

**Merrimack School Board Meeting
Merrimack Town Hall Meeting Room
September 3, 2013
PUBLIC MEETING MINUTES**

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

1. Call To Order

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

Chairman Ortega led the Pledge of Allegiance.

2. Approval of the August 12, 2013 Minutes and the August 22, 2013 Minutes

Board Member Markwell moved (seconded by Board Member Schneider) to approve the minutes of the August 12, 2013 meeting.

Board Member Markwell requested the following changes to the minutes:

- Page 5 of 15, paragraph 4 from the bottom, change the word “to advise” to “should advise”.
- Page 10 of 15, paragraph 5, correct the spelling of Board Member Barnes name.

Board Member Schneider requested the following changes to the minutes:

- Page 2 of 15, last paragraph, should read, “Board Member Schneider asked Business Administrator Shevenell if the calendar for next year’s DRA budget deadlines have been set”.
- Page 5 of 15, paragraph 5 from the bottom, change the word “sod” to the word “drainage”.
- Page 6 of 15, second bullet, change “thee” to “three”.
- Page 8 of 15, change the word “and opportunity” to “an opportunity”.

Board Member Barnes requested the following changes to the minutes:

- Page 5 of 15, paragraph 3 from the bottom, add “Shevenell” after “Business Administrator”.
- Page 6 of 15, first bullet School should be lower case (school).
- Page 6 of 15, second bullet from the bottom should be “Voice-Over IP”.
- Page 9 of 15, paragraph 6 from the bottom, second sentence should read, “She asked if a student can have a passing grade in a course by failing a competency”.

Vice Chairman Powell requested the following changes to the minutes:

- Page 11 of 15, change the word “sessions” to “seasons”.
- Page 11 of 15, under The Process, 6th bullet, add the words “the team” after “If a student quits”

Chairman Ortega requested the following changes to the minutes:

- Page 2 of 15, under Consent Agenda, add “The motion passed 5-0-0”.
- Page 2 of 15, section 5, paragraph 2, the date of the committee meeting should be October 8, 2013
- Page 2 of 15, paragraph 2 from the bottom, starting with the second sentence, should read, “He added that the board had some changes in terms of when the administration would be answering questions from the Budget Committee. He added that the board has to work out these items with the administration. Starting things sooner when the board has not finished with their work may be difficult.”

- Page 6 of 15, paragraph 2, change “due” to “do”.
- Page 6 of 15, 3rd bullet, second sentence add, “expansion work planned” after “Wi-Fi”
- Page 8 of 15, paragraph 9 from the bottom, insert the “series of” before “PowerSchool”. Also, pluralize the word “screen”.
- Page 8 of 15, paragraph 7 from the bottom, insert the word “all” before “the competencies”.

The motion to accept the minutes of the August 12, 2013 as amended passed 5-0-0.

Board Member Barnes moved (seconded by Board Member Schneider) to accept the minutes of the August 22, 2013 meeting.

Vice Chairman Powell requested the following changes to the minutes:

- Page 1 of 2, Call to Order, the meeting began at 6:30 p.m.

The motion to accept the minutes of the August 22, 2013 meeting as amended passed 3-0-2 with Board Member Markwell and Chairman Ortega in abstention.

3. Public Participation

There was no public participation.

4. Acceptance of Gifts/Grants under \$5,000

Business Administrator Shevenell presented a gift from Country Crossing Condo Association for \$150.00 in appreciation of using the Little Theater. He explained that the Condo Association is located in Merrimack, even though the address for the donor is listed as Bedford, New Hampshire.

Board Member Barnes moved (seconded by Board Member Markwell) to accept the donation from the Country Crossing Condo Association for \$150.00.

The motion passed 5-0-0.

5. Consent Agenda

Assistant Superintendent McLaughlin presented the following items for approval:

- Teacher Nominations
 - Cristy Jenkins, Grade 2 Teacher, Thorntons Ferry Elementary School
 - Christopher Marsh, Science Teacher, Merrimack Middle School
 - Fern Seiden, Guidance Counselor, Thorntons Ferry Elementary School
 - Cassandra Soulis, .50 World Language Teacher, Merrimack Middle School

Assistant Superintendent noted that with these nominations, all positions have been filled in the Merrimack School District.

