

Milan School Board
Wednesday, August 2, 2006
Minutes of Meeting
Milan Village School Library

Present:

Board Members: Chairman Andrew Mullins, Jacky Quintal, Patricia Shute

Administration: Superintendent Paul Bousquet, Business Administrator Pauline Plourde, MVS Principal David Backler, Legal Counsel Barbara Loughman

Public: Karen Wheeler, Jenn Miller, Amy Cornish

I. Call to Order

Meeting was called to order at 6:36 PM by Mullins.

V. Barbara Loughman – Open Meetings

Loughman distributed copies of a memo from the Attorney General's office regarding the Right to Know Law to each of the Board members. She stated that the memo explained the statute and case law and that it is also available on the NH Justice website.

Loughman stated that the purpose of the Right to Know law is to give the public the greatest access to government. Meetings are to be held in public, with notice, and minutes are to be kept and available to the public. She stated that all records are public, unless there is an exemption, such as student records.

Loughman discussed School Board meetings. Any time a quorum of the Board is together for the purpose of discussing school board business, it is a meeting. Exemptions: Board is involved in collective bargaining, Board is meeting with attorney for legal advice, or chance social encounters. Posting is required in a minimum of 2 public places within the district 24 hours in advance of the meeting. Exception: In the event of an emergency meeting, Board must attempt to announce on radio or internet, and it must be stated in the minutes that it was an emergency meeting and to state what the emergency was. The Right to Know Law does not require posting of an agenda.

Meetings must be convened in public unless under non public, according to the RSA. Loughman explained the different reasoning behind each of the parts of RSA 91:A:311. She stated that the Board may make decisions in nonpublic without coming out of nonpublic session. If a final vote is taken in nonpublic, it must be included in the minutes of nonpublic unless the minutes were sealed. Discussion on part C of the RSA regarding the reputation of a person. Bousquet asked if a discussion regarding a person would interfere with that person's due process. Loughman agreed and stated that the Board should always pass information onto the Superintendent – parent complaints, student behavior, staff issues, etc. She stressed that a Board member should never get involved otherwise it could create legal errors. Shute asked for clarification on whether a Board member could call for the parent. Loughman reiterated that the Board members are community members and need to tell the parent to contact the Superintendent and do not get involved. She stressed the importance of letting the Superintendent do the investigating. The Board may inquire as to the investigation and its results. Discussion - Loughman reiterated that the Board is to tell the parent to contact the Superintendent, and in issues of safety, the Board member may also contact the Superintendent with the information. Loughman added that if a parent is unwilling to contact the administration, then it is not a serious matter, but if the Board member believes that it is regarding the welfare and safety of the students, i.e. weapon, drugs, etc., then the Board member should notify the

Superintendent. If a individual board member volunteers to call the Superintendent for the parent and the parent refuses to have them inform the Superintendent, then the matter should be dropped.

Discussion on when staff members complain to the Board. Loughman stated that staff is to go through the proper chain of command and that people don't have the right to go to the School Board when they have a complaint. She stressed that the Board is not running the school, the administrators are, and it is not fair for the staff to complain about the administration to the Board.

She explained the procedures for non public session. There will be a roll call vote; the Board will adhere to the topic, and then roll call vote to come out of the session. Board will decide on whether the minutes are to be sealed, and if not, they are to be available to the public sooner than public session minutes. She explained that minutes must include who was present by identifying by name. If parent or students were present, and names used, then minutes are sealed. She explained that that can be avoided by stating 'parent met with Board' instead of recording their name. If a grievance, may state 'teacher' instead of recording their name. If it is a dismissal hearing, the staff member has the right to appeal and that session should be tape recorded and/or a stenographer hired to record accurate minutes, which would be sealed for further appeals.

Loughman explained that the public has the right to look at whatever notes are taken for the minutes. Once the minutes are prepared, the notes may be destroyed. Board members who keep notes do not have to make them available to the public. She discussed emails, and suggested that Board members do not get involved in substantive discussions via email, since the public has the right to know. As long as a record exists – electronic or paper copy, the public has the right to view. Bousquet asked if a Board member emails him, is that a public record? Loughman responded yes.

Quintal asked about phone polls. Loughman answered that sometimes Boards have to do a phone poll, which is OK, as long as it is ratified at the next meeting.

