

SAU #39 Board

Thursday, January 27th, 2022

Meeting Minutes- Approved 02 17 2022

Attendees:

Administrative Team: Adam Steel- Superintendent

Amherst School Board: Chair- Tom Gauthier, Vice Chair- Elizabeth Kuzsma, Secretary- Victoria Parisi, Terri Behm, and Josh Conklin.

Mont Vernon Village School Board: Chair- Sarah Lawrence, Vice Chair- Peter Eckhoff, Kristen Clark, and Stephen O'Keefe.

Souhegan Cooperative School Board: Interim Chair- Stephanie Grund, Secretary- Laura Taylor, John Glover, Steve Coughlan, Pim Grondstra, Christie Peters, and George Torres.

Board Minutes: Danae A. Marotta

Public: Marilyn Gibson, 166 Mack Hill, Amherst NH, Anna Goulet- Zimmerman, 22 Veterans Road, Amherst NH, Martin Goulet, 22 Veterans Road, Amherst NH, Amherst NH, Lisa Eastland, 19 River Road, Amherst NH, Jeanne Ludt 3 School Street, Amherst NH, and Dwayne Purvis, 145 Hollis Road Amherst NH.

I. Call to Order

Chair of the SAU #39 Board, Mr. Steven O'Keefe, called the meeting to order at 6:00PM.

II. Non-Public Session

Mr. Gauthier motioned to enter into Non-Public Session RSA 91 A:3 II (a) and (c) at 6:00PM. Ms. Kuzsma seconded the motion. The vote was unanimous, motion passed.**Roll Call: Torres- Yes, Grund-Yes, Taylor- Yes, Conklin- Yes, Kuzsma- Yes, Coughlan- Yes, Glover- Yes, O'Keefe- Yes, Taylor- Yes, Peters- Yes, Grondstra- Yes, Eckhoff- Yes, Gauthier- Yes, Behm- Yes, Parisi- Yes, and Lawrence- Yes.**

III. Public Session

The Board resumed public session at 6:49PM.

Mr. Coughlan motioned to seal the minutes indefinitely because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this board. Ms. Kuzsma seconded the motion. The vote was unanimous, motion passed.**Roll Call: Torres- Yes, Grund-Yes, Taylor- Yes, Conklin- Yes, Kuzsma- Yes, Coughlan, Yes, Glover- Yes, O'Keefe- Yes, Taylor- Yes, Peters- Yes, Grondstra- Yes, Eckhoff- Yes, Gauthier- Yes, Behm- Yes, Parisi- Yes and Lawrence- Yes.**

34 IV. Public Comment I of II

35 Ms. Marilyn Gibson, 166 Mack Hill Road, Amherst NH, distributed information on an
 36 acceptable program for curriculum transparency. She explained that this comes from a site called
 37 the Manhattan Institute and is meant to encourage discourse between the staff and the
 38 community. This should open the conversation, and parents, who are your employers, want this
 39 discussion. She expects the boards to start doing something about it. Where there is a will there
 40 is a way. This is what the parents are asking for, what is in the curriculum.

41 The Board thanked Ms. Gibson.

42 V. Consent Agenda

43 Mr. O'Keefe asked for questions on items 1. December 16, 2021, Draft Minutes, 2. Treasurer
 44 Report 12-2021, and 3. Treasurer Report – 11- 2021 (Revised).

45 There were no questions or comments.

46 **Mr. Grondstra motioned to approve items 1. December 16, 2021, Draft Minutes, 2.**
 47 **Treasurer Report 12-2021, and 3. Treasurer Report – 11- 2021 (Revised). Ms. Peters**
 48 **seconded the motion. The vote was unanimous, motion passed.**

49 VI. Board Updates

50 Chair of the Amherst School Board, Mr. Tom Gauthier, noted that they are focused on the
 51 budget, had their Public Hearing and are getting ready for the Deliberative Session.

52 When you go to the polls you will see five warrant articles on the ballot related to the Amherst
 53 School District.

- 54 1. Budget: \$31,665,739 Default: \$31,169,908
- 55 2. Capital Facilities Fund- \$650,000
- 56 3. AEA Collective Bargaining Agreement- \$551,975
- 57 4. Bond for Elementary and Middle School Building Project- \$83,000,000
- 58 5. Solar PV Technology for Building Project- \$2,222,000.

59 They are also focused on their public forums for the school construction project. The most recent
 60 was on Saturday, January 22nd and then the next is February 15th. He asked if there are other
 61 groups to keep in mind to reach out to email them at ASB@sau39.org

62 The Board thanked Mr. Gauthier.

63 Chair of the Mont Vernon School Board, Ms. Sarah Lawrence, noted that they had their Public
 64 Hearing and regular board meeting on January 13th. Their proposed budget is \$5, 873,250 and the
 65 default calculation is \$5,829,579. They also had a great presentation by their specialist team. She
 66 encouraged the board to watch the most recent board meeting.

67 The board thanked Ms. Lawrence.

Interim Chair of the Souhegan Cooperative School Board, Ms. Stephanie Grund, noted that they had their Public Hearing and board meeting. They are getting items ready for the deliberative session and had an update from Community Council. Community Council has voted in the Latin system for the high school this year this will enable them to recognize more students. They reviewed policies GBEBB- Staff Student Interaction and GBEBD- Staff Use of Social Media as a first reading. They will come back as a second reading next month.

The Board thanked Ms. Grund.

Mr. Glover inquired if their public forums were well attended and if people were engaged.

Mr. Gauthier replied that they did have a lot of attendance at the last meeting due to it being virtual.

VII. Superintendent's Report

Superintendent, Mr. Adam Steel, noted that there is a survey in Powerschool related to the school start times that will be available until next Wednesday. We have a survey out to teachers and staff as well right now and they are working one for students related to their academic performance that hopefully they will be able to have out next week.

At the NH School Principals Assistant Principal Conference, Ms. Kathleen Murphy, presented the keynote address because she was NH Assistant Principal of the Year. She did a wonderful job representing SAU #39.

They are in their second half of the school year, and he emphasized how thankful he is for the staff and the challenges that they face. He thanked the community for being so supportive.

Regarding Covid, there are 35 active cases right now and that is down from a significant high. They are projected on Monday for some of the schools to move to status green and there will be a message that confirms that. He is looking forward to having that choice for their students.

He will be happy to answer any questions.

Ms. Kuzsma inquired what grades will be able to respond to the student survey.

Mr. Steel replied, grades 5 and up.

Ms. Parisi asked about the bus route schedules.

Mr. Steel noted that Butler Bus, SAU #39 Business Administrator, Ms. Amy Facey and Ms. Lisa Eastland working to straighten out issues. They are in the best shape they have been all year, with minor improvements to make.

Ms. Grund inquired about the surveys sent out to teachers and the method.

Mr. Steel noted that it is through Powerschool. He thanked MVSB Member, Ms. Kristen Clark for assisting with the survey.

101 Ms. Parisi noted her concern is as, a school board, they know that the students need to arrive
102 before school starts.

103 Mr. Gauthier commented that masks are still required on busses.

104 Mr. Steel replied correct.

105 Ms. Taylor questioned if the vaccination rate should be a metric.

106 Mr. Steel responded that the vaccination numbers have ticked up very slowly. It is one of the less
107 reliable metrics. Another one that has become much less reliable is the positivity rate because of
108 all the at home tests and people are not reporting a negative test that gets counted in the system.
109 He is concerned with the active cases in schools and cases by town.

110 Ms. Grund asked if teachers are ok and feeling safe and comfortable.

111 Mr. Steel noted that he is not sure how they all feel but they are doing the very best for them.

112 Ms. Peters added that the Souhegan School Board is working on cheer packages for the teachers.

113 Mr. O'Keefe asked if the parents could get more specific grade information about the covid.
114 Second, he had asked about the fail rate and statistics for the elementary school.

115 Mr. Steel replied that the biggest indicator is NWEA testing and that in conjunction with
116 NHSAS. That is data that they dive deeply into.

117 The board thanked Superintendent Steel.

118 VIII. Policy Committee Update

119 Chair of the Policy Committee, Ms. Elizabeth Kuzsma, noted at the last SAU board meeting the
120 board approved the new way of having three different policy seasons. This is the first iteration of
121 that, and they are playing catch up and things are a little bit condensed. These are the policies
122 from the NHSBA fall update. The committee will look at each one of these and compare them to
123 what they already have, and they will bring them forward to the SAU board in April/May and
124 then second reading in June. Mr. O'Keefe has a policy outside of this and that is a separate ask.

125 Mr. O'Keefe asked for questions for Ms. Kuzsma.

126 Ms. Taylor inquired about the "B" policies, are they ones we did not get to.

127 Ms. Kuzsma replied that changes have been made by the NHSBA, there are new versions. It is
128 an ongoing process.

129 Ms. Grund asked if the minutes to the Policy Committee meetings are posted.

130 Ms. Kuzsma added that the minutes are on the Policy Committee Trello board, and they are
131 working on adding them to the policy website. They are adding them in both locations for the
132 community.

133 Mr. Glover mentioned that if there are policies that they have not seen then they should rise to
134 the top.

135 Ms. Kuzsma replied that is a great first conversation to have.

136 Mr. O'Keefe noted that he got a request from community member, Ms. Marilyn Gibson to
137 review policies KD and KDA. He asked the Policy Community to add them to their list to see if
138 anything had changed. Second, Ms. Gibson had a concern about participating in the Zoom
139 sessions for public comment period.

140 He called up to the NHSBA trying to determine whether or not there was a policy that they could
141 provide to them that they could adopt. He had a conversation with the director and
142 correspondence from the staff attorney there and they are willing to partner with the policy
143 committee to craft one because none exists. The attorney noted that he will step in a craft a
144 policy that makes sense for us that they can in turn share with other districts. There are concerns
145 about just arbitrarily doing it, number one is the fairness piece. identifying individuals for the
146 minutes, which is a requirement, making sure there is a process of when to cut someone off and
147 when they are allowed to speak. Some of our neighboring districts are doing it but it opens us up
148 to liability if we do not follow a specific path that is written in writing.

149 He suggested that Ms. Kuzsma reach out to their legal counsel.

150 Ms. Kuzsma inquired if they needed a motion to move this forward.

151 Mr. Steel replied no.

152 IX. Public Input II of II

153 Ms. Anna Goulet- Zimmerman, Amherst NH, inquired if anyone is asking the staff how they are
154 doing anonymously. When the surveys get answered no one wants to get on the radar which
155 leads to domain leaders. She sent an open record request to the SAU about the identity of any
156 school using domain leader models. The answer she got was that the SAU is not in possession of
157 records that show that information. She also asked for research or data. Again, she got the same
158 answer. She is hoping that people will consider that. The amount of turnover felt high. She got
159 the list of the people that left in the last three years. You need to know are your people happy,
160 how do they feel, teachers that don't want to be here, teachers that don't feel like they are getting
161 listened to or cared about are not going to stay and help our kids excel. She encouraged the board
162 to look at anything that you can do to encourage anonymous feedback.

163 Mr. Martin Goulet, 22 Veterans Road, Amherst NH, noted that his comment is not related to the
164 situation with Mr. Carl Benevides but gave him the opportunity to talk with school stakeholders.
165 What he found out surprised him and he found a culture of fear and intimidation. He would like
166 to see this on an SAU agenda.

167 Ms. Marilyn Gibson, 166 Mack Hill Road, Amherst NH, emphasized that she would like to see
168 the board review policies KD and KDA.

169 The Board thanked Ms. Goulet- Zimmerman, Mr. Goulet, and Ms. Gibson for their comments.

X. Board Update

Mr. O’Keefe noted that Mr. Glover had sent out an email to several board members asking for them to make a public comment with regard to an update into the investigation involving him. In speaking to district counsel, he was advised to share that the investigation is well underway and almost complete. The respondent has engaged his own counsel and as a result they are still waiting to schedule an interview where the district’s investigator that we hired can actually speak to the respondent and determine his perspective and his point of view. We were also reminded that it is strongly discouraged from us debating the issue tonight. We are all supposed to be neutral parties in this matter, and we should waiting until we receive the formal report from the investigator hopefully sooner than later.

Mr. Glover responded that he has an update as well as far as procedure and process.

As you know from my email to all of you, I requested this discussion be placed on the agenda because over 2 months has passed since anyone here or attending remotely has heard about the status of the matter regarding the Lawrence-Spaulding Trust Committee meeting on November 9th, 2021.

I also emailed you, and I understand our minutes professional has possession of and will enter into the record, the following documents related to the matter:

- “The Communication Email Chain” of Nov 10th & 11th between Superintendent Steel and me w/ Chairs O’Keefe and Gauthier, and eventually then Vice Chair Grund, in copy, which I redacted to protect the confidentiality of the SAU employees who were at the trust meeting.
- “The Monday Email Chain” of Nov 13th and 16th between O’Keefe and me w/ Grund in copy.
- “The Extension Request Email” of Nov 16th from O’Keefe to me w/ Grund in copy, which connects to the Monday email.
- “The Conduct Email Chain” of November 19th that I and SCSB Member Peters received after the Nov 18th SAU 39 Board meeting; all other SAU 39 Board members received this information the day before that meeting.
- “The Investigation Letter” dated Dec 1st that I received from O’Keefe, and that enclosed the relevant policies AC, ACAC, and BCA.
- “The Investigation Email” that I received from the hired investigator on Dec 6th.
- “The Right-to-Know Response” focusing on the matter – inquiry numbers 15 through 18 and associated attachments – that I received last week.

I also now submit into the record, the following additional document subsequently received:

- “The Agenda Request Email” of Jan 25th that I received from O’Keefe

When the matter was discussed at the November 18th SAU 39 meeting, the impression was that the process was estimated to cost \$3k to \$5k and should take 1 to 1½ weeks and maybe longer due to then upcoming holidays and other factors.

208 I am here to report that the process is still ongoing, and that I am shocked, embarrassed, and
 209 frankly scared for the future of our school system because the process being followed is unfair,
 210 opaque, and probably illegal.

211 I take no pleasure in reporting that:

212 A. The Will of this Board has been ignored.

213 B. The Policies of this SAU and its constituent Districts are being implemented without fidelity.

214 C. The actions taken against me appear retaliatory.

215 Those acts are unacceptable and should not be tolerated.

216 Not only are those act unprofessional, but also, they expose our SAU and its constituent Districts
 217 to legal liability and community distrust.

218 We all should ask ourselves and decide together: What are the remedies for such malfeasance?

219 A. The Will of this Board has been ignored because no Title IX Coordinator was hired.

220 The initial motion for an investigation was amended to first hire an independent Title IX
 221 Coordinator (“Coordinator”), then if warranted, the expectation would be for that person to
 222 investigate. ~15 min after discussion of this matter began (or ~2:30 into the meeting) where:

- 223 • Coughlan offers clarification that they are hiring this attorney to act and policy to hire a
 224 Title IX Coordinator who is currently disqualified, and O’Keefe replied that is correct
 225 (minutes lines 825-27): Recording: “(Mr. Coughlan) We are hiring this attorney to act,
 226 and follow the policy, in the role of a Title IX Coordinator who is currently disqualified.
 227 O’Keefe interjects “that is 100% correct.” Coughlan continues “that means all the
 228 process features and protections of the policy would be implemented by this attorney.”
 229 O’Keefe interjects “100% correct.” Coughlan continues “this guarantees that otherwise,
 230 all the other due process steps will occur.” O’Keefe interjects “that is correct.”
 231 Coughlan continues “and everyone’s rights on both sides of the matter will be preserved.”
 232 O’Keefe interjects to reiterate “that is correct.”
 233
- 234 • Ms. Taylor questioned instead of calling it an “investigator” can you say, “Title IX
 235 Coordinator”, and Mr. O’Keefe replied they can do that (lines 834-35).
- 236 • Mr. Coughlan added that the first duty of the Title IX Coordinator is to determine if
 237 something needs to go forward. If something does go forward, they can either act as the
 238 investigator or appoint a separate one so our expectation would be that they would be the
 239 investigator going forward after that (lines 836-39): Recording (omitted min): Mr.
 240 O’Keefe interjects “yes.”
- 241 • Roll call vote is halted and restarted after Ms. Taylor clarifies the change from
 242 investigator to Title IX Coordinator, and Mr. O’Keefe replies yes, we can rescind the
 243 votes and make a quick amendment to it (lines 857-59).

