

Rochester School Board
Policy Committee Agenda
School Department Board Room
April 20, 2017
6:00 PM

1. Pledge of Allegiance
2. Approval of the March 16, 2017 Minutes
3. Policies for 2nd Reading:
 - BBFA, Board Member Conflict of Interest (*tabled*)
4. Section B: School Board Governance and Operations – Review
 - BBF-E1, Ethics Policy Statement
 - BCB, Board Committees and structure
 - BCD, Board-Superintendent Relationship
 - BCF, Advisory Committees to the Board
 - BCG, School Attorney
5. Public Comment
6. Other
7. Adjournment

Committee Members:

Thomas O'Connor, Chair
Matthew Pappas, Vice-Chair
Travis Allen
Raymond Turner
Robert Watson

**Rochester School Board
Policy Committee Minutes
School Department Board Room
March 16, 2017**

DRAFT

Members Present:

Mr. Thomas O'Connor, Chair
Mr. Matthew Pappas
Mr. Raymond Turner
Mr. Robert Watson

Members Absent:

Mr. Travis Allen

Also Present:

Mr. Michael Hopkins
Mr. Kyle Repucci
Mrs. Karen Stokes
District Administrators
Guests

The Chair called the meeting to order at 6:00 p.m. with a quorum present. Members and guest participated in the pledge of allegiance.

Mr. Turner moved, second by Mr. Pappas, to approve the minutes of the February 16, 2017 meeting. The motion passed unanimously.

Policies for 2nd Reading

Mr. Pappas moved, second by Mr. Turner, to recommend to the Board for second reading and adoption of policy AC-R, Non-Discrimination: Title VII, Title IX Grievances as amended. The motion carried unanimously.

Mr. Pappas moved, second by Mr. Turner, to recommend to the Board for second reading and adoption policy KLGA-R, School Resource Officer/Law Enforcement Administrative Memorandum of Understanding as amended. The motion carried unanimously.

Mr. Watson requested that reports be submitted periodically to enable the Board to get updates on what the SRO's are doing with regards to statistics. A copy of the SRO job description was requested for review; for a more comprehensive understanding of their duties.

Mr. Pappas moved, second by Mr. Watson, to recommend to the Board for second reading and adoption policy BA, Board Operational Goals.

Mr. Turner raised the question regarding section 4; is there something more that should be done in terms of community involvement. Discussion regarding long-range planning and obtainable short-term objectives; with a description of how we are measuring achievement was held.

The motion on the floor carried by majority vote.

Mr. Turner moved, second by Mr. Watson, to recommend to the Board for second reading and adoption policy BAAA, School Board Policies and Administrative Procedures. The motion carried unanimously.

Mr. Watson moved, second by Mr. Turner, to recommend to the Board for second reading and adoption policy BBAA, Board Member Authority. The motion carried unanimously.

Mr. Watson moved, second by Mr. Pappas, to recommend to the Board for second reading and adoption policy BBC, Board Member Resignation. The motion carried unanimously.

Lengthy discussion ensued regarding the definition and use of the word advocate as written in policy BBFA; and the issues associated with the presence of a School Board member attending a student meeting (other than their own) as an advocate. Policy should clarify the reference to a Board member advocating for a student other than own; responsibility of the Board to advocate for all families and students.

Mr. Watson moved, second by Mr. Pappas, to table policy BBFA, Board Member Conflict of Interest. The motion carried unanimously.

Mr. Pappas moved, second by Mr. Turner, to recommend to the Board for first reading and review policy BBF-E, School Board Member Ethics as amended. The motion carried unanimously.

Policies for 1st Reading

No action; policies will be reviewed at the April meeting.

Public Comment

None

Other

None

Adjournment

Mr. Turner moved, second by Mr. Pappas, to adjourn at 6:30 p.m. The motion passed unanimously.