Plourde asked about joint Board meetings between 2 Boards and could the separate Boards could take action at the meeting. Loughman stated that as long as the meeting was posted in both towns with the purpose of the meeting stated, then they may take action. Loughman added that subcommittees of the Board are all subject to the Right to Know law and that their meetings must be posted and minutes taken.

Mullins asked if a Board normally posts in 3 places and only posts in 2, is that acceptable. Loughman responded that it is in compliance with the Right to Know law. Mullins continued by asking if that were true even if the posting wasn't in the same place. Loughman stated that it violates School Board Policy, not the Right to Know law. Mullins asked about additional School Board Policy that states the administration presence is at the pleasure of the Board. Loughman responded that it is a State regulation that a Superintendent or designee be present at all meetings. She added that it does not state that Superintendent or designee must remain at entire meeting, and may be asked to leave if Board wants to discuss Superintendent's contract, raise, etc.

Bousquet asked if School Board policies go over State RSAs. Loughman stated that School Board needs to comply with state regulations, and that a Superintendent or designee must be present at all meetings. Mullins asked about the Board's policy that Superintendent is present at the pleasure of the Board. Loughman responded that unless the rights of a third party would be violated, the Board has the right to waive their policy. Shute stated she realized the regulations for Superintendent's presence at meetings. Plourde stated that the School Board should always inform the Superintendent of meetings, per RSA303.1F. Shute asked if the meeting was illegal if Superintendent was not present. Loughman responded that the meeting was not illegal without the Superintendent present, but unwise. Mullins

requested that it be stated in the minutes that the meeting was not illegal. Loughman reiterated that state regulations require a Superintendent or designee to be present at all School Board meetings.

Bousquet asked about repercussions of violations to the Right to Know law. Loughman responded that court may award attorney fees if blatant violations, and in extreme situations, may award attorney fees against individual Board members and not the School District. She added that it is very expensive to defend against a Right to Know lawsuit.

Discussion on how to handle a request for information under the Right to Know law. The Right to Know law allows person requesting records to come into the office to view records during normal business hours. It does not require the staff to gather the information for the person, but to allow them to access it.

Discussion on transcribing proceedings from earlier Board meetings. Plourde stated that the SAU will get someone to do it, at the District's cost. Loughman stated that if a clerk is not present, then one of the Board members should keep the notes for the meeting. She added that anyone could do it, but you must take the notes.

Loughman distributed a memo on CLE on different issues School Board members have to deal with to each Board member and to Bousquet.

The Board thanked Loughman and she departed at 8:05 PM.

II. Public Comment - None

IV Written Communication – Bousquet distributed copies of the Dummer School Board agenda to each of the Board members.

VI. Principal's Report

Backler stated that everything is going well. He reported that Buckovitch Masonry signed the contract stating that the steps would be completed before school starts and the fence is in. There was a work session for the Student Support Center.

Shute asked about the Handbook approval. Backler believed it had been attached to the Board members packets. Discussion on attachments to emails. Bousquet accepted responsibility for it not being included and will get a copy to each Board member ASAP. Bousquet stated that if Board members had any questions, to contact Backler, and they can do a phone poll next Friday (8/11/06).

(On behalf of the Board, Shute presented Backler gifts for the new baby.)

Shute asked about grading for Specials. Backler stated that he would like to meet with staff to discuss objectives for grading and bring it back to the Board.

II. Approval of Minutes

Minutes from June 6, 2006 Meeting.

The following corrections were made:

Page 1, II correct the spelling for Julie **Evans**

Page 2, “were this happened” should read “**where** this happened.”

Page 4,

“He then asked if she seen it posted and she said she had not seen it posted at the school” should read “He then asked if she **had seen it posted. She said she had not seen the meeting posted at the school.**”

Regarding calling an SAU Board meeting:

“ . . . by the Board Chair or a member of the School Board” should read “. . . by the Board Chair **or a member Board.**”

Regarding Andrew Mullin’s response to Mike Fortier:

“Andrew Mullins said that if he had gone to the lawyer and asked before the meeting if he should have it . . . ” should read “Andrew Mullins said that if he had **gone** to the lawyer and asked before the meeting if **the meeting should have been held . . .**”

Page 5, III

Student Support Center

“The Board requested that they need to develop proposed goals, objectives. . . “ should read “The Board requested that the **Principal, the School Psychologist, and the Special Services Director** need to develop proposed goals, objectives. . . ”

Motion made by Shute to accept the minutes of June 6, 2006 as amended. Motion seconded by Quintal. No discussion. Vote 3-0 in favor. Motion approved.