244 Incredibly, after all that discussion, clarification, affirmation, and amendment, the written motion
 245 still omitted the word 'Coordinator'. The clear understanding and will of the Board, however,
 246 was to authorize the hiring of a Coordinator to evaluate the situation as a first step.

247 How do we know the person hired is not a Coordinator?

248 1. Not once in any written communication since the Nov 18th SAU Board meeting has the word
 249 'Coordinator' been used.

- 250 • The Investigation Letter from O'Keefe is regarding an Investigation, misstates that this
- 251 Board voted to hire a person to investigate, and refers to the investigation many more
- 252 times.
- 253 • The Investigation Email from the hired person confirms the job is an investigation.
- 254 • The Agenda Request Email refers to an update for the investigation and calls for an
- 255 update that will not impede the investigation.

256 2. My conversations with the person hired revealed:

- 257 • The person is not a Coordinator.
- 258 • The person doesn't view the job as fulfilling the duties of a Coordinator.
- 259 • The person has proceeded with an investigation as outlined as the Grievance Process
- 260 under Sec III of policy ACAC which is after the Title Coordinator performs their
- 261 substantial duties.

262 Why is a Coordinator so important?

263 1. A Coordinator must have specific training (ACAC Sec II.D)

264 2. A Coordinator must have no conflict of interest or bias (ACAC Sec II.G)

265 3. A Coordinator must discuss with potential victims (ACAC Sec II.J.2):

266 a. the availability of and offer supportive measures.

267 b. consider their wishes with respect to supportive measures.

268 c. inform them of the availability of supportive measures with or without the filing of a
 269 Formal Complaint; and

270 d. explain to them the process for filing a Formal Complaint

271 4. A Coordinator may sign a Formal Complaint on behalf of someone but only under certain
 272 circumstances (ACAC Sec III.A), which I will discuss further.

273 5. An external Coordinator can demonstrate and perform those duties but would not be
 274 expected or able to perform other duties like implementing supportive measures (ACAC Sec
 275 II.C.) or recordkeeping (ACAC Sec II.I).

276 Why was a Coordinator not hired as directed by this Board?

277 Who made the decision to act against the will of this Board?

278 The Policies of this SAU and its constituent Districts are being implemented without fidelity
279 because the Grievance Process, which includes the commissioned investigation, has commenced
280 without a Formal Complaint.

281 Why is a Formal Complaint so important?

282 Per the ACAC policy, which outlines the sexual harassment policy and grievance process, a
283 Formal Complaint is required before the Grievance Process can commence. This requirement is
284 so material to the ACAC policy that the requirement is reiterated no fewer than in 7 policy
285 sections:

- 286 • Sec II.A: While all “reports” received of sexual harassment must be responded to, the
287 Grievance Process is initiated only with the filing of a Formal Complaint.
- 288 • Sec II.J.1: A report does not initiate the formal Grievance Process. That process is
289 begun only upon the filing of a Formal Complaint.
- 290 • Sec II.J.3: A Formal Complaint that contains an allegation of sexual harassment and a
291 request that the organization investigate the allegations is required before the
292 organization may conduct a formal investigation...or take any actions (other than
293 supportive measures) against a person accused.
- 294 • Sec III: The Grievance Process is used only upon the filing of a Formal Complaint.
- 295 • Sec III.A: The Grievance Process is initiated by way of a Formal Complaint.
- 296 • Sec III.A (again): If no Formal Complaint is filed...no disciplinary action may be taken
297 against a person accused.
- 298 • Sec III.E.3: The investigative report shall start with the receipt of the Formal Complaint.

299 How do we know there is no Formal Complaint?

300 1. In the Conduct Email Chain, Superintendent Steel acknowledges receipt of “informal
301 complaints” from employees

302 2. In the Right-to-Know Response, Superintendent Steel states that “neither [employee]
303 indicated that what they sent to [him] was an official complaint”

304 3. In the Conduct Email Chain and the Right-to-Know Response, Parisi’s initial and
305 amended reports share her point of view; express concern for the employees present; express
306 gratitude that no students, parents, or the public was present; and requests the matter be taken
307 seriously in accordance with district policies; neither, however, requests an investigation of the
308 matter, which is a minimum requirement for a Formal Complaint per policy ACAC Secs II.B and
309 II.J.3.

310 4. No Coordinator has signed a Formal Complaint on behalf of anyone involved, which is
311 allowed under policy ACAC Sec III.A, but only initiating the Grievance Process against the
312 accused is not clearly unreasonable in light of the known circumstances, and in other cases
313 where, in the exercise of good judgment and in consultation with an attorney as appropriate, the

314 Coordinator determines that a Grievance Process is necessary to comply with the obligation not
315 to be deliberately indifferent to known allegations of sexual harassment.

316 That's a lot of squishy language but the provided examples suggest the need for particularly
317 egregious scenarios in order to compel a Coordinator to sign a Formal Complaint:

318 a. reports of sexual assault – not relevant here

319 b. employee on student harassment – no relevant here

320 c. repeat reports – not relevant here

321 d. the conduct in the potential victim's report has not been adequately resolved through
322 the provision of supportive measures – relevant here, but if this inquiry has been made, the
323 results have not been shared.

324
325 So, what do we have then?

326 We have reports from everyone who was physically in the room at the trust meeting: the two
327 employees, the board member, and me in the Communication Email Chain. The reports show
328 those in the room deployed the 'see something, say something' spirit. This spirit is memorialized
329 in policy AC, the Non-Discrimination, Equal Opportunity Employment, and Anti-Discrimination
330 Plan, which covers discrimination and harassment contemplated under Titles IX and VII.

331 Policy AC Sec F, 2nd Paragraph:

332 1. Describes a duty to report at the expense of disciplinary action.

333 2. Requires reports or complaints of sexual harassment by students (i.e., Title IX),
334 employees (i.e., Title VII), or third-party contractors (i.e., Titles IX or VII) be made
335 under policy ACAC, which itself reiterates the duty to report the disciplinary action of not
336 reporting and requires training to include reporting.

337 Why has a Formal Complaint not been required?

338 Who made the decision to forego the need for a Formal Complaint against our Policies?

339 We cannot have a zoom call for a Policy Committee meeting because it might expose the district
340 to liability because we need written procedures to follow in order to do so, that is probably true.
341 We have written procedures that require a formal complaint and that was not followed here on a
342 serious matter that did not take seriously the policy language is very dangerous precedence set.

343 The actions taken against me appear retaliatory.

344 Retaliatory because at a meeting I had 3 days after the trust meeting, on Friday, November 12th
345 at 4:30 pm with O'Keefe and Grund, O'Keefe essentially informed me SAU counsel had been
346 engaged, and I had two paths to choose from: a) resign my Board seat and this all goes away, or

347 b) don't resign and face the consequences, including investigation, potential removal from office,
348 and possible civil litigation.

349 Retaliatory because I was not provided sufficient time following that Friday meeting to engage
350 my own counsel. I was given from 4:30PM on Friday to 8:30AM on Monday to make my
351 choice. I responded on Saturday that it was insufficient time. These emails are in the record. I
352 was given an extension till Tuesday at 4PM. That totaled about 36 hours to make this decision. I
353 requested further extension and I was denied. That this meeting on November 8th had to go
354 forward.

355 Retaliatory because I was not provided sufficient time following that Friday meeting to engage
356 my own counsel to understand the consequences of those paths. See the Monday Email Chain
357 and the Extension Request Email. Retaliatory because although the Extension Request Email
358 claims of an obligation to follow a fair, transparent and timely process, I was not afforded the
359 same by:

- 360 • Not being informed of the relevant policies
- 361 • Not being presented with any specific allegations
- 362 • Not being presumed innocent
- 363 • Not being informed that the so-called 'complaints' were actually reports and not Formal
- 364 Complaints that would trigger the Grievance Process
- 365 • Not being informed of the specific protective measures requested by the employees
- 366 • Not being asked what I could do to provide my own protective measures, as I had written
- 367 in my report in the Communication Email Chain.
- 368 • Not presented with any collaborative solution to adequately resolve the matter.

369 Retaliatory because the protective measures attempted to be implemented and in fact
370 implemented against me far exceed the wishes expressed by the people who attended the trust
371 meeting and requested the protection measures.

372 Per the Right-to-Know Response, only received last week, the employees collectively
373 requested:

- 374 • The presence of someone else at all future meetings with me and them.
- 375 • Electronic means of communication between me and them with any needed phone calls
- 376 scheduled so another person could be present.
- 377 • Prohibiting my calling their personal cell phones.

378 No problem, complying with that, that's very specific it is very easy for me to comply with. I
379 respect that and in fact those requests actually help me implement a leadership role at the
380 Souhegan cooperative school board that we attend meetings together, that we are not alone
381 together. This is why Ms. Grund as vice chair of the SCSB has attended every single four chairs
382 meeting with me. There was one instance where she was asked not to attend further in a meeting,
383 and I let that happen and I regret it every day and I have told her that. why is that a leadership
384 goal? because I have been on boards, and it is stronger together. No one person should shoulder

385 all of that burden, it protects us from a strong administration, it gives us opportunity to
 386 disseminate information, it gives us an opportunity to debrief about the information we've
 387 received. When I look at what the employees want, I say, ok, I am already actually doing that
 388 and I will absolutely comply with that until such time that it changes. They are entitled to those
 389 protective measures, and I respect that.

390 Yet, the measures attempted or implemented are expressly not limited to:

- 391 • Restricting communication between me and any SAU employee (not just the employees
 392 at the meeting).
- 393 • Limiting all communications between me and the SAU 39 employees go through the
 394 Superintendent.

395 There was some debate about what is the difference between an SAU employee and a district
 396 employee. I don't know that anyone really knows the answer because in my mind an SAU
 397 employee is someone who works at the SAU administration office. Some people think probably
 398 think an SAU employee is any employee in the SAU administrative office or any of the
 399 constituent school districts. Which is it? There is some ambiguity there I would say and at the
 400 SCSB level They attempted to remove me from all of my committee assignments as a board
 401 member. These were prepared motions in consultation with SAU council. It appears retaliatory
 402 to me.

403 Why was I threatened and treated unfairly when Policies AC and ACAC prohibit retaliation?
 404 Public comment tonight Talked about teachers feeling like there was retaliation in their ranks. I
 405 can empathize with that now. Who decided to behave in this manner?

406 Closing

407 Ms. Parisi, in her reports about this matter in the Conduct Email Chain and the Right-to-Know
 408 Response, invokes the notion of professional conduct. The acts I have reported in this status
 409 update tonight.

410 A. The Will of this Board being ignored.

411 B. The Policies of this SAU and its constituent Districts being implemented without
 412 fidelity.

413 C. The actions taken against appearing retaliatory.

414 – are not only unprofessional, but also expose our SAU and its constituent Districts to legal
 415 liability and community distrust. Those acts are intentional, not accidental. Those acts
 416 unacceptable and should not be tolerated.

417 Why is leadership behaving in such an unprofessional manner?

418 What are the remedies for such malfeasance?

- 419 • Apology?

- 420 • Monetary Damages?
- 421 • Change in Leadership?
- 422 • Other?

423 Can and will this school system grow?

424 That is his status update regarding the process involving the Trust Meeting on November 9th,
425 2021.

426 Ms. Taylor asked about the email that was sent, Ms. Parisi had a statement that was amended.

427 Mr. O'Keefe responded that they were told not to engage in any dialogue.

428 Ms. Taylor replied that she did not think it was an investigation but a coordinator deciding which
429 is what they had directed previously.

430 Ms. Grund asked if it said she was to investigate, or did it say she was a coordinator.

431 Mr. O'Keefe responded that he did not receive that letter.

432 Ms. Grund replied the letter that you sent to a lawyer to ask to engage her.

433 Mr. O'Keefe added that this is done through our District Council. All of that was done through
434 our District Council.

435 Ms. Grund inquired what did it say? the person that is contacting Mr. Glover, what was she told
436 in a letter to investigate or to coordinate.

437 Mr. O'Keefe added that they have semantics on a term, and I strongly disagree with Mr. Glover
438 in terms of the context which he frames, and I am not prepared to comment about that. We all
439 need to be neutral parties. if we go down a path of discussing details and semantics about
440 coordinator versus investigator, we are losing the point. The point is we have employees that
441 made a complaint, we have an obligation to look into that complaint and that's the process that
442 we are doing right now. Anything different from that is distracting people.

443 Ms. Peters mentioned that she did not realize at the time that the complaint was not a formal
444 complaint. She was left off of the email, the clarification and but it is not clear in all of this. It is
445 clear that they have not carefully followed this policy.

446 Ms. Peters added that the policy is what is being quoted in multiple documents that is supposed
447 to be our guiding policy.

448 Mr. O'Keefe replied that is correct.

449 Mr. O'Keefe noted that Mr. Glover has yet to meet with the investigator.

450 Ms. Peters asked if they received an indication from a Title IX Coordinator that an investigation
451 was warranted. Is there a memo to that effect because that is what they voted on November 18th?

452 Ms. Taylor referenced the November 16th email that Mr. O'Keefe sent to Mr. Glover. In the
453 second paragraph it states, "as a result we plan to discuss at our Souhegan 39 board meeting this

454 Thursday, November 18th after our public hearing unless you wish to any mitigating actions prior
455 to our session”. This is signed by you. She asked if Mr. O’Keefe could expand on that, she is a
456 little confused.

457 Mr. O’Keefe replied that the email speaks for itself. If he chose to take a different path, we
458 would not be discussing it on Thursday.

459 Ms. Taylor asked what was the path? Can you repeat that for the rest of us?

460 Mr. O’Keefe replied that he will not get into any of the specifics and were advised to refrain
461 from conversation because this is still an active case, they are currently looking at it. Mr.
462 Glover has yet to meet with the investigator and he does not want to say anything to impede that
463 process.

464 Ms. Taylor added that she does not quite understand the conflict but respects your decision.

465 Ms. Peters inquired is it in keeping with the motion that we passed on November 18th to
466 continue this investigation without a declaration from the Title IX Coordinator that we have
467 hired that an investigation is warranted.

468 Mr. O’Keefe asked for clarification.

469 Ms. Peters responded is it in keeping with the motion that was passed on November 18th to
470 continue with the investigation without the Title IX Coordinator notice that an investigation is
471 warranted. It feels a bit like we have the cart before the horse.

472 Mr. O’Keefe replied that the investigator has yet to speak to Mr. Glover. Whether or not the
473 determination in terms of whether or not there's actually an issue we're not that's the piece that
474 we're waiting on as a board to get that violation. Once we get that report, then we as a board will
475 then determine whether or not there's merit in the accusation, whether or not there's cause for us
476 as a board to provide additional mediation efforts to protect our employees or taking the
477 appropriate action.

478 Ms. Peters commented, and I don't think any of those are bad things in themselves, but they don't
479 meet the qualifications of the motion that we passed on November 18th which seems to be
480 slightly misworded in the minutes as well. When you look at the motion versus the recording it
481 doesn't seem to be recorded accurately because it doesn't seem like this body would be making
482 that decision. It seems like the Title IX Coordinator that this body hired would be making the
483 decision on whether or not to proceed with an investigation and from these memos that we have
484 in front of us it does not appear that the Title IX Coordinator we were intending to hire was
485 properly potentially informed of the role we were asking that person to play on our behalf.

