

Concord School District
Board of Education
Regular monthly meeting
February 1, 2021

Board members: Jim Richards, *President*; Barb Higgins (arrived later), Danielle Smith, Brenda Hastings, Pamela Walsh, Jonathan Weinberg, Kate West. Gina Cannon and David Parker attended remotely. Student representatives Jenita Aquino Patzan and Alice Richards

Administrators: Kathleen Murphy, *Superintendent*; Donna Palley, *Assistant Superintendent*; Jack Dunn, *Business Administrator*; Matt Cashman, *Director of Facilities*; Bob Belmont, *Director of Student Services*; Larry Prince, *Director of Human Resources*; Karen Fischer-Anderson, *Safety, Compliance, and Title IX Coordinator*

Agenda Item 1. Call to Order

Board President Jim Richards called the meeting to order at 6:02 p.m.

Agenda Item 2. Approval of Agenda

Mr. Richards made a motion to move the Instructional Committee report to after the Capital Facilities report.

The Board voted 8-0 (Gina Cannon, Brenda Hastings, David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg, Kate West) to amend the agenda as noted (motioned by Mr. Richards, seconded by Mr. Weinberg).

Mr. Weinberg made a motion to add a resolution relative to HB 20, legislation that would be introduced in the House on February 2.

The Board voted 8-0 by roll call (Gina Cannon, Brenda Hastings, David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg, Kate West) to amend the agenda (motioned by Mr. Weinberg, seconded by Ms. West).

The Board voted 8-0 by roll call (Gina Cannon, Brenda Hastings, David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg, Kate West) to approve the agenda as amended (motioned by Ms. Walsh, seconded by Ms. Smith).

Agenda Item 3. Approval of Board Minutes

Mr. Richards reviewed the minutes of the annual organizational and regular Board meetings on January 4, 2020.

The Board voted 8–0 (Gina Cannon, Brenda Hastings, David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg, Kate West) to approve the minutes of the annual organizational and regular monthly meetings on January 4, 2020 (moved by Mr. Weinberg, seconded by Ms. Smith).

Agenda Item 4. Appointment of Deputy Clerk

The Board voted 8–0 (Gina Cannon, Brenda Hastings, David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg, Kate West) to appoint Patrick Taylor, Esq. Deputy Clerk of the School Board, with thanks (moved by Mr. Richards, seconded by Ms. Smith).

Agenda Item 5. Recognitions/Reports

Mr. Richards recognized and congratulated Josh Hardy, Executive Director of ConcordTV and Nathan Fennessy, Esq., a former Board member from 2016 through 2018, who had both been recognized in the NH Union Leader's special section, "40 under 40" for their career achievements.

Mr. Richards reported on the meeting with Concord's legislative delegation on January 29. The group discussed the need for accelerated Covid-19 vaccinations of teaching and support staff, the future of Rundlett Middle School and the need for restoration of state building aid. The group discussed adequacy aid, which is typically based on enrollment. Due to the pandemic, there had been a substantial drop in enrollment which would have a significant tax impact on the coming budget. Board and administrators asked legislators to take steps to base it not on this one-time drop, and to make districts whole and assist with getting over this particular effect of the pandemic. The Free and Reduced Lunch program had also taken a hit because of the pandemic. The District was providing breakfast and lunch to students every day, including weekend. The normal signup for this program had not been possible, and the Board wanted to make sure the program was fully funded. The group discussed broadband equity, for students who did not have adequate, or any Internet access. He thanked representatives David Luneau and Mel Myler, who added a discussion of school voucher bill HB20, which would definitely result in a reduction of funds to the District, and thereby translate into increases in property taxes. He urged everyone in the District to voice call their representatives and Senator to oppose HB20. He discussed how the District needed to be abreast of and a participant in bills taking place at the same level. David Parker, chair of City and Community Relations Committee, would monitor these bills and report back to the Board periodically. Mr. Parker said the Board needed to weigh in on some of the proposed legislation. He noted that HB20 would pull funding from the District but would also encourage private schools, although the District would still be responsible for certain programs. Students would be able to take classes at public schools while attending private schools, but would not be counted in terms of adequacy aid. Ms. West noted that the Board needed to reach out to the Governor to say teachers and support staff needed to be vaccinated against Covid-19 as soon as possible.

