

## SOMERSWORTH SCHOOL BOARD MEETING

September 12, 2022,

City Hall Chambers

7: 00PM

1. CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE: Larson called the meeting to order at 7:00 PM. Upon call of the roll, the following members were present: Maggie Larson, Todd Marsh, Kari Clark, Mark Richardson, Susan Tierney, Gerri Cannon and Mandy Demers. Absent: Barbara Wentworth (excused)
2. **COMMENTS BY VISITORS:** Isis Orchard stated that she is there to speak about the JBAB policy. At the last meeting she was hopeful when the board decided to bring the policy back to review but after attending the policy committee meeting there was a fundamental issue that stood out to me. Throughout the policy committee meeting there were a lot of questions on trans people and how they go through the process of their personal journey. Some of these questions were, are pronouns and gender the same thing, would putting a gender change in PowerSchool be the same as a social transition or a legal transition and after every one of these questions committee members looked to Gerri for an answer. She stated that this is not to say that looking to Gerri as a resource is a bad thing or shouldn't be done. It is a great thing, Gerri is a wonderful addition to the school board and a great resource for people, however it makes me worry that instead of policy committee members doing research about how policies like this affect trans students and doing more research into trans peoples experience, they are relying on one person's answers to questions in regards to their policy making. Gerri absolutely has a fundamental voice in conversations about policies like this, but it should be additional resource on top of the research that is necessary for making policies for trans and gender non-conforming students. A concern that was brought up in the policy committee meeting was that the school board doesn't want parents to feel that the school is hiding something from them specifically referencing a Manchester school that was sued earlier this year for having a policy similar to our policy JBAB 2018 policy that protected a student's gender identity unless the students had told staff it was safe to inform the parents or guardian of their identity. While I completely understand that sentiment, let's break it down a little bit. If a student is in a position where they feel that they cannot tell their parent how they identify it is likely one of two scenarios, one they live in a home that they believe or are aware of would be unaccepting of their identity so informing parents in these types of homes puts trans students directly at risk which you have already been made aware of. Two, a student may not live in an unaccepting home but for whatever reason they don't feel ready to come out to their parent or guardian so if you inform parents in these situations, you have now crossed the boundaries of outing someone's identity before they are ready to come out. How did we get here? It was mentioned in the policy committee that the NHSBA used to have an outline for policies like this which is what the 2018 JBAB policy was modeled after. Recently they have removed that outline entirely and as stated in the policy committee meeting, school boards are left to navigate on their own of what their policy for transgender and gender non-conforming students should be. I can imagine how difficult a situation that can be to navigate when the source you look to modify your policies after no longer has an outline for you however it is not unnoticeable that the policy change that Somersworth and other school boards in the state have made come in the wakes of anti-trans rhetoric's spreading throughout our country and our state. As mentioned before there are other schools in our state being sued for protecting trans students' identity, there are school boards trying to ban LGBT books. We have the opportunity to be a safe haven, to tell our students that your identity is protected and respected here. I would imagine if there were to be a safe haven for trans youth in our state, it would be in the rainbow city. It is difficult to stand up to the wave of anti-trans rhetoric and skepticism but ultimately it is your duty not only as public officials, but this is how we will keep Somersworth students safe. Protecting the privacy of a student's identity is not hiding something from parents, it is preventing harmful situations from happening to your trans gender and gender nonconforming students who live in unaccepting homes. This is why the 2018 JBAB policy was fundamental in protecting trans students in our schools and it is why we need to go back to that policy. Kyla Yoder stated that she is a very proud parent of a transgender child, you may know Jude, Jude came and spoke at the last board meeting. I was not and my husband was not the first person that Jude came out to and I don't hold that against him in the slightest or by any means, they came out to their group of friends and the people that they felt were the best group of people to come out to and I think that this policy really downplays the importance of who people choose to come out to and when and it also forgets that the children in this community, even though they are children have autonomy and can make choices for themselves. She thanked