486 Ms. Taylor asked do you have a written formal complaint as defined by our policies and can you
487 provide that to the board?

488 Mr. O’Keefe replied that he is in receipt of absolutely nothing everything has been delegated to
489 our investigator to go ahead and provide the proper research mechanism and mechanics.

490 Ms. Taylor inquired Have they provided you saying here's a written formal complaint that we
491 received?

492 Mr. O'Keefe replied no because we are the arbitrator in this particular case.

493 Ms. Taylor replied right, how does that follow our policies as Mr. Glover very carefully pointed
494 out.

495 Mr. O'Keefe added so again we are not going to get into, or I am not going to, you guys can
496 discuss all you want, and I am not going to get into any of the specifics while this investigation is
497 ongoing, and we are looking into this matter until we get a report that actually gets produced.

498 Ms. Grund asked if the policy states that we need a formal complaint and we do not have a
499 formal complaint then we need a coordinator that should be guiding us as to whether there
500 should be an investigation at all.

501 Mr. O'Keefe replied it was articulated to you and I.

502 Ms. Grund added that she is still not clear.

503 Mr. O'Keefe explained that there are mechanisms and avenues to this particular issue using two
504 different kinds one of requiring a written complaint and one of them requiring paper. Now you
505 and I were both informed that the mechanism too one if not both of them.

506 Ms. Taylor commented it was hard as to going through the various emails. She inquired if Mr.
507 Steel received a complaint. Or what did he receive that you said is not a complaint?

508 Mr. O'Keefe responded that he is not going to comment on any of the details.

509 Ms. Taylor replied that she is concerned we are being very disruptive to our board and our
510 procedures with this matter, and we don't have a complaint and we're spending a lot of money
511 and time on this. It is very unclear to me and this sentence right here that says, "we're going to
512 discuss this matter at this meeting unless you wish to take mitigating actions". I think every
513 board member here should be a little concerned about that for their own safety. Mr. Glover has
514 had to hire his own attorney, he's had lots of expenses too, it was \$6,000 for the district.

515 Mr. O'Keefe asked for additional comments.

516 Mr. Gauthier asked what are they doing right now? We cannot talk about this, we can't talk about
517 terms, we can't talk about Mr. Glover talking with somebody, we can't talk to each other about
518 things, so what are we sitting here for? Something is going to happen with this So what is the
519 next step? What can we do coming out of this meeting tonight?

520 Ms. Peters added that what we are acting on is different than the motion that we voted on and I
521 have a problem with that. If we vote to hire someone to do a certain job report back and then
522 continue on that job if warranted and we didn't have them do the first piece of it, I have a
523 problem with that.

524 Mr. Gauthier mentioned I have a problem with that as well, but I am reading through some of
525 this policy stuff, and I don't know that it is clear cut. I think some of this is more terminology

526 where if we're saying an investigator there was a thing in here that says the coordinator, the Title
527 IX coordinator cannot investigate. To me when you have a coordinator investigating something
528 ergo, they could be an investigator one could flip those words and infer that meaning. Again, I
529 get back to what are the steps that we need to take tonight to advance this and move this along. It
530 is wasting a lot of time, it is wasting a lot of money for the board, it is wasting a lot of money for
531 Mr. Glover and no matter what comes out of this it's a giant waste of money because nobody
532 looks good coming out of this. I don't know exactly where we're going tonight, and I don't know
533 what's going to get resolved tonight. What is the step that we can take tonight? what is the action
534 required?

535 Mr. O'Keefe replied there's no particular action on my part that I would recommend to anyone.
536 Mr. Glover requested the time like any board member is entitled to do so he was afforded the
537 time to address the board that was important.

538 Mr. Gauthier remarked if Mr. Glover will not talk to this person, then I think we're at an impasse.
539 He inquired if we are ticking off more hours that are billable, Mr. Glover is taking more billable
540 hours, we continue to have this distraction. So again, I go back to what's the next step of action,
541 what needs to happen for this to get resolved so this board can decide if we want to open a
542 formal investigation with a non-formal complaint with a non-investigator coordinator.

543 Mr. O'Keefe responded so I would encourage Mr. Glover to participate in the process and I
544 believe something is going to be scheduled for next week based on the most recent
545 correspondence. Once that's done then you will receive the report back

546 Ms. Clark noted that she is disturbed by the fact that we are arguing about semantics in a process
547 that hasn't completed. To where we can be making decisions instead of allowing the process to
548 go through and giving respect to people who made the complaint or made the process move
549 forward. I find this very disrespectful to the people that expressed their concerns and at this point
550 I don't feel that the policy was not acted on at this stage. I am concerned that we are eroding trust
551 that individuals who express that they were uncomfortable or that they had concerns about some
552 kind of sexual harassment activity that we are not giving that the fairness by the way we're
553 engaged in this dialogue.

554 Ms. Peters commented I want to be really clear that my concerns are not of that vein and my
555 concerns are that we made motion we ask for a certain thing where we are being provided with
556 something different.

557 **Ms. Peters motioned that we request that the Title IX Coordinator indicate to us that yes,**
558 **they found an investigation was warranted. Ms. Taylor seconded the motion.**

559 Mr. Gauthier added if you read through this the Title IX coordinator has to talk with all of the
560 people involved in this to determine if there's a reason for an investigation. So, I go back to do
561 we just change the name of this, do we call her a coordinator from now on and then we're happy
562 with this we passed this motion, and nobody use the word investigation again. I do not disagree
563 with Ms. Peters because if a policy was incorrect, I think if a policy was not followed on purpose
564 or not it doesn't matter. We did something wrong here then Mr. Glover should not be held

565 accountable for a policy that was not followed or a procedure that was not followed like it should
566 have been for due process. I don't know that changing that wording does that and I am trying to
567 figure that out.

568 Ms. Peters noted they did change that terminology in the November 18th board meeting. That
569 change was disregarded and that troubles me if we vote on a motion, I think we have to stick
570 with it whether we think it's disrespectful or semantics or anything. I like what you said, and I
571 would like the idea that we continue to call this Title IX person a coordinator until such time as
572 we have entered into an investigation. If we're in an investigation there would be an investigator.

573 Mr. Gauthier added but the coordinator has to do an investigation to find this which is part of the
574 confusing wording in the policy. My point is if we do this, and we could change this wording and
575 revert back to this wording at this point is it too late? Are we doing double jeopardy at that point
576 because we didn't follow the procedure right in the first place?

577 Ms. Peters remarked that it didn't seem like a full-blown investigation was warranted to decide if
578 an investigation was warranted. It seemed to me it was a much smaller and narrower process we
579 were voting on and if that narrow process found shadows or doubt or something that needed to
580 be looked deeper into then we will move into the investigation phase. So, if we are going to
581 complete the investigation before we decide the investigation is warranted, I'm confused.

582 Ms. Clark added that it is her understanding that all parties need to be initially talked to in order
583 to no whether or not this goes forward, and that part has not been completed. I don't see how it
584 has not followed the process that we voted on.

585 Ms. Taylor remarked that she would like to see us have a legal review of is there a complaint.

586 Mr. O'Keefe noted that there is a motion on the table.

587 Ms. Taylor asked for the motion.

588 **Ms. Peters replied that the motion I have is that we respect the motion that we made on**
589 **November 18th, and we refer to this person as a Title IX Coordinator and this is simply**
590 **unless someone has the memo, and we don't have it that we've moved from the**
591 **coordination phase to the investigation phase. I think that we should be very clear that we**
592 **are in the coordination phase and when we move, if we move to investigation that also be**
593 **clear as well.**

594 Mr. O'Keefe asked for comments.

595 Ms. Peters added I just think that before we go to an investigation.

596 Mr. O'Keefe added that Mr. Glover has representation, and he does not want to impede in that
597 process.

598 **Ms. Peters commented that the motion as I best remember it is that this person is a Title IX**
599 **Coordinator until such time as this person says it is time for an investigation as we voted on**
600 **November 18th, 2021.**

601 Mr. Torres inquired if this is a semantics issue right now?

602 Ms. Grund added that the one difference is that a coordinator is looking to see whether according
603 to our policies that there is a need for an investigation. The investigator then goes through into
604 the details.

605 Mr. Torres mentioned that what he's saying is that they can't even have an investigation until
606 there's a discussion with him.

607 Mr. O'Keefe reminded everyone our policy that protects employees does not cover school board,
608 we are different. We are in a different classification, nowhere in that policy does it say school
609 board member will. So, our council when they gave Ms. Grund and myself advice to go ahead
610 and create a path forward to look into this particular issue because we have employees that came
611 forward and said they were wronged.

612 We have an obligation to protect those employees, we have an obligation to look into the matter
613 regardless of who is on the other side. This process is all about that, let's not lose sight of that.
614 Going exactly to what Ms. Clark said this is about protection of the people that actually work for
615 us and serve this community. So, if we want to call an investigator, if we are going to call it a
616 coordinator, from my perspective it is completely moot because Mr. Glover has to participate in
617 the process, and he is not at this point.

618 Ms. Peters commented maybe that is where my confusion is coming in because I thought that
619 what we were voting on November 18th was that these people would look at the complaint and
620 decide whether this complaint if true, warranted an investigation.

621 Mr. O'Keefe replied they do not know yet because they do not have forward progress. So maybe
622 this process is almost complete, there is one person that has not spoken to that investigator as it
623 pertains to this particular matter. He's had multiple conversations; I believe one or two but did
624 not go into the details.

625 Ms. Peters added so that wouldn't matter for what I was saying. What I'm saying is if you just
626 took it 100% at face value, read the complaint that a Title IX coordinator would say this
627 complaint with whatever he says about it, this complaint would warrant an investigation.

628 Mr. O'Keefe added that if he is not going to participate then there is nothing they can do, I will
629 encourage Mr. Glover to participate. If he chooses not to do so there's nothing all of us can do
630 about it. We are going to get the results back from this report and it will highlight all the issues
631 that you are looking to have addressed. That report is going to go into detail about the issue, we
632 don't even know if there is merit in it, but we have an obligation to look into it and that's the
633 process we're actually going down.

634 Ms. Peters added again that is what we voted to do on November 18th we voted to hire A
635 coordinator to look into the matter to see if it warranted an investigation. I understand we're not
636 having the same understanding of what those words meant and what Ms. Grund and myself
637 meant when we proposed and seconded that motion.

638 Ms. Taylor remarked, and you said employees' complaints when we had a meeting, we were
639 never given anything of employee complaint. She is questioning in the process.

640 Mr. O'Keefe responded that you are supposed to be a neutral party. Right now, we are at a
641 standstill, and with all due respect to Mr. Glover, he's had some issues with his attorney, and I
642 don't want to go into details but there are a couple of delays that are clearly not his fault. Once
643 we get beyond that and we schedule that interview, and we can talk to Mr. Glover then the
644 person can go ahead and generate the report and issue it back.

645 Ms. Taylor asked so any employee that has a complaint about a board member what is the
646 process for this, so they do not go through this every time. The board was not given the
647 complaint before.

648 Mr. O'Keefe noted that there is a motion on the floor.

649 **Ms. Peters added that the motion is to follow what we voted on November 18th. That we**
650 **would be careful to follow what we voted on November 18th, 2021.**

651 Ms. Lawrence added that it feels like that discovery is in process right now and you can call it
652 one thing or another, but that person is participating in the process and coordinating that process.
653 We do not know what that process is because we are not that person.

654 Ms. Peters asked Ms. Lawrence if she was able to read the emails.

655 Ms. Lawrence replied yes.

656 Ms. Peters commented the problem to me is that we agreed to hire a Title IX coordinator and we
657 very clearly in every email hired an investigator with no mention of the fact that that person was
658 a Title IX coordinator that might have been discussed in verbiage but that's not here and that's
659 what's troubling.

660 Ms. Lawrence added that she is waiting to hear if further action warranted or not.

661 Ms. Peters responded further action or further investigation.

662 Ms. Lawrence replied that it is almost both.

663 Mr. Gauthier added it is not punitive action actually I think it's do we need to take this the next
664 step further and maybe that is where the word investigation comes in.

665 Mr. O'Keefe commented that the process right now that the board approved at the last meeting is
666 to look into the matter and see if there is an issue that needs to be addressed and then as a result
667 of the report that is going to come back to this board, the board will then take appropriate action.

668 Like Mr. Purvis said after the last SAU meeting, this board cannot take any personal action
669 against Mr. Glover. We can censure and make a referral to the Souhegan Cooperative School
670 District for them to make an eventual referral to a superior court judge. A superior court judge
671 can then take motions to go ahead and remove Mr. Glover of his office. No one is talking about
672 that, and we are nowhere near that. We are talking about protecting our employees from an
673 accusation of state against the board. It is our obligation, our duty, not only to our employees but

674 to our community to protect those individuals. That's the process we approved and that's the
 675 process that we're on now and that's the process we are waiting for Mr. Glover if you participate
 676 in.

677 Mr. Glover noted that he will abstain from all motions made on this matter tonight. He noted to
 678 reaffirm the decision this board already made unanimously by the way, with the understanding
 679 that the title 9 coordinator position was important first Mr. Coughlan's quick analysis of the
 680 policy at that time. I am a board member not an employee just like all of you. I can understand in
 681 order to take the matter seriously you are looking for something to grab onto and you have
 682 policies we have policies that speak on this matter so to attempt to apply them is sensible. I
 683 haven't argued to anyone particularly that the policies are not applicable and maybe they are not
 684 applicable because I am a board member, that is not the issue. The issue is your decision
 685 unanimous decision isn't being implemented that's a problem. That has nothing to do with John
 686 Glover and whether he participates or not, absolutely not. The fact that the policies that
 687 purportedly apply the relevant policies are AC, ACAC and BCA according to your letter to me
 688 regarding the investigations on December 1. That policy is not being implemented with fidelity
 689 that has nothing to do with me and the situation of what happened at the trust meeting. But if you
 690 behave in that manner, none of these people here are going to trust you. You want a new school;
 691 you want a budget you want a reelection to forget about it. You want to stimulate lawsuits from
 692 aggrieved people in the community because they're second guessing and they don't trust you
 693 because you can't implement a policy or follow your own decisions, you're going to get it. It has
 694 nothing to do with me. That is what is happening here, and it is a big problem for all of us. It is a
 695 fact.

696 **Mr. Gauthier noted that the motion was that we are reverting and following the policy**
 697 **voted on November 18th, 2021, and that we're following that policy with the original intent.**

698 Ms. Peters responded that it is not policy.

699 Mr. Gauthier added that it is making sure that we're following the motion that was passed in the
 700 meeting on November 18th in terms of verbiage, in terms of process. I think that is the motion
 701 that we are voting on now.

702 Ms. Peters replied more specifically making sure that this person who is called the investigator
 703 right now is aware that they are Title IX Coordinator until such time as they have returned a fact-
 704 finding verdict that there is a warrant to look into to move to the investigation phase because
 705 that's what we were promised on November 18th. That we would do factfinding under a
 706 coordinator and then we would move to the investigation phase.

707 I did not write that motion and we all sat here and supported it so I understand people are upset
 708 but when I look add this letter that was sent to Mr. Glover on December 1st and it says that "on
 709 Thursday evening November 18th 2021 the SAU Board voted to retain the services of an
 710 attorney to conduct an independent investigation into the incident involving you at the November
 711 9th 2021 Lawrence Spalding Trust committee meeting in which you allegedly streamed obscene
 712 audio content over your cell phone". We did not vote to return the services of an attorney to

713 conduct an independent investigation, we voted to retain the services of an attorney to act as our
714 Title IX Coordinator, that's what we voted on and I think that matters.

