

**Merrimack School Board Meeting
Merrimack School District, SAU #26
Merrimack Town Hall – Matthew Thornton Room
May 17, 2021**

Present: Chair Guagliumi, Vice Chair Barnes, Board Members Rothhaus, Hardy, and Peters. Also present were Superintendent McLaughlin, Assistant Superintendent for Business Shevenell, Assistant Superintendent of Curriculum and Instruction Fabrizio, and Student Representative Vadney.

1. 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.

2. Guidelines for Public Participation for Remote Meeting

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.

3. Public Participation

Chair Guagliumi asked if there were members of the public present who had comments. There were none.

Chair Guagliumi asked if the Board had received any written communications via mail or email. Board Member Barnes read aloud from the following emails as summarized below:

Ms. Lisa Mungovan, 14 Lamson Drive

I am writing to the School Board as I have concerns about mask policies in the fall. It was a truly difficult decision for my family to choose remote or not so early in a decision process for the fall, not knowing what the District policies will be for mitigation of COVID-19.

According to Dartmouth Hitchcock, 25% of children experience complications or become long haulers of the disease. It is concerning to me, given the nature of a large portion of our community, that there will be zero mitigation practices come the fall of 2021.

I would like to encourage the Board to continue the mask and mitigation policies for the first semester of school in the fall (until January 2022). This would allow for parents, who wanted, or needed their children to receive the vaccine to get inoculated before removing the mask policy (should a vaccine for younger children be available by then), especially in the upper and lower elementary. It would be the fair and reasonable thing to do for our community. Please keep this in mind when it is time to review our District's mask policy.

Also, the CDC currently says those who are fully vaccinated can remove masks in certain settings where masks are not required. Another reason for the School District to continue the use of its mask policy, unless the District requires proof of who is and is not vaccinated, like other vaccines that are required. I know this vaccine isn't required yet.

Mr. Ken Martin, 31 Woodward Rd

I am writing to you today to encourage you to join the numerous other school boards, businesses, universities, and nonprofits across New Hampshire in formally and publicly opposing House Bill 544, otherwise known as the "Divisive Concepts" Bill.

The idea that some of our state leaders who claim to embrace less government oversight and value local control have also introduced legislation that stands to be the exact antithesis of these ideals is confusing, dangerous and should concern any voter that has given them their support. Even more concerning was their approach to include it in the state budget so as not to warrant any kind of discussion or debate in regards to eliminating a fundamental cornerstone of a free and fair public education, which is the freedom to openly and safely question, discuss and deliberate real-world topics that we all face every day.

What many of these lawmakers don't understand is that teachers don't need to bring issues such as racism, sexism, income equality, equity, and inclusion up in the classroom. The students already do that because students know what world they live in. They are already having these discussions with their peers and their teachers unsolicited because they are more globally aware of the kinds of things that go on in the world than any generation prior to them. And seeing how there is a segment of the population that wishes to suppress these kinds of conversations, it's easy to see why so many students are hungry for information regarding these difficult topics.

Teachers are asked to speak with students about drug abuse, suicide recognition and prevention, sex education, and mental health. They participate in active shooter drills and discuss domestic abuse and homelessness every day. Teachers do not get to decide what issues our students are faced with and what questions they may have. Their job is to help them figure those issues out and the emotions that come with them. And, isn't that the job of our entire community? To help prepare the next generation for the world we are giving them.

This is what teachers do. They answer their student's questions. All of their questions, even the hard ones. That is how education works. I sometimes see criticism of our schools in regards to a lack of encouragement with critical thinking skills. At the very roots of these difficult, challenging, and important discussions are critical thinking skills happening in real-time.

Please let Concord know that Merrimack stands for ideals such as free thought, open discussion, and the idea that no topic, regardless of how uncomfortable it makes us, should be silenced.

Ms. Patricia Heilhecker, 18 Meetinghouse Road

Re: Critical Race Theory

I am surprised and disconcerted that you are seriously considering teaching this destructive nonsense to our children. I wanted you to know as a 40+ year resident of Merrimack I strongly urge you to not do this.

