

**Merrimack School Board Meeting
Merrimack School District, SAU #26
Monday, August 31, 2020**

Due to the state of emergency declared by Governor Sununu regarding the COVID-19 outbreak, and the subsequent Emergency Order #12, Chair Guagliumi determined that the physical presence of a quorum within the time required for School Board action was not reasonably practical, and therefore, the members of the School Board participated remotely.

Present: Chair Guagliumi, Vice Chair Barnes, Board Members Schneider, Nunez, and Rothhaus. Also present were Superintendent McLaughlin, Assistant Superintendent of Curriculum and Instruction Fabrizio, and Assistant Superintendent for Business Shevenell.

Call to Order/Pledge of Allegiance

Chair Guagliumi called the meeting to order at 7:00 p.m.

Chair Guagliumi led the Pledge of Allegiance.

1. Public Participation Guidelines for Remote Meetings

Chair Guagliumi stated public comments could be sent to publiccomment@sau26.org or by going to sau26.org where a meeting link was provided. She said all comments would be read and written into the record but noted the name and address of the speaker had to be provided.

2. Board Discussion Concerning Football

Chair Guagliumi stated when the Board last met they had received a recommendation from the administration and Mr. Mike Soucy, Athletic Director regarding the fall 2020 football season. She said since that meeting multiple people had come forward and asked to be included on the agenda.

Mr. Kevin Sadowsky, 27 Briann Drive, addressed the Board and stated the Board presented some very good rationale regarding the return to high school sports in the current environment. He said the kids had already lost the previous spring season of sports and he did not want them to lose the fall sports season as well.

Mr. Sadowsky commented that several of the surrounding towns had made their decision regarding school sports with the understanding that they could safely and responsibly get back to playing football in the fall.

Mr. Sadowsky also commented that he felt the data showed New Hampshire was in tremendous shape regarding COVID-19. He said the football players had been participating in their pre-season activities for the past several weeks and had followed all of the protocols that were laid out by the Merrimack School District and the New Hampshire Interscholastic Athletic Association.

Steven, a student athlete from Merrimack High School, addressed the School Board and said he was in favor of football occurring in the fall. He said all of the players and family's were taking all the necessary precautions regarding COVID-19.

Chair Guagliumi asked if there were Board members who had questions or comments.

Vice Chair Barnes said she was aware that some of the surrounding districts that were opting in for football were requiring students to be 100% remote instruction. She asked if any of those teams would be scheduled to play against Merrimack. Mr. Soucy replied the traditional "bubble" they would be in would be with Nashua, Alvirne, Salem, and Londonderry. He said Keene was initially in their "bubble" but they had since opted out of playing any school inside of Hillsborough or Rockingham counties. He said to his knowledge the only school that had decided to require their students to be remote if they played football was Bedford.

Board Member Schneider asked if the School Board decided to allow football if student athletes during at least the first couple of months (or the entire season) were limited to be remote learners to potentially reduce exposure to the rest of the school. Superintendent McLaughlin replied that going down that road begged the question of what was more important, the academics or the athletics. He said although he felt they were both important, he stated he would be "very reluctant to endorse that model." He said he felt strongly that if the students were to play football they should not be separated out in the academic environment.

Assistant Superintendent of Curriculum and Instruction Fabrizio commented he too was not in favor of separating students who chose to play football academically.

Board Member Nunez said she felt there were some very valuable lessons to be learned from sports that no classroom or homelife could teach. She said she was in favor of all sports being played but the question at hand was that they were not talking about sports being played or not but rather how dangerous it was to all of the student body if they allowed sports to happen. She said they did not know what the risk factors were to those that were not playing sports.

Mr. Soucy commented there were a lot of athletes who struggled during the spring due to remote learning. He said he believed if the School Board decided to allow football, but those athletes had to study remotely that it would be an academic disadvantage to some of them.

Board Member Rothhaus commented that she felt athletics was an extension of the classroom and for her, the question was how to do it safely. She said she did not feel it would be fair for students to learn remotely if they decided to play football.

Board Member Schneider commented the Superintendent and the Athletic Director recommended that the School District should not play football and a parent at this meeting expressed the viewpoint that the students should play football based on the facts and certain protocols. He asked what protocols Mr. Sadowsky was referring to. Mr. Sadowsky replied he was referring to the Merrimack High School Guidelines to Returning to Sports as well as the guidelines from NHIAA (New Hampshire Interscholastic Athletic Association).

Mr. Soucy said they would implement all safety precautions should the School Board recommend playing football but pointed out even with safety precautions he could not change the actual game of football.

Chair Guagliumi commented while she thought they were all there with the best interest of the students in mind there was no great answer because COVID still existed and they did not have great data.

Chair Guagliumi stated that she supported allowing football to continue without requiring the students who chose that option to learn remotely. She pointed out, however, that she felt they needed to pay attention to the data as it became available.

Vice Chair Barnes commented she felt the Board should have the same consideration for all students whether they played football or were in a club, etc.

Board Member Nunez asked Mr. Soucy if he felt he was comfortable with moving forward with having the students play football. Mr. Soucy replied he had the same reservations he had two weeks ago.

Board Member Nunez asked Superintendent McLaughlin if he was comfortable with moving forward with the students playing football. Superintendent McLaughlin replied he too shared Mr. Soucy's reservations.

Vice Chair Barnes moved (seconded by Chair Guagliumi) that the School Board authorize football for the 2020 fall season so long as the players are required to wear masks at all times during practice and games. **(1st Motion)**

Discussion:

Vice Chair Barnes commented if a case of COVID-19 presented itself they would likely make a very quick decision to rescind the authorization to play football.