Respectfully submitted,

Mr. Thomas O'Connor, Chair

BBFA

BOARD MEMBER CONFLICT OF INTEREST

A Board member shall not have any direct personal and pecuniary interest in a contract with the School District, nor shall he or she furnish directly any labor, equipment, or supplies to the district.

In the event that a Board member is employed by a corporation or business, or has a secondary interest in a corporation or business which furnishes goods or services to the School District, the Board member shall declare his/her interest and refrain from debating, discussing, or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the district from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where his/her interest in the public schools and his/her interest in his/her place of employment (or other indirect interest) might conflict, and to avoid appearance of conflict of interest even though such conflict may not exist.

A Board member that is employed by or has an interest in a business that ~~is an advocate for~~ represents individual students within the School District would be considered a conflict of interest, based on this policy.

In accordance with Rochester City Charter, Section 72, No School Board member, appointive officer or employee of the Rochester School Department shall participate in any decision concerning the business of the City in which he/she has an interest which conflicts with his/her official duties and responsibilities. Such Board member, officer or employee may participate in such discussion if:

- A. He or she files a written, detailed declaration of his/her conflicting interest with the City Clerk, who shall distribute copies thereof to all members of the School Board; and
- B. The School Board votes to authorize such participation.

No School Board member shall vote upon any matter where he/she or a member of his/her immediate household would be directly affected financially or personally. The term "member of his/her household" shall be deemed to include a spouse or any child or stepchild who resides within the same premises.

As to any School Board Member, the Chair of the School Board may disqualify him/her from voting on any issue where the Chair perceives a conflict of interest, either on his/her own or at the suggestion of another School Board member. A School Board member who has been so disqualified may appeal such disqualification to the Board, and upon two-thirds (2/3) vote of the entire Board, the disqualification shall be removed. In any vote appealing such a disqualification, the Chair, as well as the affected member, shall be included as part of the number of which two-thirds (2/3) is required. Further, they shall be entitled, each of them, to vote upon the appeal.

Legal Reference: Marsh v. Hanover, 113 NH 667 (1973)
Atherton v. Concord, 109 NH 164 (1968)
Rochester City Charter, Section 72 (1990) as amended by Referendum of 11/5/91, effective 7/1/92.

Adopted: April 8, 1993

Amended: June 12, 2008

Policy Committee Review: February 16, 2017; March 16, 2017 (tabled); April 20, 2017

BBF-E1

ETHICS POLICY STATEMENT

The Board will adopt a member code of ethics statement and annually each member will read, review and sign a copy of the statement to indicate agreement with the statement.

Adopted: August 10, 2006
Board Review/Approved: June 12, 2008
Policy Committee Review: April 20, 2017

BCB

BOARD COMMITTEES & STRUCTURES

School Board Officers and Standing Committees:

The officers of the School Board shall be a Chair and a Vice-Chair. The Superintendent shall be the Executive Secretary ex-officio.

The School Board shall have the following Standing Committees:

- a. Personnel
- b. Instruction
- c. Buildings
- d. Special Services
- e. Policy
- f. Discipline
- g. Finance

Election of Officers:

The election of Officers shall be the first action item on the agenda following the Pledge of Allegiance at the first meeting in January following each regular municipal election. The former Chair, former Vice Chair (if either is reelected), or the At large school Board member (in that order) shall act as the Chairman until one is elected. The Chair and Vice-Chair shall be elected by a majority vote.

The School Board may remove the Chair or Vice-Chair by a two thirds (2/3) vote of the Board.

Chair:

The Chair shall preside at all meetings, but shall have the right to vote in all matters before the School Board. The Superintendent shall consult with the Chair on the preparation of the agenda for each meeting, shall have the authority to sign contracts and other instruments as approved by the Board in its name and behalf, and shall have such other powers and duties as the Board may from time to time determine.

The Chair, at the first meeting in January following each regular municipal election or within three (3) days, shall appoint members of the School Board to the standing and any special committees of the Board. In addition he/she shall name a Chair for each committee, all of which serve at the pleasure of the School Board Chair.