Vice Chairman Powell moved (seconded by Board Member Barnes) to accept the Consent Agenda as presented.

The motion passed 5-0-0.

6. Ongoing Discussion Regarding Natural Gas Conversion

Business Administrator Shevenell gave a brief history of proposed conversion from oil to natural gas for the Mastricola Complex, the maintenance facility and the high school. He added that a few years ago Keyspan said the plan could not be accomplished, which would have resulted in a major savings.

This year Honeywell came back with a proposal from Liberty Utilities, the present natural gas distributor. After a presentation from Honeywell, the district was looking for something in writing that stated that Liberty Utilities could provide the correct supply of natural gas. On August 27, 2013, a letter was received from Ryan Lagasse, Key Account Manager of Liberty Utilities, stating the scope of the project. Business Administrator Shevenell explained that this letter helps the district to consider the natural gas conversion as a viable option of the Capital Improvement Plan for next year. He shared part of the letter which stated:

Previous reviews performed by National grid resulted in a system reinforcement that would require the gas mains on Baboosic Lake Road to be connected via an extension of main across the Everett Turnpike. Upon review by Liberty Utilities engineering, that reinforcement is no longer required. This is due to several factors, including but not limited to:

- *Improvement in modeling efficiency and system knowledge.*
- *System reinforcements in other areas of the local distribution system have been made.*
- *Energy efficiency projects that have reduced the overall system demand.*
- ***Past engineering policies and practices by National Grid that were more stringent with regards to minimum allowable pressure in the lines.***

Board Member Markwell questioned “past engineering policies and practices”. He asked if Liberty Utilities is saying that their standards are lower than National Grid and if so, should we be concerned.

Business Administrator Shevenell responded that after their years of study, Liberty Utilities have found the practices of National Grid were far overboard, and not within the practical realm of where they wanted to be. The minimum allowable pressures have been tested. He stated that he did not feel it was something to be concerned about.

Board Member Markwell asked that if the furnaces were replaced, would it be possible that there would not be enough pressure.

Business Administrator Shevenell responded that he agreed with the concern, but he was sure that Liberty Utilities would be responsible and provide the correct pressure. Since the proposal is now in writing, he stated that he felt better about it.

Board Member Schneider agreed that if the proposal is in writing, Liberty Utilities can be held accountable to provide the service.

Vice Chairman Powell asked if Honeywell or Liberty Utilities could put up a Performance Bond to make sure that if there is a problem, it will be taken care of.

Business Administrator Shevenell responded that he would speak to Jim Lucy of Honeywell and Ryan Lagasse of Liberty Utilities about a Performance Bond.

7. New Hampshire Special Education Report and Update on Preschool Enrollment.

Sheila Demers made a presentation to the board regarding Preschool Education for Special Needs students. Highlights of her presentation included:

- Most pre-school special needs children receive services through Early Intervention in Nashua
- By law, these children have to receive services when they turn three years old.
- In the classroom the ratio needs to be more “typical” children than children with special needs. For example there would be seven to eight typical children to three to six special needs children.
- Merrimack looks at a continuum of services. They consult with preschools and/or the home situation.
- Some children come in for drop-in services such as speech and language therapy, physical and occupational therapy.
- Some children participate in inclusionary classrooms which have two to five sessions per week with typical peers, but also might need some one-on-one training as well.
- Some children are in home-based programs where someone from the district goes into the home to see how things are going and what support the family may need.
- The change for early intervention children is that they are beginning the process earlier. Many referrals are for students who are twenty-eight to thirty months old. The parent sends in the referral and then there are meetings. In most cases the staff member goes to the home to meet with the parents and the Early Intervention provider to determine what the child may need. After the evaluation, an IEP has to be developed before the child is three years old.
- This past year, nineteen children from Early Intervention program were enrolled in the pre-school program in Merrimack.
- The programs in Merrimack consist of ten preschool classes, six at Mastricola and four at Reeds Ferry. Staff includes four to five teachers and twelve para-educators, many of whom share their para time with the Elementary schools. Nine to thirteen students are in each class. This year is starting with one hundred children in pre-school, fifty of which have special needs.
- In the school year 2009-2010 there were thirty-four pre-school students with special needs. This school year, 2013-2014 there are fifty pre-school students with special needs. The numbers are definitely increasing.
- The number of students with Autism or on the spectrum over the last few years has increased. One out of sixty children on a national level is diagnosed with Autism.
- In the Merrimack pre-school, there are presently sixteen children diagnosed with Autism or suspected spectrum disorders who need intensive, skill-based training in the classroom.
- With Autism diagnosis, the State and Federal government recommends that children receive twenty-five to forty hours per week of ABA (Applied Behavior Analysis) services. Individual and small group instruction is needed. A large staff is needed for one-on-one training or training in small groups. For every ten hours of ABA services, there are supervised programs developed through a certified Behavior Analyst who oversees and develops new programs. One of the Merrimack pre-school teachers has become Board certified.
- Teachers and staff have received ABA training. They are working closely with the elementary level staff to transition the children.