Board member Clark, after the last meeting your words and your sentiment were just lovely and sincere and a wonderful example of how to respond when a group of marginalized people speak out and say what you are doing is harming them so I do really appreciate that and I wanted to thank you publicly for that. She stated that she attended the policy committee meeting and there were absolutely no meaningful changes that were made that night, it was meaningless, and I was very disappointed. She stated that she was very disappointed with the Superintendent when Board member Clark asked a very pointed question about the policy and was told that it could be implied, nothing can be implied in a policy, policies need to have clear language and everything in a policy needs to be stated, you can't look at a policy and say I assume this from it, that is not how policy works. Lastly, I would like to remind every board member that this is a public school and it is federally funded and every single child in this district has the right to be safe and to be accepted in their school building and if that is not what you want from this school system then you should send your child to a private school where they can be taught the way you want them to be taught or if you want your child to hide private schools are fine for that but not a public school and I strongly recommend that you reinstate the 2018 JBAB policy, it was good and protective to trans youth and this policy that you are passing is not and it can cause harm. I would like to encourage all of you to reach out to NAMI NH and talk to them about their stance on transgender policies and laws being presented in the state and get their opinion on mental health because I hear a lot of talk about the kids mental health in this community and if you genuinely care about their mental health you are going to reach out to the appropriate people and I would also like to recommend that you reach out to the ASP, affirming spaces project, they would be a really great organization for you to reach out to communicate with and get education on transgender youth and people.

### **3. CONSENT CALENDAR:**

**3.1** Removal of items from the Consent Calendar: A motion made by Richardson seconded by Cannon to remove the NH School Boards Association Proposed Resolutions 2022 for discussion at the next meeting. He stated that Barbara is not here, and she is the delegate. Tierney asked what the board's responsibility is. Councilor Austin stated that he served for a number of years on the NHSBA board. He stated that they ask local boards to look at the proposed resolutions and give guidance to the delegate on how to vote on the resolutions. He stated that you can choose to accept the resolutions as presented and the delegate votes their conscience at the meeting. Tierney asked when they would discuss them. Larson stated at the next meeting. VOTE: motion passed unanimously.

**3.2** Approval of Consent Calendar: A motion made by Richardson seconded by Cannon to approve the consent calendar as amended. VOTE: motion passed unanimously. Approved were:

**3.3** Somersworth School Board Buildings, Grounds and Transportation Committee Minutes August 16, 2022

**3.4** Somersworth School Board Meeting Minutes August 23, 2022

**3.5** Somersworth School Board Nonpublic Meeting Minutes August 23, 2022

**3.6** Somersworth School Board Policy Committee Minutes August 30, 2022

**3.7** Email Correspondence from J. Yoder

**3.8** Student Enrollment

A motion made by Richardson seconded by Cannon to table the proposed resolutions until the next meeting on September 27<sup>th</sup>. VOTE: motion passed, unanimously.

### **4. ANNOUNCEMENTS:**

**4.1 Superintendent's Update:** Supt. Lane stated it has been a really great start to school, there has been great energy, the kids are happy, and a number of staff members have commented that this is normal and there is a calm about it. She reminded families that the federal waiver for free lunch has expired, and we are back to business as usual and for families who don't qualify for free lunch, we encourage you to set up an account online to pay for lunches and you will be notified if your account gets low. She stated that we changed the policy right before the pandemic. She stated that if you have a negative balance, you may receive a call from administration. She stated that in terms of COVID, unfortunately it is still here, and the numbers are climbing. She stated that today alone we had 17 cases in the district and that is the biggest one day total we have had throughout the pandemic. She stated that there were 14 cases just at the middle school. She stated that the COVID management team will be meeting on Thursday, and I have asked custodial services to increase the

cleaning protocols and we will continue to be diligent. She stated that we will be continuing with the SASS screening for asymptomatic testing. She stated that the first testing date is this Wednesday, and you can opt in and out at any time.

