

**Merrimack School Board Meeting
Merrimack Town Hall Meeting Room
February 6, 2012**

PUBLIC MEETING MINUTES

PRESENT: Chairman Vaillancourt, Board Members Barnes, Markwell and Thornton, Superintendent Chiafery, Assistant Superintendent McLaughlin, Business Administrator Shevenell and Student Representative Yates. Vice Chairman Ortega was excused from the meeting.

1. Call To Order

Chairman Vaillancourt called the meeting to order at 7:30 p.m.

Chairman Vaillancourt led the Pledge of Allegiance.

2. Approval of January 17, 2012 Minutes

Board Member Barnes moved (seconded by Board Member Thornton) to approve the minutes of the January 17, 2012 meeting.

Board Member Barnes requested the following changes to the minutes:

- Page 1 of 12, last paragraph, correct the spelling of participation.
- Page 2 of 12, Section 4, change the heading to read School Funding Update from NH Legislators.
- Page 2 of 12, last paragraph, should read “.....putting State aid for education at risk in Merrimack.”
- Page 3 of 12, paragraph 1, should read, “Representative Hess responded that he hoped that was not the “flavor” Speaker O’Brien or Senator Bradley presented and that he inaccurately speculated Board Member Barnes’ impression was in error.”
- Page 9 of 12, Article 5 add a period after Reeds Ferry Elementary School.
- Page 10 of 12, paragraph 8, add the sentence “Speaking to the motion, she shared that the Administration has time before the project begins to refine the plan and Principal Yarlott is able to give input.”

Board Member Thornton requested the following changes to the minutes:

- Page 4 of 12, last paragraph, NHSR should be changed to NHRS.
- Page 5 of 12, first paragraph, NHSR should be changed to NHRS.
- Page 5 of 12, paragraph 5 should read, “....he did not think this was an issue....”

School Representative Yates requested the following changes to the minutes:

- Page 11 of 12 under “Comments” paragraph 2, change the date of December 31, 2011 to January 13, 2012 and change the word “Atkins” to Athens.
- Page 11 of 12, change the word “Infirmary” to “Fermi”

Chairman Vaillancourt requested the following changes to the minutes:

- Page 3 of 12, paragraph 4, add an “s” to the last word (school).
- Page 8 of 12, last bullet of section three should read “There is a proposed 3 year agreement with a 2.75% increase for each of the three years. However, there is a major healthcare concession made by the support staff that is in line with the same healthcare concessions that

the Merrimack Teachers' Union agreed to in their collective bargaining agreement the year before. The combination reduces the bottom line of the operating budget."

- Page 10 of 12, paragraph 7 from the bottom, change the last sentence to read "The traffic flow issue along with the safety concerns are being addressed by the Reeds Ferry Elementary School Administration."

The motion passed 4-0-0.

3. Public Participation

There was no public participation.

4. Consent Agenda

- Approval of Safe Routes to School Survey

Board Member Barnes moved (seconded by Board Member Markwell) to approve the consent agenda.

The motion passed 4-0-0.

5. The District Library Program: A 21st Century Model

Library Director Nancy Rose provided an overview of the library program.

Board Member Barnes noted that the students are receiving a comprehensive education in the library which ties in with all their other learning.

Board Member Markwell asked for a definition of "digital citizenship".

Ms. Rose replied that "digital citizenship" refers to how you compose yourself online and how to manage your online presence, while being a good citizen.

Chairman Vaillancourt noted that the library and technology programs are integrated, which is very impressive. She added that there are fast moving changes in technology and that the big challenge is to keep up with technology with financial issues and budget constrictions. She thanked all the library staff for attending the board meeting and for attending the open house at James Masticola Elementary School library prior to the board meeting.

6. School Calendar for 2012-2013

Superintendent Chiafery explained how the calendar for the 2012-2013 school year was built. Input from the Merrimack Teachers' Association (MTA) and Merrimack Education Support Staff Association (MESSA) was received. Superintendent Chiafery also researched the Massachusetts school calendars for vacation dates. She stated that 187 days for educators must be planned for including 7 days for teacher workshops and conferences, therefore leaving 180 days for student instruction. She added that there would be no half-day workshops. Proposed teacher workshop full days are:

August 27, 28, 29, (which are for classroom preparation and orientation)

November 6 (which is national Election Day)

April 9 (which are town elections)

There are also 2 days scheduled for parent conferences.

