

**Merrimack School Board Meeting
Merrimack Town Hall Meeting Room
September 4, 2012**

PUBLIC MEETING MINUTES

PRESENT: Chairman Ortega, Vice Chairman Powell, Board Members Barnes, Markwell and Schneider, Superintendent Chiafery, Assistant Superintendent McLaughlin and Business Administrator Shevenell, and Student Representative Kiera Crowley.

1. Call To Order

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

Chairman Ortega led the Pledge of Allegiance.

2. Introduction of Student Representative Kiera Crowley

Chairman Ortega introduced Student Representative Kiera Crowley, a sophomore at Merrimack High School. Kiera thanked the board for giving her the opportunity to sit as the Student Representative.

3. Approval of August 13, 2012 Minutes

Board Member Barnes moved (seconded by Board Member Markwell) to approve the minutes of the August 13, 2012 meeting.

Board Member Barnes requested the following changes to the minutes:

- Page 3 of 8, paragraph 1, change the end of the sentence to read "...based on the board's meeting schedule."
- Page 4 of 8, paragraph 10, add another sentence to read, "He also expressed concern about having school board members at liaison meetings and building visits that could influence the budget discussions."

Board Member Schneider requested the following changes to the minutes:

- Page 2 of 8, paragraph 3 from the bottom should read "Board Member Schneider added that the intent is not for these changes to be voted on at this meeting, but rather to have discussions back and forth between the Committee and the board.
- Page 5 of 8, paragraph 3 from the bottom should read, "Board Member Schneider stated that consistency is very important and that it puts credence to the arts as a program rather than a "filler subject".

Board Member Markwell requested the following changes to the minutes:

- Page 4 of 8, paragraph 4, add the word "Budget" before the word "Committee".
- Page 4 of 8, paragraph 8, insert the word "School" before "board" in the second sentence

Chairman Ortega requested the following changes to the minutes:

- Page 2 of 8, paragraph 1, second sentence remove the second “that” in the sentence and add the words “budget process” before the “changes”.
- Page 4 of 8, second paragraph from the bottom, change the word “reviewed” to “stated” and after the word “liaisons” add “are supposed to”.
- Page 7 of 8, paragraph 3, should read, “...teacher is discussing the alternative material. Remove “the student has already learned.”
- Page 7 of 8, section 10, paragraph 2, the first sentence should be “... there is going to be collective bargaining training session”.
- Page 7 of 8, section 11, should be Watson Park.
- Page 8 of 8, paragraph 5, correct the spelling of Capital.
- Page 8 of 8, section 12, first sentence, replace the words “have the ability” with “are required”.

The motion passed 5-0-0.

4. Public Participation

Gary Krupp, 4 Ministerial Drive, congratulated the board for last year’s budget and spoke about his concerns with this year’s budget. He stated that he was calling on the board to develop a budget that is significantly lower than the current \$65 million. He wanted 4 items considered:

1. Transportation
2. Retirement incentives
3. Consolidation of schools
4. Return of unexpended funds

Norbert Coty, 3 Dirt Road, stated that planning for a lower budget than last year is commendable, and anything that can be done to cut spending would be very wise and help the taxpayers.

5. Consent Agenda

Assistant Superintendent McLaughlin presented the following items for approval:

- a) Teacher Nominations
 - Jacqueline Heaton, Special Education Teacher, Merrimack Middle School

- b) Teacher and Nurse Resignations
 - Jeffrey LaFlamme, Special Education teacher, Merrimack Middle School
 - Bernadine Steines, Part-Time School Nurse, Merrimack High School
 - Ruth Hinde-Moura, School Nurse, Reeds Ferry School

- c) Approval of K-12 Arts Curriculum

Board Member Barnes moved (seconded by Board Member Markwell) to accept the consent agenda as presented.

The motion passed 5-0-0.

6. Attorney's Rendering Relative to School District Capital Improvement Plans

At Chairman Ortega's request, Superintendent Chiafery contacted Attorney Kathleen Peahl regarding the Capital Improvement Plan (CIP). Her opinion stated:

"...I believe a town planning board or an appointed committee may have authority to review and confer with the School District regarding its proposed capital improvement plan but does not have authority to approve or reject the District's plan. In other words, the planning board or committee services in an advisory capacity only."

"Thus, it is ultimately the School Board's responsibility to recommend and the school district voters' authority to approve an annual budget and appropriations for capital projects. Neither the Planning Board nor the CIP Committee has been delegated authority under the statute to approve or disapprove any capital project proposal by the School Board".