## 5. COMMITTEE REPORTS:

### 5.1 Standing Committees:

- **Budget & Revenue Committee:** Marsh stated that they met on September 7<sup>th</sup>. He stated that they did a review of the last meeting. Katie provided an end of year report for the 21/22 school year and Katie will elaborate more in detail in her report. He stated that board member Demers expressed concern that many residents do not understand the process and rules with the end of year unexpended funds, and they wonder why money is being returned to the city general fund when other related expenses could benefit from increased funding including sports and citing pay to play. He stated that Katie explained that there was discussion on how end of year funds over the last few years has been an anomaly due to the COVID situation and that funds cannot be carried over into the next school year. Also, there is an expectation that we be mindful to consider and work with the council when navigating these unexpended funds including amounts to be returned to the city which can be used at that elective body's discretion including tax relief and potential educational purposes which has been used in the most recent past. We discussed we have a positive working relationship with the City Council and strive to maintain that, with that said there was an acknowledgement that we should maximize communication of laws and practices in regard to unexpended funds to minimize misunderstanding throughout the community. He stated that we discussed the ESSER III Status in regard to estimates becoming actuals. He stated that we also went over the budget creation process including budget committee meeting dates and budget timelines. He stated that they also discussed funding options for pay to play and they discussed providing the committee with options at the October meeting.
- **Buildings, Grounds and Transportation Committee:** Richardson stated that they have a meeting scheduled for the 22<sup>nd</sup> and was hoping to meet in the weight room but we are still waiting for the weight racks to come in.
- **Educational Programs & Community Outreach Committee:** Meeting on September 15<sup>th</sup>.
- **Policy Committee:** Tierney stated that they met on August 30<sup>th</sup> at the SAU office and discussed policy JBAB, and the use of preferred names and pronouns is in compliance with any legal requirements especially in regard to all the documentation. She stated that we really wanted to clarify what school records to make sure that the policy met the requirements of that of making any changes to such documentation. She stated that Chair Larson walked us through to demonstrate that parents are the only ones who can go in and make changes to names and pronouns other than school personnel, students can't go in on their own and make those changes. She stated that we are going to add tentative language in regard to students who are 18 and older. She stated that we still are going to be discussing this policy at the next meeting, we are really trying to understand the procedures so we know what the schools actually do and that it is consistent throughout all the schools and clarification on the printed notification piece and how far reaching it is and she feels that there needs to be more clarification on that. Marsh stated that for your next meeting I would like to see language for 18 plus students and further clarification. He stated that his belief is that 18 plus students who don't need permissions in certain circumstances, I don't believe that the school district should seek parent or guardian permission in these circumstances. I realize that 18 plus student still need to follow school rules but in the area of parent and guardian permissions, I would really love to have that tightened. Clark asked about biological sex and said she couldn't remember why they changed that wording because it was something else before. Dana Hilliard stated that you are really towing the line right now as

this was not a discussion item it was reports of committee only and the public was not aware that this would be discussed and that is why agendas are tight so that the public is aware of every single action. Larson stated that there has been a lack of actual discussion. Demers stated that she would like to make a motion to suspend rules to discuss this. Hilliard stated that you are not going to be able to act on this. Demers stated are we trying to act on this or are we just trying to discuss this. Hilliard stated that it is still in committee. Richardson stated that the public needs to be notified in the calendar that it is going to be discussed and just by discussing it now there is that notification that didn't take place. Hilliard stated that the public wasn't notified, and they may have turned out to comment.

## **5.2 Reports of Ad Hoc Committees:**

**5.3 Somersworth Mental Health and Wellness Commission:** Marsh stated that the next meeting is Wednesday September 21<sup>st</sup> in the high school library and the agenda will include recovery friendly workplaces, mural and public outreach efforts.

**5.4 City Council update:** Austin stated that they met on September 6<sup>th</sup> and received the resignation of Paul Hackworth and there will be a two-week period of filing and if there is anyone interested in Ward 1, they should contact the City Clerk's office. He stated that the period will close, and the nominations will be reviewed by Council who is responsible for filling the seat.

**5.5 Student Representative Report:** None

## **6. PRESENTATIONS**

## **7. FINANCIAL UPDATE**

**7.1 Update on end of year reporting for the 21/22 school year:** Krauss stated that attached is the budget update for the FY 2021-2022 school year as of June 30, 2022. Below is a summary of revenues and expenditures:

Total Expenditure Balance:	\$823,248.11
Total Unanticipated Revenue:	\$313,575.76
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Total Amount to be returned to city general fund:	\$1,136,823.87

Throughout the year, I have informed the board at each board meeting that we were anticipating an expenditure balance in the amount of approximately \$550,000. Once all year end invoices and purchase orders were closed out, we were able to release an additional \$269,000 in expenditures. This was due in large part to the release of special education encumbrances totaling approximately \$134,000 for out of district tuition and transportation for special education students. We also had savings in the areas of athletic transportation, utilities, debt service for the middle school elevator project and SAU expenses. The expenditure balance is due in large part to savings in salaries and benefits from staff changes that happened after the budget process as well as having numerous unfilled positions throughout the entire year. We had approximately 55 staff changes from when we budgeted to when the budget started which resulted in a large savings. We also had 8.5 unfilled paraprofessional positions throughout the year which also resulted in a significant savings. This is not typical and will not continue into future budget years as we fill these positions.

The additional revenue was mostly attributed to receiving an additional \$113,431.95 for building aid for the Maple Wood project that the district was unaware of at the time of budgeting. We also received additional funds for special education aid, tuition for preschool, tuition for students attending our schools from another district as well as career and technical center state tuition. Unanticipated revenue is not able to be spent and automatically is returned to the city general fund. If these additional revenue sources were known at budget creation, they could have been built into the budget in order to help fund our expenditures.