Minutes of July 3, 2006

Motion made by Quintal to accept minutes of July 3, 2006 as presented. Motion seconded by Shute. No discussion. Vote 3-0 in favor. Motion approved.

VII. Superintendent’s Report

A. AREA Agreement with Berlin

Discussion on Board’s intent. Quintal stated under N to remove “for a minimum of 10 years” and change it to 2 years. Bousquet will contact Berlin’s Superintendent John Moulis to request Milan School Board being placed on the agenda to discuss this.

B. Memorandum of Understanding

Bousquet stated that he will get a copy from the Berlin Police Department for the Board to review and adopt. Quintal asked for the “Grievance Procedures Form”. Shute stated that it is in the Student Handbook. Quintal asked for Due Process guidelines from Bousquet. Bousquet stated that Quintal had requested a Memorandum of Understanding to review at the meeting, and is now requesting a different document, which he is not prepared for the request. He added that the documents are in the policy manuals and in the student handbooks.

C. Contract Lengths Staff

Bousquet stated that he would not recommend a multiyear contract. Discussion.

D. “Restoring Trust” Handout

Bousquet stated that the article was given to his administrators at their first meeting. Quintal read several passages aloud.

E. Paperwork Request for Board Packet

Bousquet stated that he would like requests 7 days ahead so Board may have a chance to review information before the meeting.

F. SAU Withdrawal Planning Committee – Bousquet stated that their first meeting will be held on Tuesday, August 22, 2006, in the MVS Library.

G. School Board Training Update

Bousquet suggested September 9th as the date of the training. Shute is unable to attend. Bousquet will poll the different Boards to set a date everyone can agree on.

H. Other

Bousquet commented that it was his one month anniversary and he is feeling good about the job. He stated to tell parents they may contact him, since parents are the best advocate for their children.

VIII. Business Administrator's Report

A. Pay Scales Art & Music (Item to be discussed during nonpublic session)

B. Transportation Extra Cost

Plourde reported that she had received a request for additional expense for an additional day of transportation when Berlin was in session but Milan was not. Shute asked for the terms of the contract. Plourde read aloud the contract terms and will pay the additional prorated day, per the terms of the contract.

C. Funding for Student Support Center

Plourde suggested areas where there will be savings that could be applied towards the Student Support Center - balance from shed, fuel cost coming in \$0.61/gallon under budget. Quintal stated that she would not like to use fuel account, in case of a severe winter and asked if there were any Grant monies that could cover the costs. Plourde will prepare a Grant report for next meeting.

XI. Agenda Items for Next Meeting, Tuesday, September 5, 2006

- Grant Money
- Policy Review & Update
- Goals for School Board
- Berlin School Board Meeting Date
- Paraprofessional Benefits

Quintal commented on a report on TV of a service dog going into schools and for the SAU to do research on how to be proactive on the issue.

XII. Other

Mullins reported on a quote on the overhead doors for the shed he received from Overhead Door.

Motion made by Shute to appropriate an amount of money not to exceed \$1700. to purchase and install an insulated garage door and opener for the storage shed. Motion seconded by Quintal. No discussion. Vote 3-0 in favor. Motion approved.

Motion made by Quintal to enter Nonpublic session per RSA 91A:311(a) and (c) at 9:23 PM. Motion seconded by Shute. Mullins – yes, Quintal – yes, Shute – yes. Motion approved.

Respectfully submitted,

Kimberly A. Hockmeyer
Recorder for the Milan School Board

Present in non public session:

School Board Members: Patricia Shute, Jacqueline Quintal, Andrew Mullins
Administration: Paul Bousquet, David Backler, Pauline Plourde

Non-public session was called to order at 9:23 pm under RSA 91A:311(a) and (c)

A student matter was discussed

Employee matters and compensation were discussed

At 9:36pm a motion to go out of non-public session was made by Patricia Shute and seconded by Jacqueline Quintal; Shute – yes, Quintal – yes, Mullins – yes. Vote 3 -0 in favor. Motion approved.

At 9:38pm Patricia Shute moved to adjourn, seconded by Jacqueline Quintal, vote 3-0 in favor. Motion approved. Meeting adjourned.

Non-Public Minutes recorded by Superintendent Paul Bousquet