Ms. Colleen Carlson, 3 Collins Avenue

Please consider hosting the graduation ceremony in the same manner as in previous years, prior to COVID. Those of us that have wanted to get the vaccine, have gotten the vaccine. There is no need to limit the number of guests for the graduates. This group of seniors has had a mediocre senior year, at best. Please do not take this last celebration away from them and their families.

Other area schools are proceeding as normal. I hope that Merrimack chooses to do the right thing, as well.

Taylor, a Senior at Merrimack High School

After a long year dealing with all of the things that the pandemic has brought us, I strongly feel that the Senior class deserves a traditional graduation. Given what US government officials, along with the CDC, have stated in updated guidance, there should be no reason that a safe outside graduation can't happen with all in attendance wearing masks and seated in small family units. Please take this opportunity to provide a traditional graduation ceremony for these kids who have been through so much already.

4. Formal Signing of Master Agreement Between the Merrimack Educational Support Staff Association and Merrimack School Board

Representing MESSA (Merrimack Educational Support Staff Association) were Ms. Cindie Poirer, Ms. Carol Scopa, Ms. Jenn Simon, and Ms. Kim Gontarz. All parties involved expressed appreciation for the high level of professionalism and respect during the negotiations.

5. Merrimack High School Graduation and End of Year Update

Ms. Sharon Putney, Principal, updated the Board with regard to the upcoming Senior Week activities. She thanked Senior Class Advisors Luke Woods, and Allison Huckins. Ms. Putney also thanked the Senior Representatives Katy Selby, Garie Mennon, Maeve Jackson, Andrea Hunt, and Lauren Wandel.

- June 7th – Movie Night
- June 8th – Senior Service Day
- June 9th - Cap & Gown Distribution
- June 9th - Hawk Walk
- June 11th – Graduation Practice
- June 12th – Graduation

Ms. Putney said there would be more clarity regarding the logistics of graduation in the coming weeks so parents could plan appropriately.

6. Code of Ethics and Code of Conduct for New Hampshire Educators

Attorney Diana Fenton, Department of Education addressed the Board and said she was the Chief of the Governance Unit whose role was to oversee educator misconduct issues. She said she worked on the 2018's version of the Code of Conduct.

Attorney Fenton explained that there was a big distinction between employment and licensure.

Attorney Fenton said the State Board **accepted** the Code of Ethics and **adopted** the Code of Conduct. She said the Code of Ethics was not mandated by law so the State Board could not adopt it but they did accept it. She added the Code of Conduct was required pursuant to House Bill 210 so the Board of Education formally adopted it.

Attorney Fenton stated House Bill 210 translated into Chapter 21N (Code of Ethics) and the law encompassed four core principles, adding all four principles were mirrored in the Code of Conduct.

1. Responsibility to the Education Profession and Educational Professionals
2. Responsibility to Students
3. Responsible to the School Community
4. Responsible and Ethical use of Technology as it Related to Students, Schools, and other Educational Professionals

Attorney Fenton explained the difference between the Code of Ethics and the Code of Conduct was that the Code of Conduct was enforceable and teaching credentials could be acted upon. She further explained that the Code of Ethics recognized that educators were in a very difficult profession and they were constantly making decisions and provided ethical guidance. She said the Code of Ethics was applicable to all educators and all school personnel but the Code of Conduct was applicable to only credential holders. She added it could be applicable to off-duty.

Attorney Fenton said the Department of Education had the capability of tracking credentialed personnel all over the state.

Board Member Hardy asked how educators could get a copy of the Code of Conduct booklet. Superintendent McLaughlin commented the District put in a request in 2018 and they received hundreds of them and they were distributed to all of the teachers.