Board Member Barnes asked how students who do not have special needs are recruited into the program.

Ms. Demers replied that advertisements are placed in the newspapers as well as on the school website in January.

Board Member Barnes asked if there is an application process to be included in the program.

Ms. Demers responded that it is on a first come first served basis. It is ratio based.

Board Member Barnes stated that there are approximately three hundred twenty students who graduate each year from Merrimack. She asked if there are fifty students with special needs out of the three hundred and twenty, does that mean that one in six children will have special needs in the district.

Mr. John Fabrizio, Special Education Director, responded that there are fifty three and four year olds, which is about twenty five per grade level, which is about one in twelve.

Board Member Barnes asked if that has been the trend over the last few years.

Mr. Fabrizio responded that the numbers of students with special needs is increasing. Some of the grade levels are going down for typical students, but the number of special needs students is increasing. He added that this is a nation-wide trend.

Board Member Barnes asked if the enrollment number one hundred ten includes the drop-in to the pre-school program.

Ms. Demers responded that the drop-ins are children who just need speech or occupational therapy. They are not counted into the total number of students. Also, some children do not qualify for the program, but come in a few weeks at a time instead of full-time.

Vice Chairman Powell asked about the Federal government “recommending” twenty to forty hours of services. He asked if this was an “unfunded mandate”.

Mr. Fabrizio responded that it is a recommendation. If the district complies and they are audited, they are within the limits of the law.

Vice Chairman Powell asked how realistic the twenty to forty hours a week of services being required is.

Ms. Demers responded that the services are not all necessarily all in the classroom. It is a range of services that can be done at the home or outside the school building.

Board Member Schneider asked if the team continues to work with the pre-schools and daycare centers in town.

Ms. Demers replied that they do work with the pre-schools and day care centers. They have provided training for the staff. They do receive referrals from them very often. Sometimes the staff is invited to the IEP meetings for students who share the day or week with the district.

Determination Report:

Mr. Fabrizio spoke about the determination report from the State of New Hampshire Department of Education. Under the Individuals with Disabilities Act (IDEA) the states must place a Performance Plan (SPP) forward. This evaluates the state’s effort to implement the IEP and determines how to improve the Special Education program in the district. He proudly announced that the Merrimack school district meets the requirements and purposes of the IDEA based on the established criteria for 2011-2012 school year.

Mr. Fabrizio explained some of the indicators used in the determination:

- Are we discriminating against students in Special Education?
- Are we giving equal acceptance to students with special needs?
- Are we under identifying or over identifying students with special needs?
- Are we suspending too many students who have an IEP?
- Is the pre-school program meeting the requirements for early intervention?
- Overall, have we determined if the students are eligible for IEPs?
- Have we met the time requirements of IEPs?
- Do we do financial reporting on time?
- Are we transitioning students into colleges and workplaces?