715 That's my motion that the person we've hired know that they are a title 9 coordinator and they're
716 acting in a fact-finding mission.

717 Ms. Kuzsma asked for clarification. If what you were asking and what the current motion on the
718 floor is going to encourage, or force our hands, is if the coordinator realizes that yes, this is
719 something that needs to move forward they have to pause and come back to us and notify us
720 before they can move forward with the investigation. They cannot just smoothly move from one
721 into the other.

722 Ms. Peters remarked no, they do not because our motion on November 18th was if they decided
723 an investigation was warranted, they could slide into that. I want to make sure that our steps are
724 being done clearly the way we voted. They do not need to come back to us they just need to note
725 that in some way.

726 Ms. Lawrence noted that it sounds like that the motion would be to direct the board chair to
727 contact Ms. Sara Hellstedt and clarify their role.

728 Ms. Peters added that she just wants them to do what they said they were going to do and no
729 other things.

730 Mr. Glover asked what by a qualified person.

731 Mr. Coughlan added they asked her to fulfill the duties the key thing is be trained in Title IV and
732 he was going to vote for Ms. Peters and Ms. Lawrence's motion is a little better.

733 **Ms. Lawrence motion to direct the board chair to contact Ms. Sara Hellstedt and clarify**
734 **the board's direction regarding the process of acting as a Title IX Coordinator before**
735 **pursuing an investigation in this matter under policy ACAC. Mr. Coughlan seconded the**
736 **motion.**

737 Mr. Glover added what happens when the clarification, is Ms. Hellstedt told me that she is not a
738 Title IV Coordinator. Is the instruction then to say can you, are you willing to fulfill that role or
739 how would we move forward to ensure that that job is done by a qualified person who is
740 independent of our system?

741 Mr. Coughlan commented that there is no Title IX Coordinator job category. A Title IX
742 coordinator in the policy is a set of duties assigned to an existing employee within the SAU.
743 Technically, we have never asked her to be a Title IX coordinator, we asked her to fulfill the
744 duties of a Title IV Coordinator because ours is unable to in this case.

745 The key thing the Title IV Coordinator or substitute needs to do is 1. be trained in Title IX and 2.
746 follow the policy. Telling Mr. O'Keefe to tell Ms. Hellstedt that she is a Title IX Coordinator is
747 not helpful. Telling Mr. O'Keefe to tell Ms. Hellstedt you have the duties of a Title IX
748 Coordinator under policy ACAC, please follow the policy word for word is what we all voted
749 for. In his opinion it is the right thing to do.

750 Let's not get hung up on our imprecise use of language, try and point out another one which is
 751 the first duty in ACAC is to find out what happened. A normal English speaker would say that
 752 person is investigating but investigator also has a very specific meaning later in the policy and
 753 we are confused.

754 I am going to vote for Ms. Peters' motion because for me as they say it is mostly harmless. It
 755 said what we already intended and would not derail anything, and we emphasized our collective
 756 will again and that is fine. Ms. Lawrence's motion is a little better and I want to make sure that
 757 we all understand the language we are using in this as we vote on it.

758 Mr. Coughlan added that one might argue that policy doesn't absolutely apply to us in the same
 759 way it applies to any other employee in the district, but it does need to be followed in some way
 760 to protect the employees of the district. He hasn't done the research, but that policy is pretty
 761 much directed on us by federal law. Even if the policy does not apply to us the federal law does
 762 and it is going to say the same things anyways.

763 **Ms. Lawrence motioned to direct the board chair to contact Ms. Sara Hellstedt and clarify**
 764 **the board's direction regarding the process of acting as a Title IX Coordinator before**
 765 **pursuing an investigation in this matter under policy ACAC. Mr. Coughlan seconded the**
 766 **motion.**

767 Ms. Taylor noted that they were sent quite a few documents that don't support that what was
 768 followed and that caused concerns.

769 Ms. Clark replied that she disagreed.

770 Mr. O'Keefe called the vote.

771 **Roll call: Torres- Yes, Grund- Yes, Taylor- Yes, Peters- Yes, Grondstra- Yes, Glover-**
 772 **Abstain, Eckhoff- Yes, Clark- Yes, Gauthier- Yes, Coughlan- Yes, Kuzsma- Yes, Conklin-**
 773 **Yes. Behm- Yes, Parisi- Yes, Lawrence- Yes, and O'Keefe- Yes.**

774 Mr. O'Keefe asked Ms. Taylor for her question.

775 Ms. Taylor asked going forward what policies would they refer to if an employee had a
 776 complaint about a board member. Is there a need for them to create or seek a policy?

777 Mr. Coughlan replied that as elected board members Mr. O'Keefe has outlined the options. You
 778 are a board member until your term ends unless a Superior Court Judge removes you which does
 779 not happen very often.

780 Mr. Glover asked which specific number in BCA are you referring to?

781 Mr. O'Keefe responded all of them.

782 Mr. Gauthier replied that he believes that it is covering general employee complaints against
 783 board members. We are not talking about this one specific issue.

784 Ms. Taylor asked what happens in the event that another employee comes forward and has a
 785 complaint that they are uncomfortable referring to policy ACA our next response we are going to

786 do the same procedure and send it to an outside coordinator and declare them our ACA Title IX
787 coordinator. Will this happen again? Is this how we are responding every time?

788 Mr. O’Keefe replied that we can work with the policy committee to actually define that in
789 greater detail.

790 XI. Public Comment II of II

791 **Ms. Grund motioned to modify the agenda to allow for Public Comment. Ms. Peters**
792 **seconded the motion. The vote was unanimous, motion passed.**

793 Ms. Lisa Eastland, 19 River Road, asked what jurisdiction the SAU board has over this event of
794 a board member from the SCSD. If your job as an SAU Board is to run the SAU, she does not
795 see the connection that these votes have any bearing.

796 She would encourage them all as to why Mr. Glover’s participation in this investigation matters.
797 Why is his testimony is the log jam, and not just the aggrieved individuals? If someone in the
798 school district did something against her then I don’t really care what that person says. I want
799 you to act upon my complaint, not his. I would want you to listen to me and have a coordinator
800 talk to me. I would feel completely invalidated and outraged. I am outraged for the employees
801 already.

802 I would highly encourage you all to set up a decision tree, a checklist that is available to every
803 single person and the public to make sure things get checked along the way. Lastly, I support Mr.
804 Glover’s statement in that it has the sense of being mishandled the erosion of trust is something
805 that I don’t think anyone wants to experience in our school district and our town.

806 Ms. Anna Goulet- Zimmerman, 22 Veterans Road, Amherst NH, asked for clarification. Who is
807 hiring this attorney and who is getting the information sent to Ms. Sarah H. Someone should be
808 seeing those communications. She does not even know if the two employees want them to do all
809 of this and I cannot imagine how much money is getting spent here. I agree with Ms. Eastland. I
810 heard again and again, and we are the decision people and cannot know any facts. This
811 information should not be held from boards.

812 Mr. Martin Goulet, 22 Veterans Road, Amherst NH, noted that he was here for the SAU meeting
813 on November 18th, 2021. I find it disconcerting that the Chair of this body does not acknowledge
814 the importance of the precision of language that you struggled so mightily with on that evening
815 and dismisses the attempts of this body to ensure that you follow that direction to that intended
816 purpose.

817 Second, I just can’t help but notice that the same topic that I brought up in my earlier comment
818 with respect to threats of coercion and retaliation are apparent even in this board as evidenced by
819 the comment of Mr. Glover. It would be hard to be sitting in your position and not notice that
820 trend. He will be exceedingly frustrated until I see this board act on that culture that is being
821 instilled in our schools. I would like to see you start putting it on agendas “the culture in our
822 school institutions”.

823 Ms. Jeanne Ludt, 3 School Street, Amherst NH, noted that she has spent time as a school board
 824 member. My comments are going to come from that experience. This thing has been mishandled
 825 so poorly from the very beginning. The first mistake is choosing to make it public. When you
 826 first accused Mr. Glover, I was appalled. That is what non-public is for, so that someone's
 827 reputation is ruined. Because you opened it up publicly to begin with and Mr. O'Keefe you are
 828 choosing when to speak publicly and when not to and that is not really fair. The other part is that
 829 you keep protecting the rights of the victims and somehow Mr. Glover's rights have been
 830 completely ignored as far as due process is concerned.

831 The other thing that is really sad about this is that this situation is that it has pitted board
 832 members against board members, SAU employees against board members all of this could have
 833 been avoided. It could have been handled quietly and it could have been resolved. Instead, and
 834 she does not know the details, he has been accused of sexual harassment when in fact he pressed
 835 a button on his phone and something inappropriate came up mistakenly. That got elevated to
 836 sexual harassment and that is a big leap. The other thing is that there was an SAU meeting that
 837 was hacked, it was a mistake, and she wants to put this into perspective.

838 Mr. Dwayne Purvis, Amherst NH, inquired who is paying for this? And the concern is how this
 839 could have been handled and how it has been handled. Ultimately, the taxpayers of the two
 840 towns are going to end up paying for this. The other thing is under what jurisdiction are you guys
 841 all quoting? This grand effort to make all of the policies to look the same, but Mr. Glover serves
 842 in the SCSD. Don't you ever make a mistake because now you have opened the door for anyone
 843 that has a beef to say now "I feel violated". Under what district does the SAU have policies, I
 844 don't think so. So, you are quoting a Souhegan policy and people that aren't on the SCSD are
 845 voting. This is an issue for the SCSD to deal with one way or another. And by the way you want
 846 to build a school for the ASD, you want to pass budgets and there are people that want to get
 847 elected and you are running this circus at the same time. Dial it back and fix this thing and move
 848 on.

849 XII. Meeting Adjourned

850 **Ms. Grund motioned to adjourn the meeting at 8:58PM. Mr. Gauthier seconded the**
 851 **motion. The vote was unanimous, motion passed.**

Introduction

As you know from my email to all of you, I requested this discussion be placed on the agenda because over 2 months has passed since anyone here or attending remotely has heard about the status of the matter regarding the Lawrence-Spaulding Trust Committee meeting on November 9th 2021.

I also emailed you, and I understand our minutes professional has possession of and will enter into the record, the following documents related to the matter:

1. **“the Communication Email Chain”** of Nov 10th & 11th between Superintendent Steel and me w/ Chairs O’Keefe and Gauthier, and eventually then Vice Chair Grund, in copy, which I redacted to protect the confidentiality of the SAU employees who were at the trust meeting.
2. **“the Monday Email Chain”** of Nov 13th and 16th between O’Keefe and me w/ Grund in copy.
3. **“the Extension Request Email”** of Nov 16th from O’Keefe to me w/ Grund in copy, which connects to the Monday email.
4. **“the Conduct Email Chain”** of November 19th that I and SCSB Member Peters received after the Nov 18th SAU 39 Board meeting; all other SAU 39 Board members received this information the day before that meeting.
5. **“the Investigation Letter”** dated Dec 1st that I received from O’Keefe, and that enclosed the relevant policies AC, ACAC, and BCA.
6. **“the Investigation Email”** that I received from the hired investigator on Dec 6th.
7. **“the Right-to-Know Response”** focusing on the matter – inquiry numbers 15 through 18 and associated attachments – that I received last week.

I also now submit into the record, the following additional document subsequently received:

8. **“the Agenda Request Email”** of Jan 25th that I received from O’Keefe

When the matter was discussed at the November 18th SAU 39 meeting, the impression was that the process was estimated to cost \$3k to \$5k, and should take 1 to 1½ weeks and maybe longer due to then upcoming holidays and other factors.

I am here to report that the process is still ongoing, and that I am shocked, embarrassed, and frankly scared for the future of our school system because the process being followed is unfair, opaque, and probably illegal.

I take no pleasure in reporting that:

- A. The Will of this Board has been ignored.
- B. The Policies of this SAU and its constituent Districts are being implemented without fidelity.
- C. The actions taken against me appear retaliatory.

Those acts are unacceptable and should not be tolerated.

Not only are those act unprofessional, but also they expose our SAU and its constituent Districts to legal liability and community distrust.

We all should ask ourselves and decide together: What are the remedies for such malfeasance?

A. The Will of this Board has been ignored because no Coordinator was hired.

The initial motion for an investigation was amended to first hire an independent Title IX Coordinator (“Coordinator”), then if warranted, the expectation would be for that person to conduct an investigation. ~15 min after discussion of this matter began (or ~2:30 into the meeting) where:

- Coughlan offers clarification that they are hiring this attorney to act and policy to hire a Title IV Coordinator who is currently disqualified, and O’Keefe replied that is correct (minutes lines 825-27): **Recording:** “We are hiring this attorney to act, and follow the policy, in the role of a Title IX Coordinator who is currently disqualified. O’Keefe interjects “that is 100% correct.” Coughlan continues “that means all the process features and protections of the policy would be implemented by this attorney.” O’Keefe interjects “100% correct.” Coughlan continues “this guarantees that otherwise, all the other due process steps will occur.” O’Keefe interjects “that is correct.” Coughlan continues “and everyone’s rights on both sides of the matter will be preserved.” O’Keefe interjects to reiterate “that is correct.”
- Taylor questioned instead of calling it an “investigator” can you say “Title IX Coordinator”, and O’Keefe replied they can do that (lines 834-35).
- Coughlan added that the first duty of the Title IV Coordinator is to determine if something needs to go forward. If something does go forward, they can either act as the investigator or appoint a separate one so our expectation would be that they would be the investigator going forward after that (lines 836-39): **Recording (omitted from minutes):** O’Keefe interjects “yes.”
- Roll call vote is halted and restarted after Taylor clarifies the change from investigator to Title IX Coordinator, and O’Keefe replies yes, we can rescind the votes and make a quick amendment to it (lines 857-59).
- Incredibly, after all that discussion, clarification, affirmation, and amendment, the written motion still omitted the word ‘Coordinator’. The motion per the minutes is “...to authorize the hiring of an independent Title IX/Title VII/fact finder to properly investigate the reported complaints to this Board regarding the actions of Mr. John Glover that occurred at the November 9th, Lawrence Spalding Trust Committee meeting.” (lines 859-62).
- The clear understanding and will of the Board, however, was to authorize the hiring of a Coordinator to evaluate the situation as a first step.

How do we know the person hired is not a Coordinator?

1. Not once in any written communication since the Nov 18th SAU Board meeting has the word ‘Coordinator’ been used.
 - The **Investigation Letter** from O’Keefe is regarding an Investigation, misstates that this Board voted to hire a person to conduct an investigation, and refers to the investigation many more times.
 - The **Investigation Email** from the hired person confirms the job is an investigation.
 - The **Agenda Request Email** refers to an update for the investigation, and calls for an update that will not impede the investigation.
2. My conversations with the person hired revealed:
 - The person is not a Coordinator.
 - The person doesn’t view the job as fulfilling the duties of a Coordinator.
 - The person has proceeded with an investigation as outlined as the Grievance Process under Sec III of policy ACAC.

Why is a Coordinator so important?

1. A Coordinator must have specific training (ACAC Sec II.D)
2. A Coordinator must have no conflict of interest or bias (ACAC Sec II.G)
3. A Coordinator must discuss with potential victims (ACAC Sec II.J.2):
 - a. the availability of and offer supportive measures;
 - b. consider their wishes with respect to supportive measures;
 - c. inform them of the availability of supportive measures with or without the filing of a Formal Complaint; and
 - d. explain to them the process for filing a Formal Complaint
4. A Coordinator may sign a Formal Complaint on behalf of someone but only under certain circumstances (ACAC Sec III.A), which I will discuss further.
5. An external Coordinator can demonstrate and perform those duties, but would not be expected or able to perform other duties like implementing supportive measures (ACAC Sec II.C.) or recordkeeping (ACAC Sec II.I).