Board Member Rothhaus commented the players could not wear the masks at all times. She said the NHIAA had recommended protocols and they were following those protocols and did not think the Board should change them.

Chair Guagliumi asked Mr. Soucy if he supported the use of masks. Mr. Soucy replied it was a tough call. He said it could help but there was no data to support it and it could be an optics issue. Further, he said the students needed plenty of ventilation to breathe during practices and competitions.

Vice Chair Barnes moved (seconded by Chair Guagliumi) to authorize the football season encouraging the use of masks and canceling the rest of the season upon the first positive COVID-19 case. **(Amended motion #1)**

Discussion:

Board Member Schneider commented that there were already protocols in place and he would not be in support of canceling the entire season but he would default to the protocols already put in place by the NHIAA and the coaches. He said it was his opinion that if there was one positive case but it was managed properly he would not want to see the entire season canceled.

Vice Chair Barnes pointed out football was the highest risk sport and it was treated differently because it was different.

Vice Chair Barnes moved (seconded by Chair Guagliumi) to authorize the 2020 football season with the proper safety protocols in place and encouraging the use of masks. **(Amended motion #2)**

Discussion:

Superintendent McLaughlin pointed out that on March 13th when he closed the District there was not one single case of COVID-19 in Merrimack, and there were four new cases that day. He said if they went by the data the school would have not shut down on March 13th.

Superintendent McLaughlin asked what could happen and what was an acceptable risk?

The motion passed 5 – 0 – 0.

3. Reopening Updates

Superintendent McLaughlin stated the teachers were back and the professional development program would begin the following day.

Superintendent McLaughlin stated it was very important to allow the staff with enough stability to be able to match teachers with students and therefore, he strongly encouraged parents/guardians to make a choice of remote learning or hybrid learning for their students. He added changes could possibly be made on a case-by-case basis.

4. Third Reading of Approval of Non-Discrimination, Equal Opportunity Employment and District Anti-Discrimination Plan Policy (AC)

Superintendent McLaughlin commented the changes to the Policy were highlighted in yellow and the updated Statement of Purpose read as follows:

As a public school system, the Merrimack School District affirms its commitment to creating and supporting the conditions for inclusion, acceptance, and fair and equal treatment for all students, teachers, and staff with respect to all operations of and within the District.

Page 3 (F) – Complaint and Reporting Procedures was updated as follows:

Additionally, employees who observe an incident of harassment or bullying have a responsibility to intervene to stop the conduct, assuming conditions in which it is safe to do so. If an employee knows of an incident involving discrimination, harassment, or bullying and the employee is found, after a complete investigation to have failed to report the conduct and to have failed to take proper action with regard to the incident, or to have knowingly provided false information in regard to the incident, the employee will be subject to disciplinary action up to and including dismissal.

Vice Chair Barnes asked if the changes were reviewed by legal counsel. Superintendent McLaughlin replied they were.

Vice Chair Barnes moved (seconded by Board Member Rothhaus) to approve the Non-Discrimination, Equal Opportunity Employment, and District Anti-Discrimination Plan Policy (AC), as amended, given its third reading.

The motion passed 5 – 0 – 0.

5. Second Reading of Communicable and Infectious Diseases (EBCG)

Superintendent McLaughlin mentioned a question was raised about whether or not they could itemize the five pathogens and the legal department advised against using that language.

Superintendent McLaughlin stated that in the second paragraph (RSA:39) the word AIDS was replaced with HIV and the word COVID-19 were added among the list of diseases.

Chair Guagliumi commented the item would be on the next meeting's Consent Agenda.

6. Second Review of Temporary Emergency Policy: Travel Guidance for Students and Staff

Superintendent McLaughlin noted page two under "Student's" read as follows:

The parent of any student who has traveled will require the student to be quarantined upon return which will result in missed, in-person instruction and must report the anticipated travel to the building administrator as soon as possible in advance of said travel.

Board Member Schneider said he received feedback from parents surrounding potential college visits for students and the policy, as written, would require that any time a student left New England and came back they would automatically go into a two-week quarantine period because they left New England.

Superintendent McLaughlin stated he would work with the legal department to refine the language and present the policy again at the next Board meeting.

7. Public Comments on Agenda Items

Vice Chair Barnes read aloud two e-mails into the record received during the meeting as follows:

Ms. Melissa LaFlotte, 30 Jessica Drive

I heard Mark McLaughlin say it would not be reasonable for football players to be required to be fully remote as they would receive a lesser education. This statement points out how abundantly clear it is that fully remote students are not being given the same quality education or consideration as the kids who will be doing hybrid. It is also important in the smallest of available classes for remote students. Shannon Barnes is absolutely correct when she said that all students should be considered when making these decisions. I understand that this is a very difficult situation for the District to work out but first and foremost the equality of our children's education, whether hybrid or remote should have been squared away first.

Superintendent McLaughlin pointed out that his comment was with regard to requiring football players to be remote in order to play football.

Ms. Katherine Hodge, 44 Belmont Drive

Our team has been following state protocol and when they are back in school they will be wearing masks and following school protocols. There is absolutely no reason that the team should not be allowed to play this year. They are high school students and not toddlers.

You will not have any data unless you let the teams play and let us have some sense of normalcy back in our lives.

A negative COVID test should be sufficient for return.

At 10:10 p.m. the school board voted by a roll call vote 5-0-0 to go into non-public session per RSA 91-A:3, II (a) (b) (c).

At 11:03 p.m. Board Member Schneider moved (seconded by Vice Chair Barnes) to adjourn the public session.

The motion passed 4-0-0 by a roll call vote. Board Member Nunez did not vote. Her remote connection was lost during the non-public session.