No School Days are:

September 3	Labor Day
October 8	Columbus Day
November 6	Election Day
November 12	Veterans' Day
November 21-23	Thanksgiving Recess
Dec. 24-Jan. 1	Winter Vacation
January 21	Martin Luther King Day
Feb. 25-March 1	Winter Vacation
April 9	Teachers' Workshop Day
April 22-26	Spring Vacation
May 27	Memorial Day
June 14(if no make up)	Last Day of School

Superintendent Chiafery asked the board to consider the proposed calendar for 2012-13. If there are no questions from the board it will appear on the consent agenda for the February 20th board meeting.

Board Member Thornton commented that returning to school this year on January 2nd was liked by some and disliked by others. She added that taking off the Wednesday before Thanksgiving also has gotten mixed reviews, but that it seems to benefit everyone since substitute teachers would not have to be hired for those teachers who would be taking the day off. She thought that having workshops on Election Day was a very good idea.

Board Member Barnes asked Assistant Superintendent McLaughlin if he had the attendance numbers for the day before Thanksgiving for the year [2009] school was in session the day before Thanksgiving.

Assistant Superintendent McLaughlin responded that the number of students absent on the Wednesday before Thanksgiving was more than double when compared to Tuesday of the same week when the students attended school on the day before the holiday in 2009.

Board Member Barnes stated that she also supported the teacher workshop day on Election Day.

Board Member Markwell expressed his support for a school day on the Wednesday before Thanksgiving. He noted that if there were a large number of snow days, having school the day before Thanksgiving may prevent school from being in session later in the summer.

Chairman Vaillancourt agreed that the Wednesday before Thanksgiving is split in opinions. Setting the school calendar is always contentious and there will never be a calendar that will make everyone happy. She is concerned about low attendance on the Wednesday before Thanksgiving. She stated that she is saddened that there are no half-day teacher workshops, but accepts it with the hope that in 2013-14 the half-day workshops could be reinstated. She added that eliminating one of the winter vacations would not be successful unless it was a statewide decision.

Board Member Barnes asked Assistant Superintendent McLaughlin for input on the impact of eliminating one winter vacation resulting in a longer summer, with regards to instruction.

Assistant Superintendent McLaughlin responded that studies have determined that during the summer there is a slowdown of knowledge, with a decline in math more than in reading. He added that it is not easy to quantify the amount of knowledge lost for one extra week of summer.

Chairman Vaillancourt stated that the proposed school calendar would be placed on the consent agenda for the February 20th board meeting unless board members request changes.

7. Summary of Professional Development Activities on January 13, 2012

Assistant Superintendent McLaughlin shared the following details about the January 13, 2012 professional development day.

- The elementary (K-6) School workshop was led by Assistant Superintendent McLaughlin. It focused on Response to Intervention (RTI) to detect early intervention in learning. This initiative is new to the District. Teachers gained a clearer understanding of RTI and were encouraged to ask questions and concerns as a district model is created.
- The middle school (7-8) workshop was led by teachers. Their focus was on SCALES (Strategies for Collaboration in Learning Essential Standards). This work uses content area teams to implement standards, align units of instruction and develop formative assessments. There was a “gallery walk” during which teachers who developed some of those standards of formative assessment posted them for other teachers to see areas of commonality and areas of difference. Teachers had developed standards of formative assessments and then posted them.
- The high school (9-12) workshop consisted of teacher led instruction. The initiative focused on competencies. Some of the issues focused on competency assessments. Questions regarding ways to collect data from the pilot program are underway.
- The paraeducators in grades K-6 received instructional support for mathematics by Professor Peg Ford of Southern NH University (SNHU). Professor Megan Paddock of SNHU provided math support instruction to paraeducators in grades 7-8. Paraeducators at the high school received training in behavior management strategies by Polly Bath.
- The art, music, and physical education teachers in grades K-6 participated in a two-way teleconference with the Center for Interactive Learning and Collaboration on “teaching creativity and transforming education”. This training was a result of a request for something aligned to their particular content area and an opportunity to interact with each other.
- The Nurses received a presentation from Southern New Hampshire Area Health Education Center on “Culture and Cultural Education”. The nurses learned that there are cultural differences that may inhibit students from receiving nursing care. This is the beginning of a multi-part module with the Southern NH Area Health Education Center.
- The Occupational and Physical Therapists enjoyed assistive technology training in their area. Speech pathologists and paraeducators discussed the role of technology in speech.

Chairman Vaillancourt was pleased that the district is responding to what the staff is requesting for training.