Why was a Coordinator not hired as directed by this Board?

Who made the decision to act against the will of this Board?

- B. The Policies of this SAU and its constituent Districts are being implemented without fidelity because the Grievance Process, which includes the commissioned investigation, has commenced without a Formal Complaint.

Why is a Formal Complaint so important?

Per the ACAC policy, which outlines the sexual harassment policy and grievance process, a Formal Complaint is required before the Grievance Process can commence. This requirement is so material to the ACAC policy that the requirement is reiterated no fewer than in 7 policy sections:

- **Sec II.A:** While all “reports” received of sexual harassment must be responded to, the Grievance Process is initiated only with the filing of a Formal Complaint.
- **Sec II.J.1:** A report does not initiate the formal Grievance Process. That process is begun only upon the filing of a Formal Complaint.
- **Sec II.J.3:** A Formal Complaint that contains an allegation of sexual harassment and a request that the organization investigate the allegations is required before the organization may conduct a formal investigation...or take any actions (other than supportive measures) against a person accused.
- **Sec III:** The Grievance Process is used only upon the filing of a Formal Complaint.
- **Sec III.A:** The Grievance Process is initiated by way of a Formal Complaint.
- **Sec III.A (again):** If no Formal Complaint is filed...no disciplinary action may be taken against a person accused.
- **Sec III.E.3:** The investigative report shall start with the receipt of the Formal Complaint.

How do we know there is no Formal Complaint?

1. In the **Conduct Email Chain**, Superintendent Steel acknowledges receipt of “informal complaints” from employees
2. In the **Right-to-Know Response**, Superintendent Steel states that “neither [employee] indicated that what they sent to [him] was an official complaint”
3. In the **Conduct Email Chain** and the **Right-to-Know Response**, Parisi’s initial and amended reports share her point of view; express concern for the employees present; express gratitude that no students, parents, or the public was present; and requests the matter be taken seriously in accordance with district policies; neither, however, requests an investigation of the matter, which is a minimum requirement for a Formal Complaint per policy ACAC Secs II.B and II.J.3.
4. No Coordinator has signed a Formal Complaint on behalf of anyone involved, which is allowed under policy ACAC Sec III.A, but only initiating the Grievance Process against the accused is not clearly unreasonable in light of the known circumstances, and in other cases where, in the exercise of good judgment and in consultation with an attorney as appropriate, the Coordinator determines that a Grievance Process is necessary to comply with the obligation not to be deliberately indifferent to known allegations of sexual harassment.

That's a lot of squishy language but the provided examples suggest the need for particularly egregious scenarios in order to compel a Coordinator to sign a Formal Complaint:

- a. reports of sexual assault – not relevant here
- b. employee on student harassment – no relevant here
- c. repeat reports – not relevant here
- d. the conduct in the potential victim's report has not been adequately resolved through the provision of supportive measures – **relevant here, but if this inquiry has been made, the results have not been shared.**

So what do we have then?

We have reports from everyone who was physically in the room at the trust meeting: the two employees, the board member, and me in the **Communication Email Chain**.

The reports show those in the room deployed the 'see something, say something' spirit.

This spirit is memorialized in policy AC, the Non-Discrimination, Equal Opportunity Employment, and Anti-Discrimination Plan, which covers discrimination and harassment contemplated under Titles IX and VII.

Policy AC Sec F, 2nd Paragraph:

1. Describes a duty to report at the expense of disciplinary action.
2. Requires reports or complaints of sexual harassment by students (ie, Title IX), employees (ie, Title VII), or third party contractors (ie, Titles IX or VII) be made under policy ACAC, which itself reiterates the duty to report the disciplinary action of not reporting, and requires training to include reporting.

I understand this situation is unique given my role as a Board member, and the policies don't expressly contemplate Board members. I also understand the need to take harassment matters seriously, and so it makes sense to look at applying our policies – those are, after all, our guiding documents.

My grave concern is that the purportedly applicable policies are being implemented improperly, which is even more concerning given the sensitive and serious subject matter of discrimination and harassment.

Why has a Formal Complaint not been required?

Who made the decision to forego the need for a Formal Complaint against our Policies?

C. The actions taken against me appear retaliatory.

Retaliatory because at a meeting I had 3 days after the trust meeting, on Friday, November 12th at 4:30 pm with O’Keefe and Grund, O’Keefe essentially informed me SAU counsel had been engaged, and I had two paths to choose from: a) resign my Board seat and this all goes away, or b) don't resign and face the consequences, including investigation, potential removal from office, and possible civil litigation.

Retaliatory because I was not provided sufficient time following that Friday meeting to engage my own counsel to understand the consequences of those paths. See the **Monday Email Chain** and the **Extension Request Email**.

Retaliatory because although the **Extension Request Email** claims of an obligation to follow a fair, transparent and timely process, I was not afforded the same by:

- Not being informed of the relevant policies
- Not being presented with any specific allegations
- Not being presumed innocent
- Not being informed that the so-called ‘complaints’ were actually reports and not Formal Complaints that would trigger the Grievance Process
- Not being informed of the specific supportive measures requested by the employees
- Not being asked what I could do to provide my own supportive measures, as I had written in my report in the **Communication Email Chain**.
- Not presented with any collaborative solution to adequately resolve the matter.

Retaliatory because the supportive measures attempted to be implemented and in fact implemented against me far exceed the wishes expressed by the employees who attended the trust meeting.

- Per the **Right-to-Know Response**, only received last week, the employees collectively requested:
 - The presence of someone else at all future meetings with me and them.
 - Electronic means of communication between me and them with any needed phone calls scheduled so another person could be present.
 - Prohibiting my calling their personal cell phones.
- Yet, the measures attempted or implemented are expressly not limited to:
 - Restricting communication between me and any SAU employee (not just the employees at the meeting).
 - Limiting all communications between me and the SAU 39 employees go through the Superintendent.
 - Attempting to remove me from all my committee assignments as a Board member.

Why was I threatened and treated unfairly when Policies AC and ACAC prohibit retaliation?

Who decided to behave in this manner?

Closing

Parisi, in her reports about this matter in the **Conduct Email Chain** and the **Right-to-Know Response**, invokes the notion of professional conduct. The acts I have reported in this status update tonight –

- A. The Will of this Board being ignored.
- B. The Policies of this SAU and its constituent Districts being implemented without fidelity.
- C. The actions taken against appearing retaliatory.

– are not only unprofessional, but also expose our SAU and its constituent Districts to legal liability and community distrust.

Those acts are intentional, not accidental.

Those acts unacceptable and should not be tolerated.

Why is leadership behaving in such an unprofessional manner?

What are the remedies for such malfeasance?

- Apology?
- Monetary Damages?
- Change in Leadership?
- Other?

Can and will this school system grow?



John Glover <jglover@sau39.org>

Communication

5 messages

Adam Steel <asteel@sau39.org>

Wed, Nov 10, 2021 at 5:34 PM

To: John Glover <jglover@sau39.org>

Cc: Stephen O'Keefe <sokeefe@sau39.org>, Tom Gauthier <tgauthier@sau39.org>

Hello John:

In reference to the incident that occurred earlier this week, I am directing you to not have contact with the SAU employees who were present in the meeting and to direct all communication to me. I am unable to discuss this issue further with you at this time. You can expect to be contacted by SAU Chair Stephen O'Keefe and Souhegan Vice Chair Stephanie Grund in the coming days.

Sincerely,
Adam Steel

--

Adam Steel | Superintendent of Schools | SAU #39

Amherst, Mont Vernon, and Souhegan Cooperative School Districts

PO Box 849 | 1 School Street

Amherst, NH 03031

(603) 673-2690 | www.sau39.org | @adamsteelnh

John Glover <jglover@sau39.org>

Wed, Nov 10, 2021 at 6:21 PM

To: Adam Steel <asteel@sau39.org>

Cc: Stephen O'Keefe <sokeefe@sau39.org>, Tom Gauthier <tgauthier@sau39.org>

Totally understood Adam. I'm eager to address that unfortunate event, and look forward to hearing from them.

[Quoted text hidden]

Adam Steel <asteel@sau39.org>

Wed, Nov 10, 2021 at 6:22 PM

To: John Glover <jglover@sau39.org>, Stephanie Grund <sgrund@sau39.org>, Stephen O'Keefe <sokeefe@sau39.org>,

Tom Gauthier <tgauthier@sau39.org>

I included Tom Gauthier in error and meant to include Stephanie.

Adam

[Quoted text hidden]

John Glover <jglover@sau39.org>

Wed, Nov 10, 2021 at 6:29 PM

To: Adam Steel <asteel@sau39.org>

Cc: Stephanie Grund <sgrund@sau39.org>, Stephen O'Keefe <sokeefe@sau39.org>, Tom Gauthier <tgauthier@sau39.org>

No problem. Better to clear up this matter with all our leaders aware.

[Quoted text hidden]

John Glover <jglover@sau39.org>

Thu, Nov 11, 2021 at 3:49 PM

To: Adam Steel <asteel@sau39.org>

Cc: Stephanie Grund <sgrund@sau39.org>, Stephen O'Keefe <sokeefe@sau39.org>, Tom Gauthier <tgauthier@sau39.org>

Adam and Board Leaders, I write to address the unfortunate incident that occurred during the Lawrence Spaulding Committee meeting held on 9 November 2021 at the Brick School Community Room. Present at that meeting were Christine Landwehrle, Amy Facey, Victoria Parisi, Terri Behm (via Zoom), George Torres (via Zoom), and myself. Upon arriving, I indicated my presence and need to complete an ongoing phone call, which delayed my participation in the

meeting for about 10 or 15 minutes, and after the call, I joined the meeting already in progress. Shortly thereafter I received an audible notification tone on my phone. Normally and for common courtesy, I put my phone in silent mode for meetings, but I had not done so at that point. I addressed the notification tone without unlocking my phone by swiping down the screen face to see a long list of notifications; my phone is set up to allow for limited access and interaction while otherwise staying locked. Among the notifications list were some text messages including one from a family member and another adjoining from a number unknown to me. I attempted to tap the family member message but instead tapped the unknown message, and suddenly my phone erupted at full volume. The loud noise startled me, and disrupted the meeting by drawing the attention of everyone in the room; I do not know whether those on Zoom also heard the noise.

At first, the nature of the noise was unclear to me, and regardless, my immediate reaction was to try to lower the volume to mute by pressing and holding the volume down button on the side of the phone. That attempt had no effect because the phone was still locked. Some several seconds having passed, the nature of the noise became clear to me and others in the room and presumably on Zoom. The noise was of an explicit sexual nature. Horrified, I attempted to quickly unlock the phone to shut everything down; this took some several additional seconds because it took me several attempts to get the fingerprint reader to work because in my haste I was not placing my finger in the right place for the right amount of time. Finally, after what seemed to me like many minutes but was probably about 15 or 20 seconds of blaring offending noise, I successfully unlocked the phone and muted the volume. I then put the phone in silent mode, closed everything open, restarted the phone, and placed the phone on the table in order to not further distract from the meeting. It took me several minutes to complete those post-noise tasks and gather my shocked, embarrassed, confused self. The meeting continued and successfully concluded without further incident, as did the subsequent Budget Workshop meeting.

After the meetings, alone, I examined the phone to understand the source of the offending noise. I confirmed the unknown message contained a link. There was no associated picture, video, or other observable content. I did not again tap the link. I deleted the entire message and checked my security scans, which are embedded and automatically run in the phone and the wireless carrier systems. No underlying virus or malware was identified. It is somewhat rare but not unusual for messages from unknown numbers to appear, and I handle them by avoiding any included links and deleting the entire message.

Later that same evening, I contacted but could not reach Adam [REDACTED] for two purposes. One, to thank them for their participation at and preparedness for the meetings. Two, to report the incident (to Adam), to relay my actions and findings after the incident, to apologize for the ugly disruption caused by my phone, and to seek guidance as to how I could apologize [REDACTED]. The next day I received the initial message on this thread from Adam. On 12 November 2021, I am meeting with Stephen O'Keefe and Stephanie Grund. I have had no contacts or communications about the incident with any other school-related personnel.

I've been reflecting on the incident and future actions I can take to ensure nothing like that ever happens again in any setting, let alone at a school meeting. In the first instance, I still feel compelled to apologize in some manner to those at the meeting, and would appreciate your guidance as to the best way to accomplish that goal. I also realize the incident was the result of my failure to follow my normal processes for message management (by tapping on an unknown link) and phone management (by leaving my phone in audible mode), and both failures occurred at the worst possible time – during a school meeting with others. I have never been much of a phone user during meetings because I enjoy remaining focused on and respectful towards meeting objectives. The incident starkly reminds me that even minimal phone interactions can have awful consequences. What I can and will do is be especially vigilant in making sure my phone is both silent and only conscientiously touched during meetings and whenever interacting with others.

Thanks for your attention and response so far, John

[Quoted text hidden]



John Glover <jglover@sau39.org>

Monday

2 messages

Stephen O'Keefe <sokeefe@sau39.org>
To: John Glover <jglover@sau39.org>
Cc: Stephanie Grund <sgrund@sau39.org>

Sat, Nov 13, 2021 at 1:37 PM

Good Afternoon Mr. Glover.

I have received your request to extend your Monday morning deadline to allow time for you to seek the guidance of legal council. We are more than willing to extend your deadline to Tuesday, November 16th at 4pm.

Should your legal council inquire, or wish to communicate, please request they do so directly with our district's legal council:

Dean B Eggert, Esq
Wadleigh, Starr & Peters, P.L.L.C.
[95 Market Street](#)
[Manchester NH 03101](#)
[United States of America](#)
(603) 206-7209
deggert@wadleighlaw.com

As a reminder, per our conversation on Friday, we will make reasonable accommodations for you to participate at Monday's school board meeting remotely if you choose to do so. We will have the SAU office generate a zoom link and have it sent to you in advance of the session. Please let us know by noon on Monday if you would like us to do so.

Regards,

Stephen S. O'Keefe
Mont Vernon School Board
Chair, SAU #39 Consolidated School Board

John Glover <jglover@sau39.org>
To: Stephen O'Keefe <sokeefe@sau39.org>
Cc: Stephanie Grund <sgrund@sau39.org>

Tue, Nov 16, 2021 at 9:08 AM

Stephen, I appreciate the accommodation to participate in last night's SCSB meeting. I also appreciate your willingness to extend the deadline to allow time for me to seek the guidance of legal counsel. However, fewer than 36 hours since the initial deadline is an insufficient allowance. I placed calls yesterday, and now await responses. I, like everyone I presume, would like this matter to be resolved as soon as practicable, but I still have to locate counsel who has the requisite skills, who has no conflicts, who has an amenable schedule, and who can thereby engage with me as Client. This process will take some time, more than a day or two, at least a week at the earliest I predict. I therefore request further extension of my response deadline. I imagine my counsel will want to communicate with SAU 39's counsel; you will know with certainty that this process is proceeding once that happens. Respectfully, John

[Quoted text hidden]



John Glover <jglover@sau39.org>

Extension Request

1 message

Stephen O'Keefe <sokeefe@sau39.org>
To: John Glover <jglover@sau39.org>
Cc: Stephanie Grund <sgrund@sau39.org>

Tue, Nov 16, 2021 at 4:35 PM

Good Afternoon Mr. Glover.

Thank you for your message. Unfortunately, we are unable to offer additional extensions to the matter currently under review. We have a significant obligation to both our employees and communities to follow a fair, transparent and timely process.

As a result, we plan to discuss this matter at our SAU #39 Board meeting, this Thursday, November 18th after our public hearing, unless you wish to take any mitigating actions prior to our session.

