

Concord School District
Board of Education
Regular monthly meeting

December 9, 2019

*[Note: the meeting date was moved to December 9
from December 2 due to inclement weather]*

Board members present: Tom Croteau, Chuck Crush, Barb Higgins (arrived at 6:53 p.m.), Jim Richards, Pam Wicks, Liza Poinier, Danielle Smith, Nancy Kane, Jennifer Patterson, *President*

Administration: Dr. Frank Bass, *Interim Superintendent*, Jack Dunn, *Business Administrator*, Larry Prince, *Director of Human Resources*

Agenda Item 1. Call to Order

Board President Jennifer Patterson opened the meeting at 6:00 p.m.

Agenda Item 2. Approval of agenda

Ms. Patterson moved to amend agenda to add a non-public session at the end of the meeting and add a staff nomination under section 8 Personnel.

The Board voted 8-0 to amend the agenda to add a non-public session at the end of the meeting and a staff nomination under Personnel (moved by Tom Croteau, seconded by Chuck Crush).

Mr. Croteau made a motion to approve the agenda.

The Board voted 8-0 to approve the amended agenda (moved by Mr. Croteau, seconded by Mr. Crush).

Agenda Item 3. Update on student safety and well-being

Superintendent Bass provided an update on the District's student safety actions and introduced Concord Police Chief Bradley Osgood, who spoke about the new memo of understanding (MOU) between the Concord Police Department (CPD) and Concord School District (CSD). Revisions to the MOU began near the end of the last school year; he also attended work sessions over the summer. He and Donna Palley worked closely together on the MOU.

Mr. Crush asked him to discuss the revisions and what changed in the MOU. Chief Osgood noted that much information stayed the same, but several legislative changes

regarding alcohol, hazing, etc. required changes. The MOU, which is posted on the website, directs the District's actions regarding evidence the District may obtain, for example, and covers good faith reporting and the NH DOE Code of Conduct. Jim Richards asked if it was included in the MOU that, if CPD became aware of a situation that might put children in danger, the PD would let the Superintendent know that law enforcement action might be taken. Chief Osgood noted that if state law allowed, he would inform the Superintendent.

Dr. Bass noted that the focus of the MOU was communications protocol, and that he anticipated regular contact with the CPD Chief and the School Resource Office (SRO) at CHS, and thanked the Chief for assisting completing the document. Mr. Richards thanked CPD for its volunteer contributions to school projects. Dr. Bass noted that his focus would be on visibility, and connecting with students, teachers, parents and community members. He noted that the recent planned 3-hour early release at CHS was dedicated to developing better ways to cultivate a community of collegiality; helping staff align in a positive direction on behalf of the children served. He noted that student voice is the lifeblood of a school; students need to feel they are being heard. He said the administration was analyzing the position of compliance officer/Title IX coordinator, which would ensure that incidents would be appropriately addressed in a timely manner. He noted that the District was hosting a Title IX training this summer by ATIXA. He also discussed the possibility of a Director of Guidance at CHS, to allow counselors to have time and flexibility to deal with student issues. Dr. Bass mentioned the ongoing upgrade of behavioral programs that would address acting-out issues in a timely and effective manner. He discussed the possibility of putting at least one Educational Assistant for every kindergarten class over 16 students, with a pilot program at MBS. While he did not expect all these changes will be included in next year's budget, he said these discussions were important. Regarding public relations, he had met with City Manager Tom Aspell and Mayor Jim Bouley to share concerns and discuss how to work better together. He noted that the Consul General of the Netherlands would be coming to Concord to visit for two days, to talk about civics, democracy, presidential elections, freedom of speech and allowing CHS students to explore how schools are run in the Netherlands. He has been hosting a show on topical educational issues on ConcordTV once a week, not just to address the school community but also to promote better relations with the City. He said that the Instructional Committee would talk about teacher sabbaticals, which are not currently covered in the budget. Dr. Bass noted that CHS interim Principal Michael Reardon would bring a strong capability to CHS: he is collegial; concerned; and wants students to succeed.

Mr. Crush asked about creating the position of compliance officer/Title IX coordinator; Jack Dunn replied that the administration was looking at funding that might be available; developing job description and whether to make it part-time; and bringing it forward to Board at the January meeting. Ms. Patterson noted that there would be an atypical Board meeting at the end of January when Board members could comment on items they might want to include in the budget.