At the next meeting of the Master Plan Steering Committee, Chairman Ortega will present Attorney Peahl's correspondence regarding the Capital Improvement Plan.

Board Member Markwell agreed with the attorney's opinion, stating that the school board has the authority to prepare the Capital Improvement Plan.

7. Request to Increase the Part-Time Kindergarten Instructional Assistant Position to Full-Time at James Masticola Elementary School.

Superintendent Chiafery presented a chart of the projections and tentative enrollment for kindergarten in the elementary schools as well as the number of teachers and instructional assistants for that grade level as of August 30, 2012.

James Masticola Elementary School: 69 enrolled students, 2.5 teachers, 1.5 assistants

Reeds Ferry Elementary School: 61 enrolled students, 2.5 teachers, 2 assistants

Thorntons Ferry Elementary School: 71 enrolled students, 2.5 teachers, 2 assistants

Superintendent Chiafery requested a 1.5 kindergarten instructional assistant position at James Masticola Elementary School be increased to full-time. If the modification were made, each school would have two full-time kindergarten instructional assistants.

Superintendent Chiafery added that the cost for modifying the position would be approximately \$30,000, which would cover additional wages and a benefit package. She also requested that the 2-week rule be waived since school has already begun.

Board Member Barnes moved (seconded by Board Member Schneider) to increase the kindergarten instructional assistant position to a full-time position at the James Masticola Elementary School, incurring a cost of approximately \$30,000.

The motion passed 5-0-0.

8. Board's Initial Response to Budget Committee's Proposed Procedural Changes for the 2013-2014 Budget

Chairman Ortega reported that at the last school board meeting, the Chair of the Budget Committee, Bill Cummings, and Vice-Chair, Todd Beard, made a presentation, which proposed a number of changes in the proposed procedural changes. These changes were in response to their interpretation of the vote last year for the disbandment of the Budget Committee. Their feeling was that the voters wanted to keep the committee, but the town wanted to see some changes. These changes included:

1. Extending the time so the board has more time, until the middle of January as opposed to the beginning of January, to work on the budget
2. Submission of questions earlier in the process
3. Joint meetings with the school board
4. Changing the liaison meetings

Chairman Ortega explained that he was looking for an open discussion with the board on the proposal so that he could draft a response that would be acted on at the next meeting.

Board Member Barnes stated that she was concerned that at the last meeting Mr. Cummings and Mr. Beard showed concern about the school board members attending liaison meetings. She added that it is very important for the school board to look at the line items. The budget committee deals with the bottom line and cannot cut line items.

Board Member Schneider stated that the intent is that the workshops are for the purpose of reviewing and asking questions of the different department heads, which could take 2 or 3 meetings. The joint meetings would have the opportunity for the budget committee to ask questions of the board. The hearings begin after workshops are completed. He added that the hearings themselves would be separate.

Board Member Markwell stated that the board should try to utilize the time before the holidays for the workshops. He suggested that perhaps another snow day could be added to the proposed schedule. He added that he definitely supports the budget process with the budget committee, especially pushing the cycle to January. He added that he felt that the point of the liaisons is about access to the schools and staff. He also stated that he is in full agreement that the budget committee should be autonomous with the school board.

Chairman Ortega added that in essence, it is still a 3-week window to prepare the budget and that was of concern. He suggested that he would like to see departments prioritized and start to come before the board in December, after the budget books are received. He added that he liked the suggestion of the budget committee to submitting questions to the administration upon receipt of the budget books

Chairman Ortega stated that he agreed that the two boards should be autonomous. He added that the budget committee is a separate set of eyes to look at the appropriations and the prudence of the budget that the school board puts forward.

Board Member Schneider agreed that making useful time for the budget in December is appropriate. He asked how it was determined which departments should be discussed before the holidays and which ones after the holidays

Chairman Ortega stated the more complex areas of the budget would be the ones that perhaps need more time to prepare for discussions. He suggested that the ones that are relatively straight forward and easier to handle would be considered first, giving the board members more time for the more complex areas.

Board Member Markwell stated that last year the budget had to be voted on the day after the holiday vacation and that was very difficult. He added that he was not sure where the resistance is to having joint workshops since he didn't think they would interfere with autonomy of the budget committee and the school board.