Attorney Fenton explained Principle #1 – “Responsibility to the Education Profession and Educational Professionals” included the following:

- Failure to Report if Arrested – RSA 189:13a,V Offense;
- Falsify Professional Qualifications;
- Unlawful Possession of Drugs;
- Possessing or Being Under the Influence of Drugs or Alcohol on School Premises or School Sponsored Activities where Students were Present

Principle #2 – “Responsibility to Students”

- Failure to Provide Appropriate Supervision to Students Pursuant to Local Policy;

- Furnishing Alcohol or Illegal Drugs to Students;
- Engaging in Sexual Activity with Students;
- Soliciting Participation in a Sexual Relationship;
**“Student” is Defined as Being up to 10 Months After Graduation

Principle #3 – “Responsible to the School Community”

- Accepting Gifts or Favors where there Might be an Actual or Appearance of a Conflict of Interest;
*Gifts of a Small Amount Shall **NOT** be Deemed as a Conflict of Interest;
- Misuse of Funds for Use of the School;
- Intentional Altering or Misrepresentation Student Assessments, Results, or Official School Records

Principle #4 – “Responsible and Ethical use of Technology as it Related to Students, Schools, and other Educational Professionals”

- Soliciting a Sexual Relationship with a Student;
- Engaging in Inappropriate Communication – Intent Timing, Subject Matter and Amount of Communication and Whether Communication Could Reasonably be Interpreted as Being Sexual in Nature;
**“Student” is Defined as Being up to 10 Months After Graduation

Principle #5 – “Duty to Report” (Not Included in the Code of Ethics and is not Actionable)

- Any Credential Holder Shall Report any Suspected Violation of the Code of Conduct;
- Superintendent Shall Report to Office of Credentialing when a Credential Holder has Been Arrested for RSA 189:13-a and Violated Code of Conduct;
- Credential Holder Shall Report Abuse or Neglect

Sanctions – ED 511.02

- Close out Case – Allegation Unfounded – No Action Taken;
- Suspension – Rescinded for Set Period of Time;
- Revocation – Permanently Rescinded;
- Reprimand – Note to File of Credential Holder

7. Update on Superintendent Search

Chair Guagliumi stated the Board had decided to hire an Interim Superintendent for the 2021 – 2022 school year and had hired the search firm of McPherson & Jacobson, LLC to assist with the search for a new Superintendent. She said the goal was to have a new Superintendent in place by July 1, 2022.

At approximately 9:30 p.m. Chair Guagliumi declared a five-minute recess; calling the meeting back to order at approximately 9:35 p.m.

8. 2Revolutions Presentation

Chair Guagliumi welcomed Mr. Adam Rubin, Founder & Partner, 2Revolutions.

Mr. Rubin explained that 2Revolutions was an education design lab. He said 2Revolutions did not come with the answer but a process to help the District define the answer and investigate what was Merrimack's future regarding learning, what the values were, what they wanted students to be able to do when they left the District and how they could support educators and leaders.

Mr. Rubin said he felt there were four points of relevancy regarding the conversation:

1. Future of Learning Expertise – Deep Knowledge of Instruction, Assessment, and Research-Based Practice in School and Systems.
2. Leading Transformational Change – We Simultaneously Focus on Both Adaptive and Technical Changes Needed to Implement and Scale.
3. Walk the Talk – We Model Practice Innovation by Engaging Adult Learners with Empathy and Invitation to Build Buy-In Ownership.
4. Partners, Not Vendors – As Designers at Heart, we are Committed to Co-Constructing an Approach that Meets Merrimack's Unique Needs.

Mr. Rubin said 2Revolutions supported a large-scale change in systems and an important common denominator was adaptive and technical shifts. He said technical change encompassed how to design a great project, how to assess using a performance task, how to build a portfolio for learners. Further, Mr. Rubin explained the adaptive change was a little bit more important in that it encompassed how to navigate a culture where there was mistrust, how to support a community that might not see things eye-to-eye.