He/she shall call special meetings of the Board whenever he/she deems it necessary or at the request of a majority of the School Board Members.

Vice-Chair:

The Vice-Chair shall have the powers and duties of the Chair in his/her absence or during his/her disability, and such other powers and duties of the Chair as the Board may from time to time determine.

Duties of Secretary:

The secretary shall keep a record of all School Board business. He/she shall record the minutes of all meetings and keep a record of all committee reports. He/she shall keep an attendance record of all meetings.

Meetings:

At all regular meetings of the Board the business shall proceed according to the following order, unless otherwise directed by vote.

1. Roll Call and Pledge of Allegiance (to be conducted at all meetings of the full School Board and prior to the first Committee meeting each evening).
2. Reading and approval of the records of the previous meeting
3. Report of the Superintendent and Communications
4. Public Comment
5. Report of the standing committees
6. Report of special committees
7. Old Business
8. New Business

Meetings shall be conducted in accordance with Robert's Rules of Order

COMMITTEES

The Chair of the School Board and the Vice-Chair of the School Board shall serve as Chair and Vice-Chair of the Finance Committee. The Chair of the Building, Instruction, Personnel and Special Services, plus other members selected by the School Board Chair, will serve as members of the Finance Committee. Membership may not be fewer than five (5) or greater than nine (9) members.

The remaining Standing Committees shall be composed of a Chair and a Vice-Chair and up to three members (3) all of whom are appointed by and serve at the pleasure of the School Board Chair.

The Committee Chair or Committee Vice-Chair in the Chair's absence may appoint a Board member, not assigned to the Committee, as an alternate for the night to constitute a quorum. Once an alternate is assigned, he/she will remain a member of the Committee for the night; this will not exclude participation of a Standing Committee member whom arrives at the meeting after an alternate has been assigned.

No committee shall have the right to authorize the expenditure of any amount in excess of that amount available in the budget without a vote of the Board, except under provisions for emergency expenditures.

Personnel - Teachers, Custodians, Food Service Workers

This committee shall act on all teachers and other personnel nominated by the Superintendent for election, and upon all changes and salaries, in keeping with the salary schedule in force at the time. It shall recommend its actions to the Board for approval.

The committee shall recommend a list of teachers and other personnel that have been nominated by the Superintendent for the coming year with any changes in salaries, for consideration and election by the Board at the regular meeting in March. This in no way prevents the administration from nominating personnel to the total Board as provided by RSA 189-39 Statutes annotated.

The Personnel Committee has power to hire new Custodians, Food Service Personnel, Teachers, and Para-Educators and accept resignations for these positions during the months of July and August.

Instruction - Program, Curriculum

The Instruction Committee shall consider all changes as proposed by the professional staff in the program of studies, textbooks and supplies used in the schools. This committee may, at any regular or special meeting, make recommendations to the Board with regard to any phase of the instructional program. This committee shall recommend the purchase of supplies necessary to carry out the instructional program.

Building - Properties, Repairs, Maintenance

The Building Committee shall act upon the recommendations of the Superintendent and the Agent of Buildings in all matters pertaining to maintenance and operation of school properties. They shall have authority to make any emergency repairs when the same do not exceed \$500.00 in any instance.

Special Services - Transportation, School Lunch, Health Insurance, Athletics

The Special Services Committee upon the recommendation of the Superintendent of Schools shall act on the different routes for suitable transportation of the eligible children attending the Rochester Schools. This committee shall, after approval by the Board, have full supervision of the parties to whom contracts are awarded for such transportation.

This committee shall request bids on all insurance programs concerning the Rochester schools and submit those bids along with their recommendations to the Board for approval.

This committee shall act upon the recommendations of the Superintendent concerning matters of Health and School Lunch programs and shall submit its recommendations to the Board for approval.