Lastly, Dr. Bass noted that Donna Palley had been working on the student-safety strategic

plan for community and partnership outreach, and that she would report on that at the Board's January meeting.

Agenda Item 4. Public Comment

Ms. Patterson opened the meeting to public comment, reminding those wishing to speak that this first section was intended for comment on agenda items only, adding that each speaker was limited to five minutes. She reminded the public of Policy #136 Public Participation at Board Meetings.

Concord resident and parent Melissa Hinebach read an email submitted by Concord resident and parent Deodonne Bhattarai stating that the new Beaver Meadow playground fell short of the principles of universal design, particularly as it was inaccessible to those who use wheels to navigate. The use of wood chips as ground cover is an architectural barrier. She asked that the Board make sure that all future projects be "universal design," as none of the schools has a fully-compliant playground Mr. Crush stated that Mr. Cashman would reach out to community members to address the situation. Dr. Bass also noted that the administration would analyze an upgrade to the playground.

Concord resident and parent Dan Habib thanked Superintendent Bass, noting that he has seen positive movement regarding student safety. He noted that a year after some students reported seeing former teacher Howie Leung kissing another student in a car, the community does not know how he stayed in school for several months before his arrest; what District leadership did or didn't do; or what systemic or cultural issues contributed to the situation. He asked whether the Board had discussed hiring Attorney Perkins to create a summary report. Ms. Patterson noted that the Board had done its work with the report, that Dr. Bass had studied it with his administrative expertise, and that the Board would look for recommendations from District leadership. She said that, given the complicated nature of report, the Board's ability to share information was limited. The Board's focus was to move forward on the Board's work. Dr. Bass remarked that he could not share the substance of the report but that, as an outsider coming into the District, he found it to be detailed and voluminous, and traced an intricately interwoven situation. He said that while it was hard to parse out specific instances, there clearly were systems failures, mostly centering around communication (who is to say what, when they are to say it, and under what circumstances). By improving communication protocols, the District would, for the most part, ensure a similar situation will not happen again. In response to a question from Mr. Habib whether the Board had discussed or intended to discuss asking Attorney Perkins to write a third report, Mr. Croteau noted that the Board had had many discussions on this issue and that, following legal counsel, the Board would not and could not discuss nor release any part of the report. He noted that the way the report was written, one would know the whole report and the whole story from reading only parts. He stated strongly that the Board would not want to harm students or innocent staff and that, in addition, releasing the report would certainly discourage students or staff from coming forward in the future. Mr. Habib said that he had heard

students had been “shut down” at the high school when talking about last year’s events. He said that specific language defining simple assault, which he believed was often reported in the guise of restraint/seclusion, was not included in the MOU, and asked under which scenario a Principal would report simple assault.

Concord parent and parent Kate Frey said she appreciated Dr. Bass’ update and was glad to hear a Title IX coordinator position would be established, about the suggestion to establish a Director of Guidance at CHS, and about the recent MOU with the Crisis Center. She asked how students and staff would be notified that the on-site advocate would be available, and where that person’s office would be. She said she felt the District should start calling what happened last year sexual assault, rape, suspending a girl for “malicious gossip.” She asked for a list of people who are participating in the development of the strategic plan, and how they were chosen. She said there was a way to have a report that states what the systemic failures were and urged the Board to discuss creating a third report for the community.

Barb Higgins arrived at 6:53 p.m.

Concord resident and parent Betsy McNamara asked that a third report be created. She said that she could not move forward unless she knew what had happened in the past. She said she was excited about the possibility of hiring a compliance officer; the District’s work with the Crisis Center of NH; and the MOU with CPD. She said that, while Dr. Bass had expressed hope that students would get to know and trust the administrators, there would always be the need for anonymous and readily available sources.

Concord resident and incoming Board member David Parker commented that the Board had not acted on the report beyond firing the Superintendent and the CHS Principal. He asked about the nature of some of the mistakes that were made, and suggested that some members of the public were frustrated not to know whether there were other administrators who had made egregious mistakes but were still employed. He said the Board should provide answers that would not compromise confidentiality, to help some members of the public understand why the Superintendent and the Principal left.

Agenda Item 5. Approval of Board minutes

Ms. Patterson asked for a motion to approve the minutes from the Board meetings on November 4 (with a correction on page 14), November 18 and November 21, and the canvass of the vote on November 6. She went over the minutes of November 18 regarding the upcoming search for a new, permanent Superintendent. She said that Board members were impressed by the quality NESDEC offered for this process.