Regards,

Stephen S. O'Keefe
Mont Vernon School Board
Chair, SAU #39 Consolidated School Board



John Glover <jglover@sau39.org>

Fwd: Conduct Email

1 message

Stephanie Grund <sgrund@sau39.org>

Fri, Nov 19, 2021 at 2:14 PM

To: Christine Peters <cpeters@sau39.org>, John Glover <jglover@sau39.org>

Christie and John,

Your emails were accidentally left off of Adam's email that was sent to all SAU boards.

Stephanie

----- Forwarded message -----

From: **Adam Steel** <asteel@sau39.org>

Date: Wed, Nov 17, 2021 at 11:03 PM

Subject: Fwd: Conduct Email

To: Elizabeth Kuzsma <ekuzsma@sau39.org>, George Torres <gtorres@sau39.org>, Jessica Hinckley <jhinckley@sau39.org>, Josh Conklin <jconklin@sau39.org>, Kristen Clark <kclark1@sau39.org>, Laura Taylor <ltaylor@sau39.org>, Peter Eckhoff <peckhoff@cokenortheast.com>, Peter Eckhoff <peckhoff@sau39.org>, Pim Grondstra <pgrondstra@sau39.org>, Sarah Lawrence <slawrence@sau39.org>, Stephanie Grund <sgrund@sau39.org>, Stephen O'Keefe <sokeefe@sau39.org>, Steve Coughlan <scoughlan@sau39.org>, Terri Behm <tbehm@sau39.org>, Tom Gauthier <tgauchier@sau39.org>, Victoria Parisi <VParisi@sau39.org>

Dear SAU Board:

I am in receipt of the complaint received below. As superintendent, I have no jurisdiction regarding this complaint, and thus am forwarding to you. I am in receipt of informal complaints under the aegis of both Title VII and Title IX from district employees which may or may not be submitted as formal complaints in the future. I have provided SAU chair O'Keefe and Souhegan Vice-chair Grund with the information I have and have done my best to provide protective measures for the employees involved.

Sincerely,
Adam

----- Forwarded message -----

From: **Victoria Parisi** <vparisi@sau39.org>

Date: Wed, Nov 17, 2021 at 22:24

Subject: Conduct Email

To: Stephen O'Keefe <sokeefe@sau39.org>, Adam Steel <asteel@sau39.org>

I am writing to share my point of view in regard to the actions of John Glover at the Lawrence-Spalding Trust Committee meeting held at the Brick School on November 9, 2021.

At the meeting, inappropriate media was broadcast from Mr. Glover's phone.

This is not professional conduct. I have concern for the district employees subjected to this. I am grateful that it didn't happen in a meeting with students, parents, or the public present.

I have had a week to process the event. I have come to the conclusion that as an elected public official, I should formally report my perspective regarding the incident.

It is important that this matter is taken seriously in accordance with District policies.

Thank you,

--

Adam Steel | Superintendent of Schools | SAU #39

Amherst, Mont Vernon, and Souhegan Cooperative School Districts

PO Box 849 | 1 School Street

11/20/21, 2:35 PM 4 - "the Conduct Email Chain" School Administrative Unit 39 Mail - Fwd: Conduct Email

[Amherst, NH 03031](#)

(603) 673-2690 | www.sau39.org | [@adamsteelnh](#)

5 - "the Investigation Letter"
SCHOOL ADMINISTRATIVE UNIT THIRTY-NINE

Amherst, Mont Vernon, and Souhegan Cooperative School Districts

ADAM A. STEEL
Superintendent of Schools

CHRISTINE M. LANDWEHRLE
Assistant Superintendent of
Elementary Education

STEVEN CHAMBERLIN
Assistant Superintendent of
Secondary Education

MARGARET A. BEAUCHAMP
Director of Student Services

AMY FACEY
Business Administrator



Mr. Stephen O'Keefe – Chairperson, SAU Board
SAU 39 – Amherst, Mont Vernon, and Souhegan Cooperative School Districts
1 School Street
Amherst, NH 03031

December 1, 2021

Mr. John Glover, Souhegan Cooperative School Board
1 School Street
Amherst, NH 03031

Re: Investigation into allegations of misconduct

Dear Mr. Glover:

I am writing to formally notify you that on Thursday evening, November 18, 2021 the SAU Board voted to retain the services of an attorney to conduct an independent investigation into the incident involving you at the November 9, 2021 Lawrence-Spalding Trust Committee Meeting in which you allegedly streamed obscene audio content over your cell-phone. You will be contacted by attorney Sara Hellstedt of the law firm of Bernstein Shur, Sawyer & Nelson for an interview. This is an investigation into a public event at a public meeting involving you as a public official. However, you are reminded that you have a duty to maintain the personnel privacy of those administrators who were present at the meeting in question. You are entitled to have a representative of your choosing present at your interview.

We have authorized Adam to extend supportive measures to the involved personnel as we undertake this investigation. These measures include alternative pathways of communication and authorization for the involved staff to be accompanied during meetings which include you. These measures are also designed to protect you during the investigative process. I am enclosing our relevant policies, AC, ACAC and BCA. This investigation is not solely a Title IX investigation, but is also proceeding under Title VII and the Board's general authority to investigate complaints regarding board members. However, I direct your attention to policy ACAC which outlines the protections afforded complainants and respondents. I also direct your attention to Section III., which outlines in detail the Title IX grievance and investigative process. As this investigation is being conducted at the Board level, the Board will take receipt of the investigative report and act as the decision maker in this matter. Our policies and the law also prohibit retaliation against witnesses or complainants. You should exercise care to ensure that you refrain from any conduct which could be deemed retaliatory in nature.

Sincerely,

Stephen S. O'Keefe

Mr. Stephen O'Keefe
Chairperson – SAU Board

**AC – NON-DISCRIMINATION, EQUAL OPPORTUNITY EMPLOYMENT
and ANTI-DISCRIMINATION PLAN**

A. Prohibition Against Discrimination of Students in Educational Programs and Activities.

Under New Hampshire law and Board policy, no person shall be excluded from, denied the benefits of, or subjected to discrimination in the District's public schools because of their age, sex, gender identity, sexual orientation, race, color, marital status, familial status, disability, religion or national origin.

Discrimination, including harassment, against any student in the District's education programs, on the basis of any of the above classes, or a student's creed, is prohibited. Finally, there shall be no denial to any person of the benefits of educational programs or activities, on the basis of any of the above classes, or economic status.

Harassment of students other than on the basis of any of the classes or categories listed above is prohibited under Board policy JICK Pupil Safety and Violence Prevention.

B. Equal Opportunity of Employment and Prohibition Against Discrimination in Employment.

The School District and SAU 39 is an Equal Opportunity Employer. The District and SAU ensures equal employment opportunities without regard to age, color, creed, disability, gender identity, marital status, national origin, pregnancy, race, religion, sex, or sexual orientation. The District and SAU will employ individuals who meet the physical and mental requirements, and who have the education, training, and experience established as necessary for the performance of the job as specified in the pertinent job description(s).

Discrimination against and harassment of employees because of age, sex, race, creed, religion, color, marital status, familial status, physical or mental disability, genetic information, national origin, ancestry, sexual orientation, or gender identity are prohibited. Additionally, the District and SAU will not discriminate against any employee who is a victim of domestic violence, harassment, sexual assault, or stalking.

C. Policy Application.

This Policy is applicable to all persons employed or served by the District and SAU. It applies to all sites and activities the District and SAU supervises, controls, or where it has jurisdiction under the law, including where it (a) occurs on, or is delivered to, school property or a school-sponsored activity or event on or off school property; or (b) occurs off of school property or outside of a school-sponsored activity or event, if the conduct interferes with a student's educational opportunities or substantially disrupts the orderly operations of the school or school-sponsored activity or event. Examples of sites and activities include all District and SAU buildings and grounds, school buses and other vehicles, field trips, and athletic competitions.

D. Anti-Discrimination Plan.

No later than October 15, 2020, the Superintendent shall develop and provide to the Board for approval, a coordinated written Anti-Discrimination Plan (the "Plan") to include guidelines, protocols and procedures intended to prevent, assess the presence of, intervene in, and respond to incidents of discrimination.

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Among other things, the Plan should include provisions, and recommendations with respect to resources, policies, complaint procedures, student education programs, Plan dissemination and training appropriate to carrying out the Plan objectives stated in the preceding paragraph.

In developing the Plan, the Superintendent is encouraged to seek input from appropriate groups of the school and local community and coordinate with the Human Rights Officer and Title IX and 504 Coordinators.

No less than once every two years the Superintendent shall update the Anti-Discrimination Plan and present the same to the Board for review. Such Plan updates should be submitted to the Board in time for appropriate budget consideration.

E. Human Rights [or Non-Discrimination], Title IX, 504 and other Coordinators or Officers.

The Superintendent shall assure that personnel are assigned to the positions listed below. Each year, the Superintendent shall prepare and disseminate as an Appendix AC-E to this Policy an updated list of the person or persons acting in those positions, along with their District contact information, including telephone number, email, postal and physical addresses.

Human Rights [or Non-Discrimination] Officer
Title IX Coordinator
504 Coordinator

The Appendix will also include current contact for relevant state and federal agencies including:

U.S. Department of Education, Office of Civil Rights
U.S. Department of Agriculture, Office of Civil Rights
N.H. Human Rights Commission
N.H. Department of Justice, Civil Rights Unit
N.H. Department of Education, Commissioner of Education

F. Complaint and Reporting Procedures.

Any person who believes that he or she has been discriminated against, harassed, or bullied in violation of this policy by any student, employee, or other person under the supervision and control of the school system, or any third person who knows or suspects conduct that may constitute discrimination, harassment, or bullying, should contact the Human Rights Officer, or otherwise as provided in the policies referenced below under this same heading.

Any employee who has witnessed, or who has reliable information that another person may have been subjected to discrimination, harassment, or bullying in violation of this policy has a duty to report such conduct to his/her immediate supervisor, the Human Rights Officer, or as provided in one of the policies or administrative procedures referenced below under this same heading. Additionally, employees who observe an incident of harassment or bullying are expected to intervene to stop the conduct in situations in which they have supervisory control over the perpetrator and it is safe to do so. If an employee knows of an incident involving discrimination, harassment, or bullying and the employee fails to report the conduct or take proper action or

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knowingly provides false information in regard to the incident, the employee will be subject to disciplinary action up to, and including, dismissal.

Investigations and resolution of any complaints shall be according to the policies listed below and related administrative procedures or regulations. Complaints or reports regarding matters not covered in one or the other of those policies should be made to the District Human Rights Officer.

1. Reports or complaints of sexual harassment or sexual violence by employees or third party contractors should be made under Board policy ACAC;
Reports or complaints of sexual harassment or sexual violence by students should be made under Board policy ACAC;
2. Reports or complaints of discrimination on the basis of disability should be made under Board policy ACE, except for complaints regarding facilities accessibility by disabled non-students or employees, which should be made under Board policy KED; and
3. Reports or complaints of bullying or other harassment of pupils should be made under Board policy JICK.

G. Alternative Complaint Procedures and Legal Remedies.

At any time, whether or not an individual files a complaint or report under this Policy, an individual may file a complaint with the Office for Civil Rights ("OCR"), of the United States Department of Education, or with the New Hampshire Commissioner for Human Rights.

1. Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921; Telephone number: (617) 289-0111; Fax number: (617) 289-0150; Email: OCR.Boston@ed.gov

Note: Complaints to OCR must be filed in writing no later than 180 days after the alleged act(s) of discrimination. OCR may waive its 180 day time limit based on OCR policies and procedures.

2. New Hampshire Commission for Human Rights, 2 Industrial Park Drive, Concord, NH 03301; Telephone number: (603) 271-2767; Email: humanrights@nh.gov

Notwithstanding any other remedy, any person may contact the police or pursue a criminal prosecution under state or federal criminal law.

H. Retaliation Prohibited.

No reprisals or retaliation of any kind will be taken by the Board or by any District employee against the complainant or other individual on account of his or her filing a complaint or report or participating in an investigation of a complaint or report filed and decided pursuant to this policy, unless that person knew the complaint or report was false or knowingly provided false information.

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I. Administrative Procedures and Regulations.

The Superintendent shall develop such other procedures and regulations as are necessary and appropriate to implement this Policy.

J. Notice of Compliance.

The Superintendent will provide notice of compliance with federal and state civil rights laws to all applicants for employment, employees, students, parents, and other interested persons, as appropriate.

Adopted: January 21, 2021 (SAU)

ACAC – TITLE IX SEXUAL HARASSMENT POLICY AND GRIEVANCE PROCESS

I. RESTATEMENT OF POLICY PROHIBITING DISCRIMINATION ON THE BASIS OF SEX.

Per Board policy AC, Title IX of the Education Amendments Act of 1972 ("Title IX"), as well as RSA 193:38, among others, SAU 39 and its constituent Districts do not discriminate on the basis of sex in their educational programs and activities, including employment and admissions. All forms of sex-based discrimination, including sexual harassment are prohibited in SAU 39 and its Districts.

II. TITLE IX SEXUAL HARASSMENT POLICY.

A. Application of This Policy.

While all forms of sex-based discrimination are prohibited the purpose of this policy is to address, and only to address, *sexual harassment as defined in Title IX and Sec. II.B*, below, that occurs within the educational programs and activities, and to provide a grievance process for investigating and reaching a final determination of responsibility for a formal complaint of sexual harassment. The "Title IX Grievance Process" is set out in Sec. III below. While all "reports" received of sexual harassment must be responded to, the Title IX Grievance Process is initiated only with the filing of a formal complaint.

The purpose of this Policy, however, is to address, and only to address, sexual harassment as defined in Title IX that occurs within educational programs and activities. For harassing conduct which does not meet the definition of sexual harassment under Title IX and this Policy, the response will be governed under other applicable laws and policies per Board policy AC, and policies referenced therein.

This Policy shall apply to all students, employees, and any third party who contracts with the District or SAU to provide services to District or SAU students or employees, upon District or SAU property or during any school program or activity.

Nothing in this policy will be construed to confer on any third party a right to due process or other proceedings to which student and employee respondents are entitled under this policy unless such right exists under law. Volunteers and visitors who engage in sexual harassment will be directed to leave school property and/or be reported to law enforcement, the NH Division of Children, Youth and Families (DCYF), as appropriate. A third party under the supervision and control of the school system will be subject to termination of contracts/agreements, restricted from access to school property, and/or subject to other consequences, as appropriate.

The Superintendent shall have overall responsibility for implementing this Policy, and shall annually appoint a District Title IX Coordinator as that position is described in Section II.C, below. The name and contact information for the Title IX Coordinator is set forth in Board Policy AC-E, which policy shall be updated and disseminated annually with the Title IX Coordinator's name as set forth in Board policy AC.

B. Definitions.

As used in this Policy and the Title IX Grievance Process, the terms below shall have the meaning ascribed.

"Actual knowledge" occurs when the District's Title IX Coordinator or **ANY** employee (other than a "respondent" or alleged harasser) receives a notice, report or information or becomes aware of sexual harassment or allegations of sexual harassment.

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"Complainant" is an individual who is alleged to be the victim of conduct that could constitute sexual harassment, whether or not that person files a report or formal complaint.

"Days" shall mean calendar days, but shall exclude non-weekend days on which the SAU office is closed (e.g., holidays, office-wide vacations), or any weekday during the school year on which school is closed (e.g., snow days).

"Decision Maker" means persons tasked with: the responsibility of making initial determinations of responsibility (at times referred to as "initial decision maker"); or the responsibility to decide any appeal (at times "appeals decision maker") with respect to formal complaints of sexual harassment in accordance with the Title IX Grievance Process.