Gina Cannon reported on her participation in the NHSBA annual delegate assembly, the primary purpose of which was to approve or reject resolutions submitted to it. She noted that the first six standing resolutions were approved as a batch. Resolution no. 7, related to Covid-19 reimbursements, did not pass as it was deemed too narrowly tailored and did not include a variety of expenditures that might not be considered "Covid-19 related" but needed to be reimbursed. Resolution no. 8, related to broadband equity, passed. Resolution no. 9, to increase school building aid to more than it had been when last used, passed. NHSBA proposed alternative language for Resolution no. 10, referring to equity and inclusion in all aspects of education and adhering to anti-discrimination laws. The resolution passed. NHSBA did not recommend passing Resolution no. 11, which asked that NHBSA support a request to NHDOE to set a standard, defined calculation for inter-district tuition. NHSBA felt that districts should have the ability to negotiate the tuition terms. CSD also did not support, and it did not pass. Resolution no. 12, requiring remote students to be on camera while attending class, and districts to provide privacy tools to cloak their location, was not recommended by NHSBA as they did not think it appropriate to require all students to be on camera in order to be in class. The resolution did not pass.

Resolution no. 13, related to who received IDEA allocation from NH DOE, passed. Previously, DOE sent IDEA allocated funds to "sending districts" (where students live). Following a US DOE audit, NH DOE was instructed by US DOE that it had to send IDEA allocated funds to "receiving districts" (where students receive education). This resolution was proposed to direct NHSBA to lobby the legislators for a change back to the old distribution procedure. Concord School Board had voted to take no action on this resolution. The resolution passed. Resolution no. 14 related to differentiated aid: whether districts would be held harmless using 2019-2020 enrollment numbers. This resolution passed. There were several motions made from the floor. They were all, after discussion, withdrawn. Another motion from the floor was made that NHSBA endorse and lobby legislation in favor of moving teachers and support staff to 1B classification for the purpose of Covid-19 vaccinations. The assembly voted to ask NHSBA to send a letter to the Governor to move teachers and support staff to 1A status.

Student Board representatives Jenita Aquino Patzan and Alice Richards provided notes on events at CHS. February 1 was the first day of Semester 2; students appreciated the administration's decision not to have midterms at the end of Semester 1. February 1 was also the first day back of hybrid learning. Sophomores and juniors recently took the PSAT in preparation for the SAT in the spring. Masking, handwashing and social distancing protocols were carefully followed, and Hand sanitizer and cleaning wipes were placed in all classrooms for students to use before and after their test. In January, they continued planning with Assistant Superintendent Donna Palley and *Safety, Compliance, and Title IX Coordinator* Karen Fischer-Anderson for soliciting student feedback on the bullying policy. They planned to include groups of younger students as well.

Superintendent Murphy presented a timeline of activities that had been taken within the District to address racism and discrimination. This work was started last May by

Assistant Superintendent Donna Palley and former Interim Superintendent Frank Bass, and has continued throughout that year and into 2021. When the Anti-racism/Anti-discrimination Advisory Group website is finalized, the timeline will be posted. The size of the group varies from 20 to 30. Two Board members are on the Advisory Group. Mr. Richards gave full support of the Board for the work to eliminate racism and realize equity for all students, and said he looked forward to additional training for the Board. Mr. Weinberg said he had attended several sessions of the professional development day on January 22, including the “Dear White Educator” session, and commended all those who actively participated. Ms. West requested that student disciplinary data be gathered from the middle and elementary schools as well.

Agenda Item 6. Public Comment– agenda items only

Concord resident and parent Maureen O’Brien Adams said she remained concerned about student safety, particularly drug use, noting that hundreds of students do drugs in high school bathrooms. She said the Board needed to continue to focus on that topic. She was also frustrated about curriculum lost over the past year, and said the Board needed to focus on keeping students in school. She said that if teachers were going to be considered essential workers, they should be in the building teaching kids. She was frustrated with her children’s online learning, and wanted to see data about decisions to close/reopen schools.

Barb Higgins joined the meeting at 6:25 p.m.

Agenda Item 7. Proposed resolution

Mr. Weinberg proposed the following resolution:

“Our District is dedicated to cultivating and providing a strong and inclusive public education for students in our schools. House Bill 20, also known as the Richard “Dick” Hinch Education Freedom Savings Account Program, compromises not only this ideal, but our public education system as a whole. Therefore, we, the Concord School Board, unequivocally stand opposed to HB 20 and any iteration that seeks to dismantle our public education system.”

Ms. Hastings asked for a copy of HB 20. Mr. Richards provided the website to find the proposed bill. Mr. Weinberg said voucher bills were common in New Hampshire, but this one was unique because over 90% of students in New Hampshire would be eligible. This would be challenging for the District, as it would take \$3,500 to \$8,600 per student from the state’s education fund and distribute it to private schools or directly to parents who were home schooling. Special education students would be expected to cede their rights. No oversight was provided in the bill. Ms. Walsh added that this would be public money spent without public accountability, in terms of testing, assessment, standards and on other measures. Families could be asked to sign away their rights under IDEA. The District would not be allowed to discriminate, but private schools can discriminate. While