The Board voted 9-0 to approve the minutes of the Board meetings on November 4 with a correction, November 18 and November 21, and the canvass of the vote on November 6 (moved by Mr. Richards, seconded by Mr. Croteau).

Agenda Item 6. Superintendent search

Liza Poinier reported that she, Nancy Kane and Barb Higgins each spoke to a Board member in communities that had recently used NESDEC (New England School Development Economic Council) for their superintendent searches. They reported that NESDEC's timeline was accurate; that it did an excellent job with focus groups and community outreach; that it has a great reach and is familiar with all the candidates. All three communities enthusiastically reported a seamless process.

Mr. Dunn said he called NHSAA for a list of search firms, which included NHSBA (the firm used last time) and private consultant Richard Ayers. He reached out to Primex, which indicated it could facilitate a search but preferred not to. Mr. Richards thanked the ad hoc committee and Jack Dunn for its extra work. Mr. Crush noted that 6-10 community focus groups would be formed, and that financially, this was a very good deal.

The Board voted 9-0 to hire NESDEC to assist the Board in a comprehensive Superintendent search process (moved by Ms. Patterson, seconded by Ms. Kane).

Agenda Item 7. Recognitions and reports

Dr. Bass introduced Interim CHS Principal Michael Reardon, who started on December 2. Mr. Reardon thanked the Board for entrusting him with the sacred trust for the physical and emotional safety of the children under his charge. He said that his impression was of an outsider at the school, that he had been listening to school community members talking about their feelings and was concerned that staff also want resolution, which might involve the creation of a third report. He said that the high school staff needed to have a sense of this ending, as the status quo could not continue indefinitely; an answer in some concrete way so staff could go on and not have this devastating shadow hanging over them. He said that over the past few years, CHS staff have not only had this terrible situation to deal with, but also recently lost a beloved principal. He said that his impression was that CHS was a fine high school, with many talented teachers and professionals responding to the needs of Concord students. He noted that two cross-country coaches were recognized (Zach Procek and Allison Davis) as cross-country coaches of the year, and of 21 teams in Division I, CHS was no. 1 in sportsmanship. He talked about Anne-Marie DiPasquale's attending a national meeting with two CHS graduates. He noted that his philosophy was that what occurs in the classroom was profoundly important, but secondary to the real lessons of interacting respectfully with tolerance that kids learn in the hallways, student center, cafeteria, etc. because these are a model of the real world. Mr. Reardon has formed a faculty committee to look at changing the school's master schedule, which has been examined for some time; over the next calendar year staff will research possibilities for a different CHS master schedule. He has also asked faculty to consider instituting a daily advisory session, which he feels is an invaluable asset, and will look at restructuring the way the administrative team is set up, particularly whether to have each Assistant Principal handle discipline issues from their respective commons. He commented that the school needed more work on conveying

information about competencies to students and parents.

Student representatives Gaven Brown and Alice Richards described a survey that was sent to CHS students soliciting their opinions on the draft of policy #437, Employee-Student Relations. Gaven and Alice created a video about the survey, and students were given time in class to answer two multiple choice questions for each of the 18 core parts of the policy, and provide comments if they wanted to. They said that many students took the survey seriously and provided the Board with ample feedback, that students were happy they were being given a voice in this matter, and they hoped to continue this form of open response, where applicable, to continue communication between students and Board. Gave noted that he and Alice took part in the first CSD Task Force meeting, which included students, parents, educators, and community partners, to develop a strategic plan for improving students' safety and well-being. He said that he, Alice and three other students actively involved in the CHS community were taking part and were very encouraged to be able to participate in this group to help bring student voice to another matter that impacts them so heavily. They shared that CHS was taking part in the Food and Fund drive to benefit the Capital Region Food Program Holiday Food Basket. Students and staff were working to make this a successful fundraiser; for example, soup was sold at the parent-teacher conferences to benefit this fundraiser. On parent-teacher conference night, CHS administrators made themselves available to parent opinion and thoughts, which the students felt was a valuable option. At this season, students have been decorating "trees" on the school walls with small notes about what they are thankful for. Multiple trees around the school had been fully decorated with these "leaves." The students noted that the Senior Class student government was "fostering" a family in need this holiday time, with donations to help feed and clothe a family, and many other clubs were participating in similar activities as CHS works to give back to our community.