Once the funds are returned to the city general fund, it is up to the City to determine how to best utilize these funds. In previous years, portions of the returned funds were used to offset the tax rate increase. Once the tax rate is set in October, we will be able to report out what the final tax rate is. The city also allowed the school district to use a portion of the remaining funds from FY 2020-2021 to use as revenue to help offset our expenditure increase in the FY 2021-2022 budget.

These figures are unaudited; once the audit is complete, I will report to the board if there are any changes.

## **8. NEW BUSINESS**

## **9. OLD BUSINESS/ACTION ITEM**

**9.1 Second Reading: Capital Improvement Plan (CIP):** A motion made by Richardson seconded by Marsh to accept the CIP as presented. VOTE: motion passed, unanimously.

## **10. FUTURE MEETING DATES/SUGGESTED AGENDA ITEMS**

- **September 15, 2022, Somersworth Educational Programs and Community Outreach**
- **September 19, 2022 Somersworth Policy Committee**
- **September 20, 2022 Somersworth Budget and Revenue Committee**
- **September 22, 2022, Somersworth Building, Grounds and Transportation Meeting**
- **September 27, 2022, Somersworth School Board Meeting**
- **October 11, 2022, Somersworth School Board Meeting**
- **October 18, 2022 Somersworth Budget and Revenue Committee**
- **October 25, 2022, Somersworth School Board Meeting**

## **11. Closing Comments**

### **11.1 Visitors:** None

**10.2 Board Members:** Tierney reminded everyone to get out and vote if you are so inclined. Demers thanked Todd and Katie for giving more detailed information but I also wanted to give credence to the comments that we hear, why are we giving back a million dollars and my kid had to raise \$500 to play volleyball so I just wanted to make sure that we acknowledged all sides of this and we give more than the bare minimum of information. I also appreciate the attempt by Board member Clark to clarify a discussion point that she thought was going to be in this update and I don't think it would have been a problem to have that clarified and I appreciate that attempt and I know that the people we represent do as well. Cannon thanked the residents who spoke, it is one of those things that we have the opportunity to do is to speak our mind, so I greatly appreciate your words and I know that the committee appreciates them because that is how we move forward, if you don't speak, we don't hear. She congratulated the football team and reminded everyone to get out and vote. Clark stated that the reason that she became a board member is to speak on behalf of the children and families because for so long I felt that I didn't have a voice and it is humbling to see how the process works and how things get done. She stated that as a board I think that we are doing a good job, we have discussions that need to be done and clarity that needs to happen. She stated that she works at Wentworth Douglas Hospital, and it gives her the opportunity to work with people way smarter than herself and with that I get to ask questions of people that I admire, and respect and they can give me great feedback and suggestions to bring forth. She stated that she doesn't know how to write policy but she can rely on people smarter than me and reach out and say is this correct and because you have lunch with so many different people at work and you can ask so many different questions and what I have learned is that policy can't be implied, it can't be interpreted and it doesn't matter who says it, policy is black and white and I am just going to leave it there. Marsh thanked Board member Clark for those refreshing comments. He stated that policy can always be attempted to be interpreted but we want to try our best to minimize that as much as we can and we want future board member, future administrators and future residents to look at that policy and not be able to read something into it that wasn't intended and we should try to minimize that from happening. He stated that he would like to thank the residents who spoke

tonight, I always appreciate their passion and shared knowledge. He stated that it is election day tomorrow, I hope we can get past the candidates out demonizing each other, out criticizing each other and hope that we can outthink that, and I am still in awe at our ability and our system allowing us to vote people in and out. In our history of our planet that is still unusual. Larson stated that she will piggy back on the need for civil discourse in our community and in our schools, if we don't have that, this is an unnatural state to just listen and not respond and that is not typically how things should happen but if parliamentary procedure is the golden rule we will maybe look at different ways to have discussions in the community in the future as this board continues, I would like to explore that going forward and having something like a town hall in the future. Thank you to everyone who came out to speak and thank you board members for continuing to show up with the best intent for our community.

**12. Non-Public:** A motion made by Cannon seconded by Richardson to exit into nonpublic session in accordance with 91-A:3 II (b) Personnel and (e) negotiations. Upon call of the roll, motion passed unanimously. Exited into nonpublic session at 7:50pm. A motion made by Tierney seconded by Clark to exit out of nonpublic session. VOTE: motion passed, unanimously. Exited out of nonpublic session at 8:22pm. See Non-Public Minutes.

**13. Adjournment:** Motion made to adjourn made by Richardson seconded by Cannon. Motion passed unanimously. Meeting adjourned at 8:23pm.

Katie Krauss

Pending Board Approval