"Determination of Responsibility" is the formal finding by the decision-maker on each allegation of Sexual Harassment contained in a Formal Complaint that the Respondent did or did not engage in conduct constituting Sexual Harassment Under Title IX.

"Formal Complaint" means a document filed by a complainant, the complainant's parent/guardian, or the Title IX Coordinator, alleging sexual harassment against a respondent, and requesting that the district investigate the allegation of sexual harassment.

"Respondent" is an individual who is reported to be the individual accused of conduct that could constitute sexual harassment.

"Sexual harassment" prohibited under Title IX and by this policy *is conduct on the basis of sex* (including, without limitation, gender, sexual orientation, and/or gender identity), occurring in a school system education program or activity that satisfies one or more of the following:

1. An employee conditioning an aid, benefit, or service of an education program or activity on an individual's participation or refusal to participate in sexual conduct irrespective of whether the conduct is welcomed by the student or other employee;
2. Unwelcome sex-based/related conduct determined by a reasonable person to be so severe, pervasive, **AND** objectively offensive that it effectively denies a person equal access to the education program or activity (this standard requires consideration of all the facts and circumstances, including, but not limited to, the ages and disability statuses of the harasser and victim and the number of individuals involved and their authority; **OR**
3. Sexual assault, dating violence, domestic violence, or stalking as defined in state or federal law.

Behaviors that constitute sexual harassment may include, but are not limited to:

- i. Sexually suggestive remarks or jokes;
- ii. Verbal harassment or abuse;
- iii. Displaying or distributing sexually suggestive pictures, in whatever form (e.g., drawings, photographs, videos, irrespective of format);
- iv. Sexually suggestive gesturing, including touching oneself in a sexually suggestive manner in front of others;
- v. Harassing or sexually suggestive or offensive messages that are written or electronic;

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- vi. Subtle or direct propositions for sexual favors or activities;
- vii. Touching of a sexual nature or groping; and
- viii. Teasing or name-calling related to sexual characteristics or the belief or perception that an individual is not conforming to expected gender roles or conduct.

Note: incidents of the above conduct would still need to satisfy one or more of the criteria in paragraphs 1-3 of this definition.

Sexual harassment may be directed against a particular person or persons, or a group, whether of the opposite sex or the same sex.

The context of behavior can make a difference between conduct falling within the technical definition of Sexual Harassment Under Title IX, and conduct of a sexual nature that is offensive or hostile in itself, but which does not arise to the level within that definition. **Policies prohibit both, but for purposes of its Title IX obligations the organization must address reports or complaints of conduct which may constitute sexual harassment as defined above, under this specific, limited scope Policy and Title IX Grievance Process.** Except as used in other laws (e.g., Title VII) or policies pertaining to harassment, including of a sexual nature, other than Title IX sexual harassment, all references to “sexual harassment” in this policy mean sexual harassment that meets the above definition.

Conduct that satisfies this definition is not sexual harassment for purposes of this policy if the conduct occurred (1) outside the United States or (2) under circumstances in which the school system did not have substantial control over both the harasser/respondent and the context in which the harassment occurred.

NOTE Regarding Concurrent Enrollment and Dual Enrollment, Extended Learning Opportunities, 3rd Party Distance Learning and Other Alternative Instructional Programs: Under federal regulations, in order for the District to have jurisdiction over conduct that would otherwise meet the definition above of sexual harassment, the District must have substantial control over both the respondent and the context in which the harassment occurred. In general, this will mean that unless such learning program is occurring upon district property, conduct otherwise meeting the definition of sexual harassment within that program, may not be subject to this policy.

“Supportive Measures” are free, non-disciplinary, non-punitive, individualized services and shall be offered to the complainant, and may be offered to the respondent, as appropriate. These measures may include, but are not limited to, the following:

1. Counseling;
2. Course modifications;
3. Schedule changes; and
4. Increased monitoring or supervision

Such measures shall be designed to restore or preserve equal access to the District’s education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District’s educational environment and/or deter

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sexual harassment. Supportive measures shall remain confidential with exclusive exceptions stated required in Sec. II.E, below.

C. Title IX Coordinator.

The Title IX Coordinator shall respond promptly to all general reports as well as formal complaints of sexual harassment. the Title IX Coordinator shall receive general and specific reports of sexual harassment, and coordinate the District's responses to both reports and formal complaints of sexual harassment so that the same are prompt and equitable. In addition to any other specific responsibilities assigned under this Policy, or as assigned by the Superintendent, the Title IX Coordinator will be responsible for:

1. meeting with a complainant, and informing the parent/guardian once the Title IX Coordinator becomes aware of allegations of conduct that could constitute sexual harassment as defined in this Policy;
2. identification and implementation of supportive measures;
3. signing or receiving formal complaints of sexual harassment;
4. engaging with the parents/guardians of parties to any formal complaint of sexual harassment;
5. coordinating with District and school-level personnel to facilitate and assure implementation of investigations, and remedies, and helping to assure that the organization otherwise meets its obligations associated with reports and complaints of sexual harassment;
6. coordinating with the Superintendent with respect to assignment of persons to fulfill the organization's obligations, both general and case specific, relative to this Policy (e.g., investigator, decision makers, etc.; this may involve the retention of third party personnel.);
7. coordinating with personnel to assure appropriate training and professional development of employees and others in accordance with Sec. II.D of this Policy; and
8. helping to assure that appropriate systems are identified and maintained to centralize sexual harassment records and data.

In cases where the Title IX Coordinator is unavailable, including unavailability due to a conflict of interest or other disqualifying reason (see Sec. II.G, below), the Superintendent shall assure that another person with the appropriate training and qualifications is appointed as acting Title IX Coordinator for that case, in such instances "Title IX Coordinator" shall include the acting Title IX Coordinators.

D. Training.

All employees shall receive regular training relative to mandatory reporting obligations, and any other responsibilities they may have relative to this Policy.

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must receive training on the definition of sexual harassment, this Policy, the scope of education programs or activities, and how to conduct an investigation (including the requirements of the reporting and the Title IX Grievance Process, including hearings, appeals, and information resolution processes). The training must also include avoiding prejudgment of the facts, conflicts of interest and bias.

Decision-makers must also receive training on issues of relevance of questions and evidence, including when questions about the complainant's sexual predisposition or prior sexual behavior are not relevant.

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Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment, and must be made available to the public as provided in Sec. II.H of this Policy.

E. Confidentiality.

The District confidentiality of the complainant and the respondent will be respected as much as possible, however, some information may need to be disclosed to appropriate individuals or authorities. All disclosures shall be consistent with the organization's legal obligations and the necessity to investigate allegations of harassment and take disciplinary action. Examples of required disclosure include:

1. information to either party to the extent necessary to provide the parties due process during the Title IX Grievance Process;
2. information to individuals who are responsible for handling the organization's investigation and determination of responsibility to the extent necessary to complete the grievance process;
3. mandatory reports of child abuse or neglect to DCYF or local law enforcement(per Board policy JLF;
4. information to the complainant's and the respondent's parent/guardian as required under this Policy and or the Family Educational Rights and Privacy Act ("FERPA"); and
5. reports to the New Hampshire Department of Education as required under N.H. Code of Administrative Rules Ed 510 regarding violations of the NH Code of Conduct for Education Professionals.

Additionally, any supportive measures offered to the complainant or the respondent shall remain confidential to the extent that maintaining such confidentiality would not impair the ability of the school district to provide the supportive measures.

Except as specified above, the organization shall keep confidential the identity of:

1. Any individual who has made a report or complaint of sex discrimination;
2. Any individual who has made a report or filed a formal complaint of sexual harassment;
3. Any complainant;
4. Any individual who has been reported to be the perpetrator of sex discrimination¹;
5. Any respondent; and
6. Any witness.

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Any supportive measures provided to the complainant or respondent shall be kept confidential to the extent that maintaining such confidentiality does not impair the ability of the District to provide the supportive measures.

F. Retaliation Prohibited.

Retaliation against any person who makes a report or complaint, or against any person who assists, participates, or refuses to participate² in any investigation of an act alleged in this Policy is prohibited. Actions taken in response to **materially** false statements made in bad faith, or to submitting **materially** false information in bad faith, as part of a report or during the Title IX Grievance Process do not constitute retaliation. A finding of responsibility alone is insufficient to conclude that a person made a materially false statement in bad faith. Complaints of retaliation with respect to reports or formal complaints of sexual harassment shall be filed under the District's general grievance process.

G. Conflict of Interest.

No person designated as a Title IX Coordinator, investigator, decision-maker, nor any person designated to facilitate an informal resolution process, may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

H. Dissemination and Notice.

The District and SAU shall include in all student and employee handbooks, and shall make publicly available on the district's website the following information:

1. The policy of non-discrimination on the basis of sex (included in Board policy AC),
2. the title, name, office address, email address, and telephone number of the Title IX Coordinator (to be provided pursuant to Board policy AC and its addendum, updated annually, AC-E;
3. the complaint process;
4. how to file a complaint of sex discrimination or sexual harassment;
5. how the District will respond to such a complaint; and
6. a statement that Title IX inquiries may be referred to the Title IX Coordinator or to the Assistant Secretary for Civil Rights.

The same information shall be provided to all persons seeking employment with the organization, or seeking to enroll or participate in the organization's educational programs or activities.

Additionally, the organization will make this Policy, as well as any materials used to train personnel as required under Sec. II.D publicly available on its website.

I. Records and Record Keeping.

1. For each report or formal complaint of sexual harassment, the organization, through the Title IX Coordinator, must create, and maintain for seven (7) years, record of:
 - a. Any actions, including any supportive measures,

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- b. The basis for the organization's conclusion that its response was not deliberately indifferent; and
 - c. Documentation which:
 - If supportive measures were provided to the complainant, a description of the supportive measures taken designed to restore or preserve equal access to the organization's education program or activity; or
 - If no supportive measures were provided to a complainant, explains the reasons why such a response was not clearly unreasonable in light of the known circumstances.
2. In addition, the organization shall maintain the following records for a minimum of seven (7) years:
- a. Records for each formal complaint of sexual harassment, including:
 - Any determination regarding responsibility, including dismissals;
 - Any disciplinary sanctions imposed on the respondent;
 - Any remedies provided to the complainant designed to restore or preserve equal access to the organization's education program or activity;
 - Any appeal and the result therefrom;
 - Any informal resolution process and the result therefrom;
 - b. All materials used to train Title IX Coordinators, investigators, and decision-makers.

J. Reports of Sexual Harassment, Formal Complaints and District Responses.

1. Report of Sexual Harassment.

NOTE: *A report does not initiate the formal Title IX Grievance Process. That process is begun only upon the filing of a formal complaint under the procedures set out in II.J.3, and III.A, below.*

Any person may report sexual harassment whether relating to her/himself or another person. **However, if any District employee – other than the employee harasser, or the Title IX Coordinator – receives information of conduct which may constitute sexual harassment under this Policy, s/he shall, without delay, inform the Title IX Coordinator** of the alleged sexual harassment. Failure to report will subject the employee to discipline up to and including dismissal.

A report of sexual harassment may be made at any time, in person, by mail, by telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Additionally, while the organization strongly encourages reports of sexual harassment to be made directly to the Title IX Coordinator, the report may be made to **any** staff member, including, for instance, a counselor, teacher or principal.

If the Title IX Coordinator is the alleged respondent, the report or formal complaint may be made directly to the Superintendent, who shall thereafter fulfill the functions of the Title IX Coordinator regarding that report/complaint, or delegate the function to another person.

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NOTE: For any allegation of sexual assault on a student under the age of 18, such conduct shall be reported immediately to the DCYF per Board policy JLF. If the alleged respondent (perpetrator) is a person holding a license or credential from the New Hampshire Department of Education (i.e., "credential holder"), then a report shall also be made to the Department.

2. Response to Report of Sexual Harassment.

The organization will promptly respond when there is actual knowledge of sexual harassment, even if a formal complaint has not been filed. The organization shall treat complainants and respondents equitably by providing supportive measures to the complainant and by following the Title IX Grievance Process prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

As soon as reasonably possible after receiving a report of alleged sexual harassment from another employee or after receiving a report directly through any means, the Title IX Coordinator shall contact the complainant to:

- i. discuss the availability of and offer supportive measures;
- ii. consider the complainant's wishes with respect to supportive measures;
- iii. inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- iv. explain to the complainant the process for filing a formal complaint.

3. Formal Complaints.

Pursuant to federal regulations, and this Policy, a formal complaint that contains an allegation of sexual harassment and a request that the organization investigate the allegations is required before the organization may conduct a formal investigation of sexual harassment or take any action (other than supportive measures) against a person accused of sexual harassment. **Once a formal complaint of sexual harassment is received by the Title IX Coordinator, s/he shall commence the Title IX Grievance Process set out in Sec. III below. The process for filing a formal complaint is set forth in Sec. III.A.**

4. Limitation on Disciplinary Action.

In no case shall the organization impose disciplinary consequences or sanctions against a respondent who has been accused of conduct which may constitute sexual harassment, until the Title IX Grievance Process has been completed.

5. Emergency Removal and Administrative Leave.

At any point after receiving a report or formal complaint of sexual harassment, the Title IX Coordinator (or other District official charged with a specific function under this Policy or the Title IX Process: e.g., investigator, decision maker, etc.) may request the Superintendent to direct that an individualized safety and risk analysis be performed to determine whether a respondent student is an immediate threat to the physical health or safety of any person. In the event that the safety and risk analysis determines that the respondent student does present an immediate threat to the physical health and safety of any person, the District may remove that student, provided that such removal is in full compliance with the IDEA, a student's IEP and or 504 plan if applicable. Such

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emergency removal shall not be disciplinary. However, the District must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal, and shall continue to offer educational programming until a final determination is made pursuant to the Title IX Grievance Process.

The Title IX Coordinator shall keep the Superintendent of Schools informed of any employee respondents so that he/she can make any necessary reports to New Hampshire Department of Education in compliance with applicable administrative rules and the New Hampshire Code of Conduct for Educational Professionals. In appropriate cases, the Superintendent may place an employee respondent on non-disciplinary administrative leave pursuant to RSA 189:31.

III. TITLE IX GRIEVANCE PROCESS.

The Title IX Grievance Process is used only upon the filing of a formal complaint of sexual harassment as described in Sec. III.A, below. The provisions of Section I of the Policy are incorporated as part of the Title IX Grievance Process. Upon receipt of a formal complaint of sexual harassment, the Title IX Coordinator will coordinate the organization's efforts to comply with its responsibilities related to the Title IX Grievance Process.

A. Process for Filing a Formal Complaint of Sexual Harassment.

The Title IX Grievance Process is initiated by way of a formal complaint ("complaint" or "formal complaint") filed by the complainant, the complainant's parent/guardian, or the Title IX Coordinator. The complainant may file a complaint or choose not to file a complaint and simply receive the supportive measures. If the Complainant does not file a complaint, the Title IX Coordinator may sign a formal complaint, but only if initiating the grievance process against the respondent is not clearly unreasonable in light of the known circumstances, and in other cases where, in the exercise of good judgment and in consultation with an attorney as appropriate, the Title IX Coordinator determines that a grievance process is necessary to comply with the obligation not to be deliberately indifferent to known allegations of sexual harassment (e.g., reports of sexual assault, employee on student harassment, repeat reports, or the conduct in the complainant's report has not been adequately resolved through the provision of supportive measures). If the complaint is filed by the Title IX Coordinator, he/she is not a party to the action, and the organization must comply with all of the provisions of the Title IX Grievance Process relative to respondents and complainants.

If no formal complaint is filed by the complainant or the Title IX Coordinator no disciplinary action may be taken against the respondent based upon conduct that would constitute sexual harassment under this policy.

