication to teaching including supporting student teachers, and her involvement in programs to support students socially and emotionally outside school hours. She said she cannot imagine what greater effort the Board/District could expect from teachers. She said she would be bringing home approximately \$120 less per paycheck under the new contract.

Michael Macri clarified, with agreement from Jack Dunn, that the remaining issues to be resolved through negotiations were retroactivity of pay increases, and the co-curricular scale.

Jason Faria is the new Uniserv Director for NEA NH, who will be advising the CEA on its negotiations going forward. He described his background in terms of job actions and education. He noted that the CEA agreed to make a fundamental concession on its 30-year salary scale, leaving co-curricular salary and retroactivity of salary increases as the remaining issues. He noted that it is in the employer's interest not to finalize a contract when the issue of retroactive salary increases is at hand, as the longer the process takes, the more money the employer will save.

Mr. Dunn stated that he considered the most recent changes in the salary scale to be minor changes to the overall proposal presented by the District.

Sylvia Greene is a substitute teacher at BGS. She said that teachers should be paid salary increases retroactively to the date a new contract should have started.

Agenda Item 13. Adjournment

The Board voted 8-0 to adjourn (motioned by Mr. Croteau, seconded by Mr. Richards).

The meeting was adjourned at 8:42 p.m.

Respectfully submitted,

Maureen Redmond Scura, *Secretary*

Linden Jackett, *Recorder*