Chairman Ortega stated that his intent was to move the budget to January 15th or 22nd. He added that he was not sure about the joint meetings/workshops.

Board Member Schneider stated that the budget committee is not a policy making body

Board Member Markwell stated that having joint meetings would save time and prevent duplication of effort. However, when discussing line items, the meetings should be separate.

Board Member Schneider said that there seemed to be some confusion regarding hearings vs. workshops. The workshops take place when all the questions are asked. However, the meetings should be kept separate.

Board Member Barnes stated she was concerned that the budget committee is going to steer the direction of the board's dialogue, as the board has to deliver its budget to the budget committee. That is why the budget committee wants the liaisons to have time at the microphone during the workshops. That will create an environment of influence from the budget committee as the board deliberates in its own hearings subsequent to the workshops. She added that the budget committee should look at the budget submitted by the school board.

Chairman Ortega will take the input from the board members and will draft an initial response to work off of at the next meeting when a vote will be taken on the changes.

8. Board's Initial Consideration for the 2013-2014 Budget

Chairman Ortega explained the process would be that each member of the board would share their thought about the budget and give direction to the Administration. He will take the information to the next meeting and assimilate that in the board's directive to the administration.

Board Member Schneider spoke about his thoughts, the first and foremost being Capital Improvement Plan (CIP).

- Replacing the roof, repaving, asbestos abatement, reconstruction of the entrances and the SAU Office are parts of the plan.
- The contract negotiations with the teachers are very important. The benefits aspect is the key with the negotiations. With the proper health care construction of the contract, there could be a significant savings to the district.
- Make sure the population changes are looked at and the number of students coincides with the number of teachers.
- His goal is to come in with a level-funded budget again this year.

Board Member Barnes spoke about her thoughts about the budget.

- Understand the impact that cuts in the budget would have, should they have to be made.
- Commit to the CIP, which creates and “even ripple” in the budget cycle.
- Look at the “bigger picture” and include the bonded debt.
- Commit to Technology. NEAC (New England Accreditation Council) has informed Merrimack that our technology needs improvement because of deficiencies in some of our buildings.
- Student-teacher ratios; keep consistent.
- Need to be concerned with expenditures.
- Need to maintain consistent productive class sizes and have the correct teacher-student ratios.

Board Member Markwell shared his thoughts on the budget

- He would like to see a consolidation at Mastricola Elementary School by reducing at least one administrator.
- He would like to see a plan for moving grade 6 to Merrimack Middle School.
- Suggested moving forward with the Administrative and Special Services building. He also suggested that this should be on the ballot as a warrant issue and should be bonded.
- The roofing project needs to be expensed from this year’s budget.

Vice Chairman Powell shared his thoughts on the budget

- Keep an eye on the staffing levels as they relate to the enrollment
- Would like to see the budget come in less than level funded
- Commitment to technology

Chairman Ortega shared his thoughts on the budget

- Continued quality of education while keeping the tax payers in mind
- Maintain appropriate staffing levels
- Continue to prioritize projects in the Capital Improvement Plan.
- Follow the diligent process that was put in place that looked across the long-term debts and to make sure we are not spiking in any area.
- Need to make data driven decisions and apply financial support to only successful programs
- Co-curricular programs should be streamlined to gain some equity between athletic and academic co-curricular.
- Maintain the infrastructure and move some things forward
- Commit to technology
- A lot of strategic planning has been done, keeping an eye on enrollments and staffing.
- A reduction in the budget
- Remain prudent, but not sacrifice quality of education

9. Formation of Teacher Evaluation and Performance Committee

Superintendent Chiafery explained that district administration, in collaboration with the Merrimack School Board and site based leaders, is actively pursuing a contemporary research based model of teacher evaluation and performance that aligns with both state and district goals. The district has contracted with Susan Villani, a consultant from Learning Innovations WestEd, to help lead the district’s effort to develop a new and useful way to evaluate teacher performance in line with contemporary expectations.

Superintendent Chiafery continued, explaining the make up of the committee as follows:

- One School Board Member
- One Assistant Superintendent of Schools
- One Director of Special Services
- Six Building Principals
- Two Parents

This means that there will be three educator representatives from the high school, two each from the upper elementary school and the middle school and one from each of the three elementary schools for a total of 10 educator representatives to the committee, totaling 21 members of the committee.