- Support the Development of a Community-Generated Vision for Merrimack's Future of Learning
 - Engaging Students, Community, Teachers, Principals, Central Office Leaders
 - Focus Group, Interviews
 - Community Design Studios, Faculty Design Studios
- Deeper, Job-Embedded Capacity Building to Support Early Shifts in Practice
 - Community of Practice

Vice Chair Rothhaus asked if teacher's would be surveyed to see what practices they felt were very successful and what practices they felt they needed more help with. Mr. Rubin replied while they would survey the teachers they would also do focus groups.

Board Member Peters asked what the benefit to the community was. Mr. Rubin replied bringing in partners (the community) was very important. He also said he felt there was huge value in investing in communities future.

Board Member Hardy commented that she felt it was important to note that 2Revolutions was not before the Board because they felt the leaders of the Merrimack School District were doing a terrible job.

Board Member Barnes said the estimated cost for Phase I would be \$40,000 and asked what the timeline was. Mr. Rubin replied the timeline was a process that could be two, three, or four months. He said it had to do with access to people and it was important to find the best time to do it and perhaps lay the foundation over the summer and then start the design studios.

Board Member Barnes asked if Phase II was ala carte, to design, or if there were rate card estimates for the annual expected cost to engage. Mr. Rubin replied typically the cost was \$27,500 - \$36,500. He added the variables included the amount of people, in-person versus virtual, the size of cohorts, and if additional coaching supports were desired. Board Member Barnes stated in that case the District was looking at approximately \$75,000.

Board Member Barnes asked if there were maintenance costs. Mr. Rubin replied there were not.

Board Member Barnes commented the cost to hire 2Revolutions was not in the budget and it was not vetted as a cost that the taxpayer's would be asked for. Assistant Superintendent for Business Shevenell stated the School Board had the ability to encumber funds so legally all they needed was either a signed contract or a vote by the School Board to encumber "X" amount of dollars from the current year for the purpose of "X" and if it passed it would be placed in the "Reserved for Encumbrance" account.

Board Member Hardy asked how the public would be made aware of the presentation prior to the June 7th meeting. Chair Guagliumi replied they could put it on the School District's website and to put it on Facebook.

9. HB 544

Chair Guagliumi explained the School Board had the opportunity to write (in possible opposition) to HB 544. She said she was informed that the Bill had been tabled but the language was put into the budget Bill and if it survived the Senate then the House would vote on the Bill on June 24, 2021.

10. Merrimack School District COVID Cases Update

Superintendent McLaughlin reviewed the COVID-19 status for the weeks of April 19th (the week preceding April break) the week of May 3rd, and the week of May 10th.

11. Update Regarding the REAL Program and Parent Survey

Superintendent McLaughlin commented that they did not yet have hard numbers from the survey because they closed the survey very late. He said he imagined the Board would want to know what remote learning looked like for the future of Merrimack for those who chose it. He also pointed out when they first proposed the idea of the REAL (Remote Education Academy of Learning) they said thinking into the future would be to reimagine what they would do, for instance, when a student was suspended who would be suspended from learning as well.

Superintendent McLaughlin read aloud from the Governor’s current emergency order: “New Hampshire schools shall retain the option to offer full-time, distance learning or hybrid instruction that encompasses aspects of both in-person and distance learning for any student who elects one of these options.”

Superintendent McLaughlin said he would provide the Board with the results of the survey at the June 7th meeting.

12. Approval of School Board Meeting Minutes

- **April 22, 2021 – Non-Public Minutes**

MOTION: Board Member Barnes moved (seconded by Vice Chair Rothhaus) to approve the minutes from the April 22, 2021, non-public meeting, as presented.

The motion passed 5 – 0 – 0.

- **May 3, 2021 – Minutes**

MOTION: Board Member Barnes moved (seconded by Board Peters) to approve the minutes from the May 3, 2021, meeting, as presented.

The motion passed 5 – 0 – 0.

13. Consent Agenda

- Educator Resignation

Ms. Sarah Dee, Family Consumer Science Teacher – Merrimack Middle School

MOTION: Board Member Hardy moved (second by Board Member Barnes) to accept the Consent Agenda.

The motion passed 5 – 0 – 0.