Mr. Fabrizio explained that determinations are rated on a four point scale:

- 0 – Meets the requirements and purposes of the IDA
- 1 – Needs assistance in implementing the requirements of the IDEA
- 2 – Needs intervention in implementation the requirement of the IDEA
- 3 – Needs substantial intervention in implementing the requirement of the IDEA or there is substantial failure to comply with the requirements of the IDEA

Mr. Fabrizio reviewed the findings of the NH Department of Education:

- Suspension and Expulsions – 0
- Disproportionate Representation of all disabilities – 0
- Disproportionate Representation by one ethnic group – 0
- Initial Evaluations – 0
- Early Transitions – 0
- Secondary Transitions – 0
- Timely Correction of Noncompliance – 0
- Preschool ratios -0
- Early Intervention Services – 0
- Fiscal Audit – 0
- IDEA Grant Management – 0
- Maintenance Effort – 0

Total score for 2011-21-2 determination – 0

Mr. Fabrizio noted that since 2005-2006 Merrimack has received a score of 0.

8. Update on Summer Maintenance Projects

Business Administrator Shevenell made a presentation on the asbestos abatement and renovation of the Mastricola Upper Elementary School entrance. He focused on the secured entrance, showed pictures of the Principal and Vice Principal's offices, the conference room, and the workroom. He explained that 20,000 square feet of asbestos tiles were removed and replaced, with some inlaid tiles. He noted that the trash dumpsters had been removed from the front entrance of the building and moved to a cement pad on the side of the building, adding that the Town of Merrimack helped with that project. He felt that there were still some minor cosmetics that still needed to be done at the entrance and that in his opinion, everything had gone very well.

Vice Chairman Powell asked what the plan was for the April when the school is opened for elections now that there was a secured entrance.

Business Administrator Shevenell responded that it will have to be looked at in terms of the elections. He said that he would speak with Lynn Christensen about it.

Board Member Barnes stated that there should be further discussion on the elections in April, stating that the board's first responsibility is the safety of the students in the school. The new entrance and the APR give the Merrimack School District the option of locking down the voting area at JMUES.

Superintendent Chiafery added that this project was a reconfiguration of the area, and that as far as the elections, there needs to be more discussion, especially concerning the places where the candidates and their supporters stand at that time.

Chairman Ortega noted that the moderator and the district have always worked successfully together and he is confident that they will do so regarding using the school for elections.

9. Summer Learning Opportunities for Students and Staff

Assistant Superintendent McLaughlin spoke about the summer learning opportunities for students this past summer.

Summer Reading Program:

- The summer reading program served approximately seventy students in grades Kindergarten through grade six.
- This program provided reading support to students to maintain their school year gains through the "summer slump".
- This program is designed to help struggling students maintain the gains they made during the school year and prepare them for the upcoming year.
- The program was held at Thorntons Ferry Elementary School under the guidance of Joanne Green.

Springboard to Success

- This program served approximately thirty-five students. Of these, thirty-one passed the academic portion and are eligible for credit once they complete the community service portion of the program.
- Of the thirty-one students, eleven students have already completed their community service hours and have received one-half credit.
- Five teachers supported the program, with six more taking part in various instruction in Art, in climbing Mount Monadnock and other activities.

Assistant Superintendent McLaughlin spoke about summer work for educators. This work was intended to support the August Academy, held August 27 through August 29, 2013.

- Elementary Level
 - Forty teachers were led by Elementary Language Arts Coordinators
 - They worked to complete the first district-wide elementary writing program
 - Additionally, twenty-five teachers were led by Elementary School Principals. They worked to revise the instructional calendar to align with Common Core Standards and to revise the formative assessments.

- Middle School Level
 - Twenty SCALES leaders worked with WestEd facilitators to extend standard work pivoting to Common Core Standards.
 - The objectives this year were developing a common understanding of text-dependent questioning.
 - All the work this summer is pivoting around Common Core and having students understand the meaning of the text.
 - Participants included nurses, behavior specialists and teachers
- High School Level
 - Teachers have been working right along with competency grading.