The committee intends to meet ten times a year: October 2 and 23, November 8, December 13, January 8, February 5, March 5, April 11, May 7 and June 4. Each of the meetings will be a full day (8:30 a.m. to 3:00 p.m.) It may be necessary to meet after school hours in the evening to discuss and describe the work of this committee to the broader public.

Board Member Barnes stated that the make up of the committee represents a good cross-section of the district. However, she did have a concern with the September 14th deadline for applications to the committee.

Superintendent Chiafery responded that the “ideal” situation is the schedule that has been put forth. There will be an attempt to get the information out to the staff and the public this week, but she wanted to get the school board to weigh in before it was sent out. She added that they are prepared to make adjustments as needed. The dates for the meetings were based on the consultant’s availability.

Board Member Barnes stated that asking someone to take ten days off from work may be difficult to do since it is already September and the first day of the committee meeting is October 2, which is right around the corner.

Superintendent Chiafery responded that it is important to have full participation. She added that perhaps 5 full day and 5 half-day meetings during the afternoon or evening would be more acceptable. She stated that some modifications may be needed.

Vice Chairman Powell stated that he, too, was concerned with the amount of time a person would have to take off from work to attend the meetings. For the “normal” person with a 9-5 job it would be difficult to take 10 days off from their job to attend meetings. Therefore, a number of parents would be excluded. He added that he did not think this plan would work for Merrimack because of the time commitment.

Board Member Markwell stated that having 21 people on the committee is too large. He questioned how well the committee would work with 21 members. He suggested that perhaps there could be a reduction in the number of members since this plan excludes many people from being members.

Board Member Schneider stated that if a large group is managed properly, it could work. However, the commitment of 10 days for attendance at meetings is too much and excludes many people. He suggested that perhaps a sub-committee could be established that would report back to the full 21-person committee.

Chairman Ortega stated that everything that was stated was valuable input. The most important aspect is that this is a tool for enabling the best education for the students of Merrimack. Hopefully this input can be taken under advisement to address some of the concerns.

11. Attorney's Opinion Regarding Lobbying

Chairman Ortega stated that correspondence was received from Gary Krupp, 4 Ministerial Drive, regarding the RSA, which prohibits the use of state funds for lobbying. Mr. Krupp asked about the board's expenditures to the New Hampshire School Board Association and what the board was doing to segregate funds, which was one of the criteria of the RSA.

A legal response from Attorney Kathleen Peahl was received. Vice Chairman Powell read the response.

Chairman Ortega stated that, according to Attorney Peahl, no other districts in the state are complying with this information. He then opened it up for the board's discussion.

Vice Chairman Powell stated that it was pretty self-explanatory, adding that money has already been taken in for this school year.

Business Administrator Shevenell agreed that monies this year have already been expended, adding that the issue is in the billing process. The New Hampshire School Board Association (NHSBA) would have to tell what percentage are membership fees and what percentage are lobbying fees for this fiscal year. He agreed that a new account could be set up once a check is received from the state.

Chairman Ortega asked if the full membership fee could be segregated.

Business Administrator Shevenell stated that it could be done, but he would need some direction. He added that this is a means to an end as far as the auditors are concerned.

Vice Chairman Powell stated that for fiscal year 2012-2013 it is already done. Perhaps this would be something to add to the budget discussions.

Chairman Ortega stated that perhaps Ted Comstock, the Executive Director of the NHSBA and Attorney Peahl could attend a school board meeting to discuss the process.

Superintendent Chiafery responded that Ted Comstock and Attorney Peahl would be at the board meeting on October 3rd.

Board Member Schneider wanted to make sure the public understands that having a NHSBA lobbyist is very important, as is maintaining membership in the NHSBA.

12. Second Review of New Policy, Exceptions to Use of Specific Course Material.

Superintendent Chiafery explained that the items highlighted in the policy are revisions based on concerns of Board Member Schneider regarding collaboration between the principals and the parents.