14. Other

a. Correspondence

Chair Guagliumi commented that the Board received many emails regarding graduation, mostly indicating that they preferred a “regular” or “normal” graduation. She also commented the Board received multiple emails for and against regarding HB544, and they also received an email from a State Representative regarding lead in the District’s water.

Chair Guagliumi commented she brought the issue of possible lead in water to Assistant Superintendent for Business Shevenell and he indicated he would test the water once school was out of session for the summer break and he would provide the results to the School Board. She noted students were not currently drinking out of the water fountains because of COVID. Assistant

Superintendent for Business Shevenell noted that he had been in touch with the DES (Department of Environmental Services) and there would be some grant money available to use for testing in short order.

Vice Chair Rothhaus asked if the water in the cafeteria was being used. Assistant Superintendent for Business Shevenell replied it was but added the initial test performed in 2017 came back negative for lead. He also said the water was run through the PFOA (perfluorooctanoic acid) filters.

b. Comments

There were none.

15. New Business

Vice Chair Rothhaus asked if they could run vaccination clinics starting with the high school students. She said the Nashua School District had a clinic and almost 900 students were vaccinated. Superintendent McLaughlin replied having vaccine clinics was not up to the Board but it was the Board of Public Health's purview. He said the District had reached out to them and they did not agree to host a Merrimack-based clinic but he would ask again.

Vice Chair Rothhaus suggested the possibility of the School Board members removing their masks at the meetings if they were all fully vaccinated. Chair Guagliumi said she would reach out to the other Board members regarding moving their masks down when they were speaking.

Vice Chair Rothhaus also said she would like to discuss setting a date to have the "Goals" meeting for the next school year. Chair Guagliumi commented she would also reach out to the Board members regarding setting the meeting on "Goals." Superintendent McLaughlin said he hoped some of the work already done or currently being done would be incorporated into the meeting.

16. Committee Reports

Board Member Hardy stated that both herself and Board Member Peters took part in the Healthcare Cost Containment Committee meeting where they discussed the incentives they were giving out, the Shaw's gift cards, as a mental health boost. She also said the committee was going to bring in the National Mental Health Alliance to speak to educators.

Board Member Peters said the Budget Committee had met and Mr. Chuck Mower retained his seat as Chair, and Ms. Naomi Schoenfeld was appointed as Vice Chair. She also said there was one empty seat on the Board and they would hold a meeting to interview the candidates. Board Member Peters stated the Chair of the Budget Committee had asked her to convey to the School Board that they would like a little more clarifying information regarding line items in the budget rather than broad strokes.

Vice Chair Rothhaus shared that she would be attending the Parks & Recreation Committee on the following Wednesday. She said all of the 275th flags had gone up and the clothing line would be available online the current week.

Board Member Barnes said she met with the New Hampshire Association for Supervision and Curriculum Development on the May 13th where there was a panel discussion with Commissioner

Edelblut, and the Honorable John Broderick (Retired), who discussed the topic of returning to school.

Board Member Barnes commented she met with Senator Sheehan along with some other Directors and said the Senator wanted to go over the third round of funding from the federal government. She said the conversation resulted in the determination that while the funding was certainly good it would not be enough for the larger projects.

17. Public Comments on Agenda Items

Mr. Scott Adler, 3 Deerwood Drive

After listening to the graduation plans, I agree with Jenna Hardy. This is an overly complex plan that is confusing and unnecessary. While I recognize that we all have endured a significant amount this year as a result of the pandemic, school districts around the country are starting to get back to "normal" and holding graduation the way they have in years past. Please consider holding graduation as it was prior to the pandemic. Many people have now been vaccinated or have the opportunity to vaccinate. Stores are beginning to revise their mask policy and no longer require those that are fully vaccinated to not wear a mask. Please give the class of 2021 something normal for this year as their high school time comes to an end.

MOTION: At approximately 10:33 p.m. Board Member Hardy moved (seconded by Vice Chair Rothhaus) to adjourn.

The motion passed 5 – 0 – 0.