August Academy

- Elementary School
 - Elementary School teachers met on the campus of Southern New Hampshire University (SNHU) from 8:00 am through 3:00 pm.
 - Two hundred teachers from grades Kindergarten through grade 6 participated.
 - The theme was to introduce the K-6 Writing Initiative, introduce revisions to the instructional calendar, discuss formative assessments and pivoting to the Common Core.
 - Ginny Locklood from Columbia Teachers' College was the keynote speaker who spoke on "Writing is a Gateway to Learning and Engaging in the World."
 - There was tremendous collaboration among the teachers.
- Middle School
 - Middle School teachers met at the Merrimack Middle School for 8:00am through 3:00pm
 - They worked on developing an understanding of text questioning across all subject matters.
 - Learning Innovations Facilitators at WestEnd facilitated the program.
 - All teachers work collaboratively
- High School
 - Teachers met at Merrimack High School
 - The theme was Competencies, Standards and Assessments and Pivoting towards the Common Core State Standards.
 - Since competency-based grading has begun, short and long term assessments must be current and state of the art.
 - Specific Professional Development was provided for special areas:
 - Physical Education teachers received CPR training, defibrillator training, obesity prevention and discussed PE for children with disabilities.
 - Mental Health Initiative began in April. The Academy focused on mental health issues for grades K-12. Transition issues from grade to grade and school to school were a major part of this workshop.
 - Para Educators received training on challenging behaviors and working with students on the Autism spectrum.

Board Member Barnes asked if there were responses from the teachers regarding the three-day intensive workshops and how it helped in their planning for the year.

Assistant Superintendent McLaughlin replied that the teachers were surveyed, but it is too soon to accumulate the data. He added that he did receive positive feedback regarding the Academy.

Board Member Barnes asked how the NECAP scores and Common Core would be affected by the Academy.

Assistant Superintendent McLaughlin responded that writing is a way to access learning. So much of it is applying the understanding of what has already been learned.

Board Member Barnes asked how much of the content of the August Academy was talking about how what the teachers do every day is meeting the Common Core Standards.

Assistant Superintendent McLaughlin responded that we are very lucky in New Hampshire because the state has been forward in their thinking when it comes to curriculum and standards work. Merrimack has worked very hard in thinking about formative assessments before formative assessments were required. The August Academy was an evolution of work that has been happening for years.

Board Member Schneider asked what the plans are for the coming year with curriculum-based items for the Common Core, now that all the workshop days for the year have been rolled into the one August Academy.

Assistant Superintendent McLaughlin responded that the middle school and high school work is cross-content. So the pivoting to Common Core included math, science, social studies, literacy and special areas. The one exception was in grades K-6 where the focus was on literacy. The staff continues to have formal Personal Development days, meetings after school, faculty meetings and curriculum days. He concluded his presentation by saying that last year the theme for the year was getting familiar with Common Core. This year the theme is pivoting to instruction: what will it look like to do instruction in Common Core?

10. Second Review of Revised Policy: Distribution and Display of Information

Superintendent Chiafery spoke about the Distribution and Display of Information Policy that was adopted in 2008. The policy assists her in determining what material is appropriate, while it did not address problems with the content. The purpose of the policy is to protect free speech, while providing the Superintendent with leverage. She asked the board to review the added paragraph of the policy and for adoption of the policy as a whole

Chairman Ortega stated that the policy will be put on the Consent Agenda for the September 16, 2013 board meeting.

11. Financial Update

Business Administrator Shevenell reported on the Year End Surplus

- The year-end surplus is the unassigned fund balance, which is an excess of revenues over expenditures in a particular year. For 2012-2013 the surplus is \$1.9 million dollars that will be used to reduce the tax rate for the tax rate setting coming up in October for the December tax bill. He will provide more information at the Budget Committee year-end review.

Board Member Markwell asked if that meant the tax rate would then be reduced at six cents per thousand dollars.

Business Administrator Shevenell responded that it would be six cents per thousand.

Business Administrator Shevenell reported on the Local Government Center (LGC) Reimbursement.