possibly only a few students in Concord might take advantage of this, the District would lose significant funds. Ms. Hastings asked whether the administration had determined how many students would leave, and what the financial impact would be on the District. Superintendent Murphy suggested that all current homeschooled students would be considered in this count. While 160 students left the District for other private schools, charter schools or homeschooling due to the pandemic, she indicated most would come back, especially elementary students. She also noted that students who live in Concord and currently attend private schools would qualify for these funds, which would significantly impact Concord; “funds will follow the child.” She said this legislation did not address student diversity: those with IEPs, 504 plans, ELL students, and others – their issues were not required to be addressed in other schools. She said that if a Concord student attended a charter school, it was the District’s obligation to provide special education services to that child, either paying the charter school to provide the service or paying someone to provide the service at charter school. Barb Higgins noted that her employer, VLACS, did not provide special education services; those were provided by sending district. She said that currently, when parents homeschooled their child, they lose special education services. Mr. Parker noted that HB 20 was a disservice to public schools and a Board statement was justified, but cautioned the Board about voting in the future on legislation they had not read. Mr. Weinberg and Mr. Parker described how to access the specific area of the state website to record one’s opinion of the bill.

The Board voted, by roll call, 6-0 with three abstentions (David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg, Kate West voted aye; Gina Cannon, Brenda Hastings, Barb Higgins abstained) to approve the resolution as presented (motioned by Mr. Weinberg, seconded by Ms. Smith).

Agenda Item 7. Communications and Policy Committee

Ms. Cannon noted that the Committee had met on January 20 to continue its discussion of proposed policies for protection of transgender and pregnant students. The Committee also voted to bring Policy #890 Volunteers before the Board for a first reading. The policy name would change to “Designated Volunteers,” and needed revision as it was referenced in changes required by law to Policy #462 Background Investigation and Criminal Records Checks. After discussion about the categorization of volunteers, it was determined that at this time all volunteers would be considered *designated volunteers* and background checks would be conducted for each person. Mr. Parker asked whether there were options for volunteers to get background checks other than the State Police offices. Larry Prince said there might be the possibility of doing this at a school Open House.

Two policies were before the Board for a second reading and vote: Policy #402 Training and Information Relative to Child Sexual Abuse Prevention, and Policy #462 Background Investigation and Criminal Records Checks.

The Board voted 9–0 by roll call (Gina Cannon, Brenda Hastings, Barb Higgins, David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg,

Kate West voted aye) to adopt Policy #402 Training and Information Relative to Child Sexual Abuse Prevention (moved by Ms. Cannon, seconded by Ms. Walsh).

In response to a question from Ms. West about the reason for section E. in the policy, Superintendent Murphy noted that this particular background check was specific to an individual, who could carry it from one district to another (substitute teachers, for example). Bus drivers also had a different background check process, including drug testing, which was conducted by the Department of Safety and well as NH DOE. Ms. West asked whether Section H. Final Offer of Employment would override any decision made by the Superintendent. Ms. Fischer-Anderson noted that section E. delineated offenses required to be included under NH state law.

Superintendent Murphy noted that she was getting background check results back more quickly than earlier in the year, and has not granted a waiver to any new hire. She noted she could approve candidates with certain misdemeanor convictions, but felonies were another matter. She also noted that only the Superintendent can see the results of any criminal background check, then they must be destroyed. Larry Prince said the RSA listed very specific felony convictions that would preclude hiring. Ms. Hastings asked if only the Superintendent gets those results, someone might be hired who had a record and no one else would know. Superintendent Murphy indicated strict compliance with the law.

The Board voted 9-0 by roll call (Gina Cannon, Brenda Hastings, Barb Higgins, David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg, Kate West voted aye) to adopt revisions to Policy #462 Background Investigation and Criminal Records Checks (moved by Ms. Cannon, seconded by Ms. Smith).

Superintendent Murphy described revisions to Policy #890 Volunteers, noting that the committee had also discussed proposed policies related to transgender or gender non-conforming students, and pregnant students. Ms. Fischer-Anderson noted that Matt Cashman had been taking an inventory of gender-neutral bathrooms in the District.

Agenda Item 8. Capital Facilities

Danielle Smith noted that the Committee had met on January 27 to tour Rundlett Middle School and begin consideration of the facility's future. Matt Cashman discussed the history of work on the project and assessment of the project's current status. Ms. Smith discussed what "schematic design" was. Ms. Hastings noted that all the planning work the Board had done on this project three years ago, available through committee and Board meeting notes, was still viable. Mr. Richards said now was an important time to reinvigorate this project, to prevent spending more funds in case of catastrophic failure at RMS. Ms. Higgins reference a letter that former Board member Pam Wicks wrote to Board members, encouraging the committee to reach out to her on this project. Mr. Parker said RMS should be the sole agenda item at a future Board meeting, to strategize as a full Board how to roll out to the entire community in as intentional a way as possible. Ms.

Smith said the Board would need to vote to start schematic design process, and would rely on multiple community forums.