8. Response to Proposed Change to Reduction in Force Procedures

Chairman Vaillancourt noted that she would recap Superintendent Chiafery’s presentation in a previous meeting regarding the proposed changes to the Reduction in Force procedures. She stated that when she spoke with Senate President Peter Bragdon and the Senate Attorney to ask if the law superseded the contract, they advised her to speak with the district’s attorney regarding the intent of Senate Bill 196.

Chairman Vaillancourt stated that Senate Bill 196 has a direct impact and change to the teachers' contract section 189:14 (a). The Bill states that the school district is prohibited from using Reduction in Force (RIF) criteria based solely on seniority. In Attorney Peahl's opinion, there is no room for exception to Senate Bill 196 for existing collective bargaining agreements.

Chairman Vaillancourt stated that there is a collective bargaining agreement in place, but it is not in compliance with the law since classifications do not fit the definition of second criteria. Attorney Peahl explained that first classification identifies the group being affected and then the criteria is used to outline how they are handled in the RIF.

Chairman Vaillancourt continued to report that the Merrimack Teachers Association refused to enter into a side bar agreement regarding a second criteria. She added that the intent was to use performance as criteria, but there is a great deal of work to be done before performance can be used as a criteria. She added that other school districts are in the same situation as the Merrimack School District. In Chairman Vaillancourt's opinion, since the Merrimack Teachers Association will not cooperate with the district, the fair, reasonable and objective measurement for a reduction in force would be the level of education.

Board Member Barnes asked what the options were, based on the timeline. She asked if there is an option to ask the Merrimack Teachers Association one more time to take part in negotiations or is the task of finding other criteria left up to the board.

Superintendent Chiafery stated that by April 15th all staff will need to be notified of their status for next year. In the past, she has been able to have personal conversations with all individuals affected by the reduction in force. There is still time in February and March, but the longer it takes, the longer teachers will wonder if they are the one affected. She added that the Merrimack Teachers Association and the Superintendent have been very respectful of each other's opinions on this issue.

Chairman Vaillancourt stated that there is a possibility the district, knowing grievances would occur, would need to be put on notice for reduction of a double reduction in force. The people who fit the criteria of seniority and the criteria of level of education may increase from 7 people to 14 people.

Board Member Barnes asked if March 15th was a reasonable date.

Superintendent Chiafery replied that two extra weeks would be reasonable.

Board Member Barnes moved (seconded by Board Member Thornton) to reach out to the Merrimack Teachers Association to establish a mutually agreed upon criteria, with the fallback that if no agreement is made by March 15th, the level of education would be the criterion proposed by the board.

Board Member Markwell stated that he would look at skills, abilities, performance and level of education before looking at seniority. He added that performance and accomplishments were better criteria than seniority.

Superintendent Chiafery explained that using seniority as criteria is defined in the collective bargaining agreement. She added that the evaluation mechanism that is in place now needs to be revamped. She added that there is work to be done with performance evaluations, which will take time. Hopefully the educators and the administration will work together to make it part of the next collective bargaining agreement in two years. Given the situation the district is in now, an objective criteria must be added so that the district would be in compliance with the law. She noted that academic preparation was selected

because many of the staff has moved forward in their education. Teacher performance in the classroom is the ideal criteria but the proper tool(s) are not in place to make it fair and understood.

Board Member Markwell agreed that the board needs to be responsive to the law and asked if there could be more than one criteria developed now so that the board would be prepared in the future.

Superintendent Chiafery responded that if one criterion is developed the statute will be met. She added that level of education will be that criteria.

Chairman Vaillancourt stated that she was hopeful that the district would begin work on teacher evaluations immediately.

Board Member Thornton asked if the School Board Association could help the board with any of the evaluation procedures, or if the district was on its own.

Superintendent Chiafery responded that that the evaluative tool plays into the work that the teachers are doing. The current evaluation model doesn't do that. She added that the intent is to work with consultants from Learning Innovations beginning in March. She added that the district has worked with Nancy Gerzon and other colleagues who specialize in teacher evaluation to create a new evaluation model.

Board Member Thornton asked if one criterion supercedes the other.

Superintendent Chiafery responded that academic preparation is first and seniority is second.

Board Member Thornton stated that she was concerned that the district will lose some valuable teachers.

Chairman Vaillancourt agreed that some valuable teachers may be lost, but the board must comply with the law.

Board Member Barnes stated that her intent behind her motion was to give Superintendent Chiafery flexibility to open the lines of communications with the teachers. She asked if the dates in the motion would work.