Rundlett Middle School Principal Paulette Fitzgerald said she had been charged with making RMS "a true middle school" and that an ESSA Title IV grant had identified needs at RMS. In May, NELMS did an assessment, including feedback from parents, students and staff about what was working/not working. Over the summer, she and her leadership team worked on how RMS could identify as a community that was safe, respectful. Assistant Principal Chrigus Boezeman said they had implemented a daily advisory for all students, especially those who needed more social-emotional learning support. Multi-tiered support systems would provide safety and security for both students and staff. They had certified 24 new staff members in CPR and first aid. Ms. Fitzgerald noted that last year had been difficult for many RMS staff regarding the Leung situation, and that she had been thinking how to support them in their healing as well. Mr. Crush asked whether RMS administration had thought about a parent advisory committee for special needs students regarding inclusion. Ms. Fitzgerald noted that there is a mention in the report about getting more parent input.

Ms. Patterson thanked Ms. Kane and Ms. Wicks for their significant service to the Board for their respective terms. Ms. Higgins also complimented Ms. Wicks, who said she was proud of the work of the Board, and of her work on the Board.

Agenda Item 8. Personnel

[Note: the nomination sheet for Interim CHS Principal Michael Reardon was included in the Board packet for the record. His nomination was approved by the Board on November 21, 2019.]

Mr. Prince presented several coach nominations.

Kyle Averill, Freshman Girls Basketball Coach, Concord High School, \$3,641, Step 2, Group 6, 8.5%. Kyle replaces Sarah Fuhrmeister

Scott Dunlop, Boys JV Basketball Coach, Concord High School, \$4,070, Step 3, Group 6, 9.5%. Scott replaces Adam Tuttle

James Thorpe, Boys Varsity Basketball Coach, Concord High School, \$7,282, Step 3, Group 2, 17.0%. James replaces David Chase

Erin Waters, Assistant Nordic Ski Coach, Concord High School, \$2,570, Step 1, Group 9, 6%. Erin replaces Abraham Meyerhofer

Kaitlin Carlson, Spirit B Team Coach, Rundlett Middle School, \$1,071, Step 2, Group 14, 2.5%. No coach last season

Vincente Zenni, Freshman Boys Basketball Coach, Concord High School, \$3,641, Step 2, Group 6, 8.5%. Vincente replaces Cameron Owen

Michele Bartlett, Assistant Cross Country Ski Coach, Rundlett Middle School, \$1,285, Step 3, Group 14, 3.0%. New supplemental position

The Board voted 9-0 to approve the coach nominations as presented (moved by Ms. Higgins, seconded by Mr. Richards).

Mr. Prince presented one staff nomination.

Monica Unger, Special Education Teacher, Concord High School, \$27,044, 57% B-13, prorated 114 days, one year only. New Position. Budgeted at \$27,044

The Board voted 9-0 to approve the staff nomination as presented (moved by Ms. Kane, seconded by Ms. Higgins).

Agenda Item 9. Negotiations

Committee Chair Chuck Crush noted that the Negotiations Committee met on November 6 and also earlier that evening, on December 9. The Committee voted to recommend that the full Board ratify the 3-year agreement (2019-2022) with the tutors. Highlights include:

- The tutor wage scale will have an increase to the base of 2% to 3.25% (effective 11/20/19).
- Bargaining unit members may use up to three sick days, instead of two, for bereavement

- Bargaining unit members may receive between \$2,000 to \$3,000 when they leave the District, depending on their years of service. There is no payout for unused sick days.
- The bargaining unit will work annually with the Assistant Superintendent to develop Professional Development topics.

Mr. Crush thanked Laurie Minihane and Jason Faria. This collective bargaining unit has 40 members. This was the second contract for this group.

The Board voted 9-0 to ratify the 3-year agreement (2019-2022) with the tutors (moved by Mr. Crush, seconded by Ms. Poinier).

Mr. Prince presented a sidebar agreement between the District and the Concord Administrators Association, negotiated in good faith; no CAA members would be paid out sick days upon termination as of 2021. Mr. Dunn noted that there was a mutual benefit for both parties and that it would remove a liability going forward.

The Board voted 9-0 to approve the sidebar agreement with CAA regarding sick day payout (moved by Mr. Crush, seconded by Mr. Richards).