Agenda Item 9. Instruction

Ms. Higgins noted that the Committee had met on January 13 to discuss the resumption of athletic and co-curricular programs and a review of the “transitioning between school models” matrix. Since then, athletic teams had been in various stages of activity, including team members quarantining, “pauses” in the programs because of quarantining, and continuing to practice and compete.

There was a big push to get students back into the buildings based on low transmission rates of Covid-19. The elementary hybrid program remained essentially how it was in the fall. The middle school and high school had switched to four full days of instruction based on parent/student lack of support for the previous hybrid model. This would continue to be a fluid situation. Temperatures were no longer being taken on arrival at school, on the advice of DHHS and school nurses, and there was some concern from parents about that. The committee discussed the need for teachers to have the technology they need in a way that was acceptable and working. The Board had received notice of a teacher survey about hybrid/remote instruction (both in-person students and remote students), although this had not been presented to the administration. Meetings and discussions with teachers at RMS and CHS had been offered since then.

Bob Belmont commented on the recommendation for the creation of the Concord Special Education Parent Advisory Council (Concord SEPAC), noting that parents become experts as they gather in groups to discuss targeted topics. Mr. Parker said this was a good initiative. Ms. Cannon said this was a great opportunity for parents to support each other as, in addition to the pandemic stress and current educational “fluidity,” parents of children with disabilities who had been at home during the pandemic might need the opportunity to support one another.

Agenda Item 10. Proposed calendar of meetings

Superintendent Murphy discussed the proposed Board calendars for February and March, highlighting budget work sessions and public hearings on the budget. Mr. Richards noted that budget work sessions would be held in person in the Board Room at the Central Office, and would be broadcast.

Agenda Item 11. Public comment

Concord student and BMS kindergarten Reese Nelson asked when students were going to go back to school five days a week. Superintendent Murphy attempted to answer this question.

Ms. Walsh asked if a joint meeting of the Capital Facilities and Finance Committees could be scheduled to talk about the RMS proposal. She also noted that, as teachers were being vaccinated, this would increase questions about when students will come back to the buildings. She asked when the Board would see some options, as she felt the need to start those discussions sooner rather than later. Superintendent Murphy noted that the administration had assessed continuing protocols, including the physical requirement of 6-foot distances among students in the classrooms. She was hopeful that students would be back in school in the fall, but noted that public health officers were concerned about the as-yet-unknown effect of vaccines on the youngest students. She noted there had been only 54 reported positive cases in the District since August. She said that the District had done very well with students, noting that there had been a greater impact on adults than on students. Superintendent Murphy noted that physical therapists, occupational therapists, and nurses had had either one or two vaccinations; if teachers were all vaccinated, she would recommend coming back later in the spring. She had called the Governor to speak with him about prioritizing educational staff for the vaccine, and had spoken with the NH DOE Commissioner as well.

Ms. Higgins noted that the administration did not have any control over the vaccination process.

Superintendent Murphy also mentioned the second round of ESSA grant funding; the District had received notification of its allocation of \$4.3 million to support its pandemic response. She was holding brainstorming sessions with administrators to discuss how the District would spend those funds in allowable ways (staffing, aspects of PPE, robust summer programs from K-12, additional work time for nurses, etc.).

Agenda Item 12. Non-public session

Mr. Richards made a motion to move into non-public session at 5:33 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 by roll call voted 9-0 (Gina Cannon, Brenda Hastings, Barb Higgins, David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg, Kate West voted aye) to enter non-public session at 8:23 p.m. under RSA 91-A:3 II (c) (motioned by Mr. Richards, seconded by Ms. Smith) to discuss a personnel issue.

The Board recessed into non-public session.

Ms. Cannon moved to come out of non-public session at 8:53 p.m.

The Board by roll call voted 9-0 (Gina Cannon, Brenda Hastings, Barb Higgins, David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg, Kate West voted aye) to come out of non-public session at 8:53 p.m. under RSA 91-A:3 II (c), discussion of a personnel issue. (motioned by Ms. Cannon, seconded by Ms. Higgins).

Ms. Cannon moved to seal the minutes of the non-public session.

The Board came out of non-public session and by roll call voted 9-0 (Gina Cannon, Brenda Hastings, Barb Higgins, David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg, Kate West voted aye) to seal the minutes under RSA 91-A:3 II (c) - public employee (motioned by Ms. Cannon, seconded by Ms. Higgins).

Agenda Item 14. Adjournment

The Board voted 9-0 by roll call (Gina Cannon, Brenda Hastings, Barb Higgins, David Parker, Jim Richards, Danielle Smith, Pamela Walsh, Jonathan Weinberg, Kate West voted aye) to adjourn (motioned by Ms. Walsh, seconded by Ms. Hastings).

The Board adjourned at 9:00 p.m.

Respectfully submitted,

Gina Cannon, *Secretary*
Linden Jackett, *Recorder*