Finance - Budget

The Finance Committee shall meet as necessary and carefully examine all accounts and claims contracted or authorized by the School Board. A financial statement will be presented to the School Board each month.

In the case of an emergency, this committee shall have the power to approve the expenditures recommended by the Superintendent of any necessary amount, not voted by the Board or delegated to any other committee or person, despite the fact that this amount may exceed \$500.00 in any one instance.

Discipline –

The Discipline Committee shall act on cases of disruptive, truant, or other pupils who are referred by administration. This committee meets upon a call from the Superintendent or Assistant Superintendent when cases warrant a meeting. Authority is given to it by the School Board to act on all discipline cases recommended by the administration. Authority also comes from School Board policy and State Law (NH RSA 189:15 – *NH Code of Administrative Rules, Section Ed 306.04(f)*)

In cases of suspensions and expulsions the committee shall act within the provisions of New Hampshire State Law and School Board Policy.

In cases of hearings recommended by the administration, the cases may be heard as follows:

- a. A report of the administration concerning the case with no parties present.
- b. A hearing with the student in question and parents.
- c. A hearing with student only or with parents only, or with other people concerned with the issue only.
- d. A hearing with all concerned present.

In accordance with State Law, either party may appeal the decision to the School Board or the State Board of Education.

The hearing will be chaired by a Committee Chair as appointed by the School Board Chair. In the absence of the Chair, the Vice-Chair or a temporary one may be appointed by the Chair or the Committee.

The Committee may request written statements instead of an interview.

The Committee reserves the right to determine how a hearing is to be conducted.

Rules of operation:

- a. Brief introduction of the problem by the administration before parties appear before the Committee.
- b. When parties arrive, a brief introduction statement is made by the Chair.
- c. The meeting opened up for questioning by Committee.
- d. The party in question is allowed to make a statement or ask any questions.
- e. At conclusion of the hearing the parties are excused; the Committee then conducts a further review and makes a decision if possible.
- f. If no decision is possible, the Committee will ask for more information.
- g. All decisions are made in writing. The party in question is notified by Certified Mail, Return Receipt Requested, and a copy is given to others concerned with the case and entitled to receive confidential records.

Minutes of the meetings will be made and reported to the School Board for review. These minutes as reported to the School Board will have student's names deleted, but the student's names will be in the official School Board records.

Policy Committee

This committee shall recommend to the Board any policy revisions or new policies prepared and presented by the Superintendent. It shall recommend its actions to the Board for approval.

This committee shall review Board actions that may require inclusion in the Board policy manual, seek public input between the first and second reading of new policies and advise the Superintendent on the development of new policies.

Adopted: April 8, 1993
Amended: March 9, 2006
Amended: May 8, 2008
Amended: March 12, 2009
Amended: August 12, 2010
Amended: August 9, 2012
Amended: December 12, 2013

Policy Committee Review: April 20, 2017

BCD

BOARD-SUPERINTENDENT RELATIONSHIP

The Superintendent will keep the Board currently informed in all areas pertaining to the operation of the schools. He/she will prepare or cause to be prepared reports to the Board to facilitate their decisions. He/she will prepare the agenda for each Board meeting and will attend all meetings and participate in all deliberations except when his/her contract is being considered.

He/she will administer the schools in conformity with the adopted policies of the board, the State Board of Education, and state law making such administrative rules and regulations as may be necessary. He/she will be ultimately responsible for all areas reporting directly to him/her which include instruction, business management, personnel, pupil personnel, technical, vocational and continuing education, employee relations, information and community services, and federal and special programs. He/she will coordinate these functions to obtain the efficient operation of schools for the benefit of the total community.

The responsibilities of the Superintendent in a cooperative climate with the Board are identified as:

Board

1. To select a competent, established educational leader as Superintendent
2. To serve as a policy making body.
3. To allow the Superintendent to administer the schools.
4. To exercise sound judgment in business affairs of the school corporation.
5. To deal always in an ethical, honest, straight-forward, open-and-above board manner with the Superintendent and community.
6. To provide within budget limitations necessary personnel.
7. To approve an organizational pattern for the administration.
8. To take legal actions required by law.
9. To examine and approve an annual budget.