Agenda Item 10. Instructional

Committee Chair Pam Wicks reported on the Instructional Committee meeting on November 13. The Science department provided an update on the “Next Generation” science courses, with considerable enthusiasm from the science teachers for this new material. Mr. Richards said he was impressed that the new courses integrate physics and biology. Gaven Brown asked how the *Science of Survival* course would overlap with the Ropes class, suggesting that the two classes be aligned.

The Board voted 9-0 to approve the new science courses *Chemistry of What We Eat* and *Science of Survival* (moved by Ms. Wicks, seconded by Mr. Crush).

Ms. Wicks presented the draft school year calendar for 2020-2021, noting that all District schools would be closed for the 2020 presidential election on November 3, 2020 and an extra day would be added in June. This proposal would apply only to presidential election years. On election day, Beaver Meadow (Ward 3); Broken Ground (Ward 10); and Abbot-Downing Schools (Ward 7) would be used as polling locations to ease capacity, traffic and parking issues for the City. Mr. Crush asked whether parents were included in the development of the school year calendar, saying that he was pleased that schools were going to be closed on Election Day but that he was going to vote against the calendar as presented because he wanted parents to be involved. Ms. Poinier commented that when parents were polled about starting school after Labor Day there had been a 50/50 split; what tipped balance was that the vast majority of staff wanted to start before Labor Day. Ms. Patterson noted that the calendar needed to be set early for sending schools.

The Board voted 8-1 (Mr. Crush voted no) to adopt the school year calendar for 2020-2021 (moved by Ms. Wicks, seconded by Ms. Patterson).

Agenda Item 11. Communications and Policy

Ms. Patterson reported that the Communications and Policy Committee did not meet in November, but one policy was ready for a second reading and vote by the Board.

The Board voted 9-0 to adopt Policy #576 Service Animals in Schools (moved by Ms. Patterson, seconded by Mr. Croteau).

Agenda Item 12. Capital Facilities

Mr. Richards reviewed the Capital Facilities Committee meeting on November 18. Dr. Merwyn Bagan and David Baer of Milestone Construction spoke with the committee about their continuing interest in using the District's "Stable Building" (on Warren Street) as a museum for Abbot Downing coaches. The discussion included the potential sale of the building to the City, which would then lease it to Abbot Downing Historical Society (ADHS).

The Board voted 9-0 to authorize the administration to work with the city and ADHS to further explore the possibility of a building transfer over to the city (moved by Ms. Patterson, seconded by Ms. Wicks).

Agenda Item 13. Calendar of meetings

Superintendent Bass reviewed the proposed calendar of upcoming meetings in December 2019 and January 2020, including the annual Board retreat on January 11.

Agenda Item 14. Public comment

Ms. Patterson opened the meeting for additional public comment.

Pembroke resident and parent Deb Provencer described an inappropriate incident between a teacher and her daughter.

Concord resident Dan Habib questioned the Board about this kind of incident.

There was discussion about the appropriate role of the administration and of the Board in an incident like this; Ms. Patterson noted that Policy #812 Communication of Complaints about School District Employees covered situations like these. The Board should not hear these concerns directly, as it might have to rule on an appeal of a personnel action.

Agenda Item 15. Non-public session

Ms. Patterson made a motion to move into non-public session at 9 p.m. under RSA 91-A:3 II (c) that states, in part: "... Matters which, if discussed in public, would likely affect adversely the reputation of any person ..."

The Board voted 9-0 by roll call to move into non-public session at 9 p.m. under RSA 91-A:3 II (c) – public employee (motioned by Ms. Patterson, seconded by Mr. Croteau) to discuss a personnel issue.

The Board recessed into non-public session.

Mr. Crush left the meeting at 9:40 p.m. No votes were taken during the non-public session.

Pam Wicks moved to come out of non-public session.

The Board came out of non-public session at 9:50 p.m. (motioned by Ms. Wicks, seconded by Ms. Higgins).

The Board came out of non-public session and by roll call voted 8-0 to seal the minutes under RSA 91-A:3 II (c) – public employee (motioned by Ms. Higgins, seconded by Ms. Kane).

Agenda Item 16. Adjournment

A motion was made to adjourn.

The Board voted 9-0 to adjourn (moved by Ms. Patterson, seconded by Ms. Kane).

The meeting adjourned at 9:52 p.m.

Respectfully submitted,

Jim Richards, *Secretary*

Linden Jackett, *Recorder*