Superintendent Chiafery responded that she appreciated the efforts of the board to resolve their differences of opinion. She added that it is important that she speak with individuals involved in a reduction in force person to person and not a letter. There is a small window of opportunity to do this.

Board Member Markwell stated that he was not in support of the motion. He felt that the decision should be made immediately, noting that if the Merrimack Teachers Association had not been willing to negotiate in the past, probably nothing would happen in the time frame of the motion.

The motion failed 1-3-0 with Chairman Vaillancourt, Board Member Thornton and Board Member Markwell in opposition.

Board Member Markwell moved (seconded by Board Member Thornton) to go forward with the proposal from Superintendent Chiafery to use education as the other criteria in the reduction in force procedures.

The motion passed 3-1-0 with Board Member Barnes in opposition.

9. Preparation for Visitation by Legislative Delegation

Superintendent Chiafery submitted a request to Representative Christensen to invite Merrimack's legislative delegation to attend a board meeting on February 20th. She asked board members for areas of interest or bills so that the appropriate representative will be able to respond to the specific topics.

Superintendent Chiafery stated that Representatives Richard Barry and Ken Hawkins would be in attendance at the March 5th board meeting to discuss the New Hampshire Retirement System.

Board Member Barnes stated that she is interested in House Bill 1413 and 1517 regarding NH opting out of No Child Left Behind.

Chairman Vaillancourt stated that those bills would be voted on Wednesday, February 8th.

Board Member Barnes also stated that she would like to know about the standards of performance, catastrophic aid, educational funding, and the status of current bills that are upcoming in the House, Senate or the Governor's office. She stated that she was also interested in what has changed in 2012 at the latest legislative session. She would also like to know the time line, as to where things currently are.

Chairman Vaillancourt noted the bills that she would like more information on. These included CACR 12, Building Aid Bills HB604, 1199, 1564 and Senate Bills 383 and 533. She was also interested in the Education Tax Credits Bills HB1607 and Senate Bill 372, which will be voted on February 14th.

Superintendent Chiafery spoke about the NH Retirement Plan. She stated that a coalition came forward and protested the way the NH Retirement Board had raised employees share from 2% to 7%. She added that the outcome of the hearing that she attended was that this increase should not have been done, since it was in violation of the contractual agreement. Other items of concern included the retirement age and sick and vacation leave. She added that there are 30 days to appeal, which is probably forthcoming.

Superintendent Chiafery stated that she would like to know the current status of the bills. She would also like to know the outcome if they have already been voted on. She will bring these items up when Representative Barry and Representative Hawkins attend the board meeting on March 5th.

Chairman Vaillancourt asked Superintendent Chiafery, Assistant Superintendent McLaughlin and Business Administrator Shevenell to also add to the list of bills or concerns they may have.

10. Use of Tennis Courts on O'Gara Drive

Superintendent Chiafery reported that in January she spoke with Town Manager, Eileen Cabanel who had spoken with the Park and Recreation Director regarding the possibility of resurfacing the tennis courts on O'Gara Drive.

Superintendent Chiafery reported that the James Masticola Upper Elementary School, the James Masticola Elementary School and Merrimack High School, which are the schools closest to the tennis courts, would like them resurfaced and restored for competition, practice and physical education classes.

Superintendent Chiafery referred to the long-term agreement for the tennis courts, which was written in 1993 for a period of 25 years. There was a question as to when the agreement ends and what the board's intent is for the future. She asked the board to consider a vision for the tennis courts.

Chairman Vaillancourt reported that she received a call from the Merrimack Youth Association president requesting that the tennis courts not be made into a parking lot. Perhaps it could be used to expand the skate park or used for some other recreational purpose.

Board Member Barnes stated that the courts need to be replaced, not merely repaired. She added that not having tennis courts in the area is a disadvantage for competing tennis teams. Although Wasserman Park has excellent tennis courts, it is a 20-minute drive from the high school area and is not conducive to teams practicing. She added that other active recreational space would be acceptable but not a parking lot. She added that the parking lot near the tennis courts needs to be maintained and that there should not be any smoking receptacles at or near the courts.

Board Member Thornton echoed Board Member Barnes' comment "what ever is best for the town". She added that the cost issue would most likely come up for discussion.

Superintendent Chiafery stated that \$29,000 had been put aside by the Town Council for the project and asked if this was in the school board's vision for the future.