Superintendent

- To administer effectively and provide the professional, educational leadership necessary.
- To recommend sound policy and implement adopted policies by formulating and enforcing rules and regulations.
- To make Board policy effective through efficient administration.
- To keep the Board informed on financial matters, do sound long-range planning, and keep current expenditures within the approved budget.
- To deal always in an honest, professional, straight-forward open-and-above board manner with the Board, the staff, and the community.
- To present personnel needs to the Board
- To make assignments for each position with the Board's authorization.
- To recommend to the Board all action required by law.
- To recommend an annual budget with necessary supporting data.

Board

10. To function as Board rather than as individuals.
11. To carry on communications with the staff members through the Superintendent.
12. To hold the Superintendent accountable for results.
13. To remember that schools exist for the benefit of the students and the community.
14. To fulfill such other duties required by regulations of the State Board of Education and state law.

Superintendent

- To deal with the Board as a whole rather than with individual members.
- To see that the staff can have necessary communication through the Superintendent with the Board.
- To accept responsibility for results.
- To remember that schools exist for the benefit of the students and the community.
- To fulfill such other duties required by regulations of the State Board of Education and state law.

Adopted: April 8, 1993
Amended: June 12, 2008
School Board Review: September 8, 2016
Policy Committee Review: April 20, 2017

BCF

ADVISORY COMMITTEES TO THE BOARD

The Board may rely on various advisory committees to counsel it as one means of discerning the needs and desires of the school district and its residents. The central purpose of all advisory committees is to contribute to the educational program by conducting studies, identifying problems, and developing recommendations that will enhance the effectiveness of the decision making process. The ultimate authority to make decisions will continue to reside in the powers and duties of the Board as imposed by law.

Specific topics for study or well-defined areas of activity shall be assigned in writing to each committee. Upon completing its assignment, each committee either shall be given new problems or shall be dissolved promptly, but shall not be allowed to continue for prolonged periods without a definite assignment. Each committee shall be instructed as to the length of time each member is being asked to serve, the service the Board wishes it to render, the resources the Board intends to provide, the approximate date on which the Board wishes to dissolve the committee. Furthermore, the committee shall be instructed as to the relationship it has to the Board, to individual Board members, to the Board member(s) assigned to provide liaison, and the Superintendent, the committee assistant, and the remainder of the professional staff.

The Board shall have sole power to dissolve any of its advisory committees and shall reserve the right to exercise this power at any time during the life of any committee.

The Board shall seek the advice of the Superintendent before establishing or dissolving any advisory committee.

All appointments of citizens to advisory committees for the Board shall be made by the Board.

All appointments of staff members to citizens advisory committees for the Board shall be made by the Superintendent after approval of the Board.

Adopted: April 8, 1993
Amended: June 12, 2008
Policy Committee Review: April 20, 2017

BCG

SCHOOL ATTORNEY

The Board recognizes that the increasing complexity of school district operations frequently require procurement of professional legal services. Consequently, it shall retain an attorney or law firm for purposes of systematically securing such services.

A decision to seek legal advice or assistance on behalf of the school district shall normally be made by the Superintendent or by persons specifically authorized by the Superintendent. Such action shall occur as it is consistent with approved district policy or standard practice and meets an obvious need of the district. It may also take place as a consequence of formal Board direction.

In many instances, legal assistance to the district will be routine, not requiring specific Board approval or prior vote. However, when the administration concludes that unusual types or amounts of professional legal service may be required, the Board directs the administration to expeditiously seek initial or continuing authorization for such service.

The School Attorney will be appointed by the Board before the June Regular Board meeting, of even numbered years.

Adopted: April 8, 1993
Amended: June 12, 2008
Policy Committee Review: April 20, 2017