- The LGC was going to be depleting their three hundred fifty million (\$350,000,000.00) dollar surplus. This meant that in August the district would receive a check for around four hundred thirty-one thousand (\$431,000.00) dollars. This prompted the district to decrease the amount in the budget for health insurance by two hundred eighty thousand (\$280,000.00) dollars. Part of that money was the employees share in addition to the employer share that was the return of the 2011 contribution. The LGC also said the 2010 surplus would be returned to the district in August, which would total a little more than one million (\$1,000,000.00) dollars, with part being the employee contribution and part being the employer contribution.
- The main issue is that the town/cities/municipalities/districts who are no longer a part of the LGC, but were back in 2010 and 2011, feel they should receive their portion of the funds, even though they are no longer receiving health care insurance through LGC. Lawsuits are being filed against the LGC.
- As far as the distribution to Merrimack employees, we have to be careful. Legal counsel must be a part of the process so there are no questions about what is being done. It is very complex.

Board Member Schneider asked if the district was in receipt of both of the checks.

Business Administrator Shevenell responded that the checks are in the bank.

Board Member Schneider asked if this money is being kept separate in case it is recalled.

Business Administrator Shevenell responded that right now it is all in the bank. There are many legal concerns. It is not in a separate account. The funds will remain in the bank until the legal issues are resolved.

Superintendent Chiafery explained that legal counsel is very important. Attorney Peahl can work with the NEA and the Local Government Center. We need to look at the process so we are ready to move in the right direction when the time comes.

Business Administrator Shevenell explained that the worst case scenario would be that we distribute the funds to our employees and then a court order comes down in August of 2014 to return the money, and we don't have the money to give back. We have to avoid this at all costs.

Board Member Barnes asked if the district has to figure out what they are doing by June, 2014. Otherwise that money becomes a surplus that the district cannot keep.

Business Administrator Shevenell agreed. We have until June, 2014 to decide what to do with the funds.

Vice Chairman Powell asked that since we have to return any money that is raised by taxation by June 30, 2014, would this money be considered money that was raised through taxes.

Business Administrator Shevenell responded that this is unanticipated revenue, so it cannot be retained.

Vice Chairman Powell suggested setting up an escrow account for the fund until the litigation is resolved.

Business Administrator Shevenell responded some legislation could be passed that would allow us to hold onto the money until a certain time. It's an emergency thing driven by the Department of Revenue Administration.

Chairman Ortega explained that the only reserve fund we can have is from the Capital Reserve Fund. Setting up an escrow account is probably not legal.

12. Other

a. Correspondence

Chairman Ortega reported on a note from a parent regarding EverydayMath and their critique of it.

Chairman Ortega reported on a note stating concern about how notice was made of the last special meeting.

Chairman Ortega reported on feedback on the presentation made regarding Competency Grading at the high school

Chairman Ortega reported on a note from a parent regarding Varsity and Jr. Varsity participation for two seasons to satisfy the physical education requirements. This parent also had concerns about combining French 3 and French 4 classes due to their relatively small individual class sizes.

Vice Chairman Powell received correspondence regarding the VoTech program at the high school.

Board Member Schneider received correspondence about the decision made regarding the grade 2 teacher at the last board meeting.

b. Comments

Superintendent Chiafery reported that on August 26, 2013 personnel from the Police Department and the Fire Department met with the Leadership Team to set the stage for this year regarding evacuation drills and police training. She added that there is a very strong partnership between the police, fire and school departments.

Chairman Ortega wished the students, parents, teachers, administration and the board a successful 2013-2014 academic year.

13. New Business

Vice Chairman Powell stated that it would be advantageous to both the high school students and the board to learn about the VoTech programs at the high school and how they work with Hudson and Nashua. He suggested a presentation be made at a future board meeting.

Board Member Barnes stated that prior to budget season, it would be helpful to go over the classes, not remedial in nature, that are offered to the students that had enrollments of ten students or less.

14. Committee Reports

Vice Chairman Powell reported that the Souhegan River Walk Easement has gone through legal counsel and is now being vetted by the Superintendent. The Cross-Country team is excited about working on the area and preparing it for the spring.

Vice Chairman Powell reported that the Teacher Evaluation Committee finished its work and submitted its report on August 23, 2013. He thanked Assistant Superintendent McLaughlin and the entire committee for their time and effort.

15. Public Comments on Agenda Items

There were no public comments.

16. Manifest

The Board signed the manifest.

At 9:52 p.m. Board Member Schneider moved (seconded by Vice Chairman Powell) to adjourn the meeting.

The motion passed 5-0-0.