Board Member Markwell stated that all we need to do is tell the town to resurface the tennis courts and address the parking lot if warranted.

Student Representative Yates voiced his opinion that the tennis court area should not be turned into a parking lot.

Board Member Barnes noted that the tennis court area was developed with federal grant money for active recreational use of the land. The court must be maintained for recreational purposes unless they can get the state to inactivate the space.

Chairman Vaillancourt stated that she would like to have the tennis courts resurfaced. She asked Superintendent Chiafery to speak with the Eileen Cabanel to tell her that the Town Council needs to fulfill their end of the agreement, which expires in 2018, to resurface the tennis courts in order to keep them safe.

11. Other

Correspondence

Chairman Vaillancourt highlighted an invitation to board members by the Chamber of Commerce to attend their Annual Recognition Banquet and Scholarship Fund Raiser. She asked board members to respond to Deb Courtemanche.

Chairman Vaillancourt noted correspondence regarding the school calendar.

Comments

Student Representative Yates made the following announcements regarding Merrimack High School:

- Four students attended the NH All State Jazz Festival, which was held on February 4th at Windham High School.
- The boy's track team took second place at the state competition.
- The Theatre department performed Macbeth on February 2nd, 3rd and 4th.
- The Science Olympiad held it qualifying tournament on Saturday, February 4th for students who wish to participate at the State level.

Upcoming Events at the High School:

- The Winter talent show will take place on February 22nd at 7:00 pm
- The Mr. Merrimack High School pageant, sponsored by the National Honor Society and the Students Against Destructive Decisions will be showcased on February 16 at 7:00 p.m.
- A former or current Patriots football player will present Mr. Muller with a \$5,000 check for the Science Olympiad in honor of his receiving the Science Education Leadership Award.

12. New Business

Chairman Vaillancourt stated that School Board Policy 2600 is the current policy. She asked Superintendent Chiafery to present this to the NH School Board Association for an updated policy.

13. Committee Reports

Board Member Markwell attended the Healthcare Cost Containment meeting on January 18th. Discussion included:

- On the mark assessment program, which is basically a survey of 2 member groups. Beyond Life's Team takes a detailed look at the district's health assessment.
- He also presented a report on health care plans outside the public sector and will bring more information on this to the next meeting of the committee.

Board Member Markwell attended the Planning and Building Committee meeting on January 30th. Items discussed were:

- The high school field and track projects.
- The costs associated with the maintenance of the track and field.
- Recommendation to replace the sod with turf, if it is affordable. Turf would be an increased expense, but more teams could use it longer.
- Meetings of the Planning and Building Committee will not be televised.

Board Member Thornton reported that she attended the Parks and Recreation Committee meeting on January 18th. Discussions included:

- Review of the tree lighting and Christmas Parade
- The office for the Park and Recreation Department has been moved from Wasserman Park to Town Hall for the winter.
- The Winter Carnival will be held on February 25th at Wasserman Park from noon until 3:00 p.m.
- Day camp at Camp Naticook will begin on June 25th.
- The Parks and Recreation Committee is looking for a high school representative.

Board Member Thornton reported on the District Parents Group meeting on January 30th. Attendance was very good for the presentation by Nancy Rose regarding communication methods with Power School and upgrades.

Chairman Vaillancourt reported that Vice Chairman Ortega attended the Budget Committee meeting on January 24th. The budget workshop will be held on February 7th at 7:00 p.m. at the high school cafeteria.

Chairman Vaillancourt reported on the Master Steering Committee meeting attended by Tracy Bull. There was discussion regarding the meeting facilities in town and if the school board and the other town committees share the facilities. The perception was that the school and town don't share facilities. Examples of sharing were provided, including an example by the Merrimack Youth Association. Ideas about more collaboration efforts were discussed.

14. Public Comments on Agenda Items

Garry Krupp, 4 Ministerial Drive made comments regarding the school calendar and that parents should be surveyed before the calendar is approved. He also found it interesting that the board found no value in a teaching day on a low attendance day, but does find value in a half-day where he felt his children do not learn anything.

15. Manifest

The Board signed the manifest and the request for the release of funds from the Trustees of the Trust Funds.

At 9:45 p.m. Board Member Markwell moved (seconded by Board Member Barnes) recess to non-public session per RSA 91-A:3,II (a), (b), (c).

The motion passed 4-0-0 on a roll call vote.

At 10:42 Board Member Barnes moved (seconded by Board Member Thornton) to adjourn the meeting.

The motion passed 4-0-0.