Highlights of Assistant Superintendent McLaughlin's remarks:

- Reading the policy at the last board meeting there was a sense of collaboration between the parents and principal until the issue of assessment.
- In the original policy, paragraph four drops the ball quickly when it states that the parent has the responsibility of documentation of successful completion of the course material.
- House Bill 542 is silent on the issue of assessment. If there is an offer made by a parent to replace district approved course material with other course material, there is a presumption made that there will be something done with the material and where that will be.
- Assistant Superintendent McLaughlin recrafted some of the document and brought it to Attorney Peahl. The new document is a revision
- Throughout paragraph two there is now a specific reference to assessments that did not exist before.
- Paragraph three addresses the process whereby the principal and the parent work together to come to an agreement about the alternate material, as well as the assessment that would be in place to support the material.
- Paragraph four speaks to the imperative to come to an agreement between the principal and parents and stipulates that unless otherwise agreed to, the parent would assume the responsibility to provide documentation of the student's completion of the material. The phrase "unless otherwise agreed to" satisfies concerns between the principal and the parent as it relates to assessment.
- Paragraph seven is newly included by Attorney Peahl because House Bill 542 does not automatically confer an obligation on the board to hear an appeal.

Board Member Schneider stated that when the policy is made, the collaboration should take into account the simple things as well as things that are complex. He added that now this policy covers all bases.

13. Request to Bargain a Successor Agreement for the Merrimack Teachers Association

Chairman Ortega reported a letter from Michael Cirelli, Co-Negotiation Chair and President of the Merrimack Teachers' Association regarding their desire to bargain a successor agreement to the existing Master Agreement, in accordance also with RSA 273-A:3. The letter was shared for information purposes only.

14. Other

- Correspondence

Chairman Ortega reported that an e-mail was received from a constituent expressing his/her concerns with the budget and lobbying.

Board Member Barnes stated that she heard from State Representative Dick Barry, who told her that there might be some conversations in Concord that could impact budgeting for the next two years. She recommended that he call Superintendent Chiafery

Superintendent Chiafery reported that she received correspondence from former Student Representative Joel Yates. He extended greetings to all board members and wished Student Representative Kiara Crowley good luck.

- Comments

Vice Chairman Powell said that the new parking at Reeds Ferry Elementary School is phenomenal. Hopefully the feedback from school administration is positive. He thanked Business Manager Shevenell for completing the projects over the summer and for coming in on budget.

Board Member Barnes stated that she was present at a dismissal at Reeds Ferry and it was very smooth. It was obvious that much logic and planning went into the project.

Business Administrator Shevenell explained that the board was fortunate to have worked with the Town of Merrimack in having Continental Paving combine the school district's project with the town projects in order to get a better price.

Superintendent Chiafery announced that the joint meeting with the school board and the Town Council would be on September 6, 2012 at 7:00 p.m.

15. New Business

There was no new business

16. Committee Reports

Board Member Schneider attended the budget committee meeting on August 28th. The newest committee member is Lisa Mooney. There are now 12 committee members plus the liaisons. There was a discussion regarding the budget committee members attending school board meetings. The next meeting will be October 9, 2012.

Board Member Barnes attended the Merrimack Safeguard meeting on August 23rd. They will be participating in the Merrimack Business Expo. She announced that the prescription drug take back would be held on September 29th at the Merrimack Police Department.

Vice Chairman Powell filled in for Board Member Markwell at the Planning and Building Committee meeting. They discussed prices to install synthetic turf at the high school. They also updated information on the cost of the SAU/Special Services building. Superintendent Chiafery had reported to the budget committee that the school board moved the new SAU/Special Services building into 2014-2015 budget year. The Planning and Building Committee wants to bring it sooner.

17. Public Comments on Agenda Items

Patricia Swonger, 6 Klara Drive, stated that she, too, was at Reeds Ferry and the bus/parking situation was a vast improvement. She added that she had some concerns about the Teacher Evaluation Committee.

1. Having 21 members of a committee is a lot of minds to meld into one goal
2. The number of teachers represented seems uneven with the number of parents and others represented.
3. Teachers being out of the classroom for 10 days are a big concern.
4. Only two parents to represent the school population are too small.
5. The only people "missing work" would be parents and school board member.

6. Instead of accommodating the consultant's calendar, the parents' and teachers' calendars should be considered.
7. Suggestion to perhaps hold meetings on Saturdays.
8. There should be a tighter schedule with more specific goals.

Roy Swonger, 6 Klara Drive, stated that he is very worried about the revenues, especially since the legislature has "card blanche" to downshift costs. He was also concerned with the formation of the Teacher Evaluation committee. He stated that the budget committee had negotiated the Teacher Master Plan Agreement with less than half of the number of teachers on the committee. He would like to see a smaller committee.

18. Manifest

The Board signed the manifest.

At 9:25 p.m. Board Member Schneider moved (seconded by Board Member Markwell) to adjourn the meeting.

The motion passed 5-0-0.