Although there is no time limit per se to filing a formal complaint, for complaints initiated by the complainant or his/her parent/guardian, the complainant must be employed by the organization or participating in or attempting to participate in the education program or activities of the District at the time of filing. Additionally, although the organization will initiate the Title IX Grievance Process regardless of when the formal complaint is submitted, delays in reporting may significantly impair the ability of officials to investigate and respond to the allegations.

At a minimum, a formal complaint must:

1. contain the name and address of the complainant and the student's parent or guardian if the complainant is a minor student;
2. describe the alleged sexual harassment.

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3. request an investigation of the matter, and
4. be signed by the complainant or otherwise indicate that the complainant is the person filing the complaint.

B. Initial Steps and Notice of Formal Complaint.

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(initial decision maker). In all cases, the investigator and the initial decision maker must be properly trained and otherwise qualified (see Sec. II.D "Training", and Section II.G "Conflict of Interest").

7. If the report alleges sexual harassment by the Superintendent, the Title IX Coordinator will inform the Board Chair and the latter of whom shall have authority to seek guidance from the organization's general counsel, but shall not delay response to the report as outlined in this Policy.

C. General Provisions and Additional Definitions Relative to Title IX Grievance Process.

1. Copies and Notices. Except as specifically stated elsewhere in this Policy, for any document, information or material required to be delivered to a party or to a person assigned with responsibility under the Title IX Grievance Process, the manner of transmittal may be by electronic mail, regular mail or such other manner reasonably calculated to assure prompt delivery with evidence thereof (such as a commercial carrier or other receipted delivery). Hand delivery will only be permitted if made to the official charged with the specific function under this Policy (e.g., Title IX Coordinator, Superintendent, investigator, decision maker(s), etc.). Any document required to be delivered to a minor or other non-eligible student, must also be delivered to the minor's parent/guardian. Copies should also be sent to a party's advisor if the information for the advisor has been previously communicated to the sending party. (Under federal regulations, copies of the investigative evidence, as well as the investigative report, must be forwarded to a party's advisor. See Sections III.E.3, and III.E.4).
2. Risk Analysis and Emergency Removal. At any point during the Title IX Grievance Process, the Title IX Coordinator may arrange for an individualized safety and risk analysis as described in Sec. II.J.5, following which a student may be removed.
3. Administrative Leave. At any point during the Title IX Grievance Process, the Superintendent, and at his/her own discretion, and with or without consulting the Title IX Coordinator, may place an employee on administrative leave pursuant to RSA 189:31.
4. Additional Allegations. If, in the course of an investigation, the organization decides to investigate allegations about the complainant or respondent that were not included in the previous notice, the organization shall simultaneously provide notice of the additional allegations to the parties whose identities are known.
5. No Interference with Legal Privileges. At no point in process will the Title IX Coordinator, the investigator, any decision maker, or any other person participating on behalf of the organization, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege (e.g., doctor/patient, attorney/client, clergy, etc.), unless the person holding such privilege (parent/guardian for minor student) has waived the privilege in writing to use the information with respect to the Title IX Grievance Process.
6. Consolidation of Complaints. The organization may consolidate formal complaints of allegations of sexual harassment where the allegations of sexual harassment arise out of the same facts or circumstances and the formal complaints are against more than one respondent; or by more than one complainant against one or more respondents; or by one party against the other party. When the organization has consolidated formal complaints so that the grievance process involves more than one complainant or more than one respondent, references to the singular "party", "complainant", or "respondent" include the plural, as applicable.

5 - "the Investigation Letter"

AMHERST, MONT VERNON, SOUHEGAN, and SAU39 POLICY

ACAC – TITLE IX SEXUAL HARASSMENT POLICY AND GRIEVANCE PROCESS

7. Remedies: Range of Disciplinary Sanctions and Remedial Actions Upon Final Determination of Responsibility.
 - a. "Disciplinary sanctions" are consequences imposed on a respondent when s/he is found responsible for sexual harassment under this Policy. Remedial actions are actions intended to restore or preserve a complainant's equal access to the educational programs and activities of the District.
 - b. "Disciplinary sanctions" against an employee respondent may include any available sanction available for the discipline of employees, up to and including dismissal or non-renewal for any other violation of Board policy, NH Code of Conduct for Educational Professionals, applicable individual or collective bargaining contract, or state or federal laws or regulations.
 - c. "Disciplinary sanctions" against a student may include any available discipline or sanction, up to and including expulsion, under the policies, rules and procedures that establish the district's comprehensive student code of conduct.
 - d. "Remedial actions" as to a respondent after a final finding of responsibility, whether employee or student, may include the imposition upon a responsible respondent of any additional non-disciplinary measures appropriate to effecting a remedy for sexual harassment, and may include such measures as no-contact requirements, scheduling adjustments, removal or exclusion from extracurricular activities, class reassignments, limits on future class registrations, restrictions on access to various spaces in the school buildings, reassignment of attendance, and similar measures fine-tuned to respond appropriately to the circumstances surrounding a successful complainant's right to access the district's program and activity.

Additional remedial actions may include recommendations that a school-wide or system-wide response is needed in order to respond to the sexual harassment in a way that is not clearly unreasonable under the circumstances. In such cases, the Superintendent shall provide additional staff training, harassment prevention programs, or such other measures as determined appropriate to protect the safety of the educational environment and/or to deter sexual harassment.

D. Timeframe of Grievance Process.

The organization shall make a good faith effort to conduct a fair, impartial grievance process in a timely manner designed to provide all parties with a prompt and equitable resolution. It is expected that in most cases, the grievance process will be concluded through at least the determination of responsibility decision within 80 days after filing the formal complaint. In more complex cases, the time necessary to complete a fair and thorough investigation or other circumstances mean that a determination of responsibility cannot reasonably be made within that timeframe.

1. Summary of Grievance Process Timeline.
 - a. Investigation 20 +/- days as the complexity of the case demands (Sec. III.E.1)
 - b. 10 days for reviewing information prior to conclusion of investigation
 - c. 10 days after receiving report to respond to report
 - d. 10 days for decision maker to allow initial questions
 - e. 10 days for responses to questions

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- f. 10 days for questions and responses to follow-up questions.
 - g. 10 days for determination of responsibility decision
 - h. 10 days for appeal (6 additional days for administrative steps)
 - i. 10 days for argument/statement challenging or supporting determination
 - j. 10 days for decision on appeal
2. Delays and Extensions of Time. At any stage of the grievance process, the Superintendent, or if the Superintendent is the respondent, the Title IX Coordinator or designee may for good cause allow for temporary delays or extensions of time upon request of either party, or on his/her own initiative. Examples of good cause may include such things as availability of parties or witnesses, school or school administrative office holidays or vacations, referral back to an earlier stage of the grievance process, concurrent law enforcement or other agency activity, or need to obtain interpreters or accommodation of disabilities. For any such delay or extension of time, the Superintendent or the Title IX Coordinator will provide written notice to the parties of the delay/extension and the reason(s).

E. Investigation.

The Title IX Coordinator will coordinate the investigation. The investigator shall be as appointed pursuant to Sec. III.B.5.

1. The Title IX Coordinator may conduct the investigation, or, in consultation with the Superintendent, designate another qualified person to investigate. The investigation and investigator must:
 - a. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence. (Evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such evidence about the complainant's prior sexual behavior is offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the evidence concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is offered to prove consent.)
 - b. Ensure that the burden of proof and the burden of gathering evidencesufficient to reach a determination regarding responsibility rests on the organization and not on either of the parties;
 - c. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence;
 - d. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
 - e. Provide the parties with the same opportunities to have others present during any interview or other part of the investigation, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The investigator may restrict any others from participating, as long as the restrictions apply equally to both parties;
 - f. Provide, to a party (e.g., respondent or complainant – and parent/guardian as appropriate) whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate within the timeframes established in Sec. III.D. below.

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- g. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint;
2. Prior to completion of the investigative report, the organization, through the Title IX Coordinator, must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;
3. The investigator must prepare a written investigative report that fairly summarizes relevant evidence, including, without limitation, witness credibility, discrepancies, inculpatory and exculpatory information, and relevant District policies, rules and regulations, and the manner in which the same were made known to the pertinent school populations or specific parties. The investigative report shall include a description of the procedural steps taken, starting with the receipt of the formal complaint, and continuing through the preparation of the investigative report, including any notifications to the parties, interview with parties and witnesses, site visit, and methods used to gather evidence.
4. The investigator shall provide the investigative report in hard copy or electronic format to the Title IX Coordinator, to each party and each party's advisor, if any. Each party will have 10 days from receipt to provide the Title IX Coordinator a written response to the investigative report.
5. It serves all parties when investigations proceed diligently and conclude within a reasonable time, which may vary case by case. In most cases, it is expected that the investigator will conclude the initial investigation, and provide the parties the evidence and other information required under Sec. III.E.2. Not more frequently than every other week, any party may request the Title IX Coordinator to obtain and provide the parties with a basic status report on the investigator's progress toward completion. In most cases, the investigator should conclude the investigation within 10-20 days after receiving a Formal Complaint.

F. Determination of Responsibility and Initial Decision Maker.

The determination of responsibility of the respondent shall be made by the initial decision maker as appointed pursuant to Section III.B.5.

1. Prior to making a determination of responsibility, the initial decision maker will afford each party 10 days to submit written, relevant questions to the initial decision maker that the party wants asked of any party or witness.
2. The initial decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainants prior sexual behavior with respect to the respondent and are offered to prove consent.
3. The initial decision maker will provide the questions to the party/witness, with copies to each party, and provide no less than 10 days for written responses, likewise to be provided to each party.

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4. The initial decision maker will provide 5 days each for supplementary, limited follow-up questions and 5 days for answers, and may provide for additional rounds of follow-up questions, as long as the provision is extended to both parties equally.
5. The initial decision maker may not make any creditability determinations based on the person's status as a complainant, respondent or witness.
6. The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
7. The initial decision maker may impose disciplinary sanctions and remedies as described in Section III.C7, above.
8. The standard to be used for formal complaints in determining whether a violation has occurred and/or that the respondent is responsible is the preponderance of the evidence standard, which is only met when the party with the burden convinces the fact finder (the initial decision maker) that there is a greater than 50% chance that the claim is true (i.e., more likely than not).
9. The initial decision-maker must issue a written determination/decision within 10 after the close of the period for responses to the last round of follow-up questions. The written "Initial Determination of Responsibility" must include:
 - a. Identification of the allegations potentially constituting sexual harassment;
 - b. A description of the procedural steps taken from the receipt of the formal complaint through the Initial Determination of Responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
 - c. Findings of fact supporting the determination;
 - d. Conclusions regarding the application of the applicable codes of conduct, policies, administrative regulations or rules to the facts;
 - e. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility (i.e., whether or not the respondent is responsible for sexual harassment), and any disciplinary sanctions or remedies; and
 - f. The procedures and permissible bases for the complainant and respondent to appeal (as set forth in Section III.H, below).
10. The decision maker shall provide the Initial Determination of Responsibility to the Title IX Coordinator, the Superintendent and the parties simultaneously.

G. Dismissal of a Formal Complaint.

1. The organization must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:
 - a. Would not constitute sexual harassment, even if proved;
 - b. Did not occur in the organization's education program or activity; or
 - c. Did not occur against a person in the United States.

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2. The organization may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or determination of responsibility stage(s):
 - a. A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
 - b. The respondent is no longer enrolled or employed by the District; or
 - c. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
3. Prior to dismissal of a complaint, the person responsible at that stage shall consult with the Superintendent.
4. Upon dismissal of a formal complaint, the organization must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude the organization from continuing any investigation or taking action under other organization policies, code of conduct or administrative rules/regulations. In some cases, the organization may have an obligation to continue an investigation and proceed under a different policy or mandated process.

H. Appeals Process.

1. Either party may appeal the Initial Determination of Responsibility or the dismissal of a formal complaint or any allegation in a formal complaint by notifying the Superintendent in writing ("written appeal"), with a copy to the Title IX Coordinator. If there are multiple determinations of responsibility, the written appeal shall specify which ones are included in the appeal. The written appeal must be received by the Superintendent within 10 days of the Initial Determination of Responsibility or written notice of dismissal being communicated to the parties.
2. An appeal under this Policy may only be based upon one or more of the following bases, which must be stated specifically in the party's written appeal:
 - i. Procedural irregularity that affected the outcome of the matter;
 - ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
 - iii. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeals for any other reason or upon any determination of responsibility not included in the written appeal will not be heard.

Appeals pertain only to the determination of responsibility and non-disciplinary remedies. Once a determination of responsibility is final per Sec. III.I, below, appeals of disciplinary sanctions may be made pursuant to the organization's ordinary review process for discipline, or, to the extent applicable, any statutory or other processes provided under collective bargaining agreements or individual contracts.

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3. Within 3 days of receipt of the written appeal, the Superintendent shall appoint a decision maker for appeal ("appeals decision maker"), who must have adequate training as provided in Section II.D, be free from conflict of interest as provided in Section II.G, and may not be the same person as the initial decision maker, the person who ordered dismissal, the investigator(s), or the Title IX Coordinator. Upon the appointment of the appeals decision maker, the Superintendent shall provide a Notice of Appeal to each party and to the Title IX Coordinator, with a copy of the written appeal. The Notice of Appeal must include information about all deadlines and timeframes in the appeal stage.
4. Each party shall have 10 days from the date the Notice of Appeal is delivered to the parties to submit to the appeals decision maker a written statement, with copies to the Superintendent, Title IX Coordinator, and other party a statement ("appeal statement") in support of, or challenging, the determination of responsibility or dismissal.
5. Each party shall provide copies of the appeal statement to the other party, the Superintendent, and the Title IX Coordinator at the same time the appeal statement is given to the appeals decision maker. If the basis of the appeal is newly available evidence affecting the outcome, the party shall submit such evidence or a summary of such evidence along with the party's appeal statement.
6. The appeals decision maker may refer an appealed issue back to a prior point in the grievance process, with written notice to the parties, the Superintendent and the Title IX Coordinator.
7. The appeals decision maker shall provide a written appeals decision after considering the record and the parties' appeal statements. The appeals decision maker will only overturn the Initial Determination of Responsibility upon a conclusion that it was clearly erroneous (i.e., either made on unreasonable grounds, or without any proper consideration of the circumstances). If the basis or one of the bases for the appeal was new evidence, the appeals decision maker may either make a determination of responsibility regarding that evidence, or refer it back to the appropriate stage of the Title IX Grievance Process. The written appeals decision will describe the result(s) of the appeal and the rationale, with copies provided to the parties, Superintendent and Title IX Coordinator, no more than 10 days after receiving the last of the parties' written statements per Section III.H.5.

I. Finality of Determination of Responsibility. The determination regarding responsibility becomes final either on the date that the recipient, through the Superintendent, provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal of the Initial Determination of Responsibility would no longer be considered timely. The final determination shall be identified as the Title IX Decision.

Once the Title IX Decision is final, the organization may implement remedies and disciplinary sanctions. The Title IX Coordinator is responsible for effective implementation of any non-disciplinary remedies, with the assistance of building and SAU administrative personnel, while disciplinary sanctions will be imposed by persons charged with such responsibilities under other Board policies, regulations or administrative procedures. The organization may also proceed against the respondent or complainant pursuant to the organization's applicable code of conduct or other Board policies, collective bargaining agreement, individual contract or administrative rules/regulations/procedures. The issue of responsibility for the conduct at issue shall not be subject to further review or appeal within the organization.

5 - "the Investigation Letter"

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J. Informal Resolution.

At any time prior to reaching a determination regarding responsibility (but only after the filing of a formal complaint), the organization may offer an optional informal resolution process (e.g., mediation, arbitration), provided that the organization:

1. Provides written notice to the parties disclosing:
 - a. The allegations of the formal complaint;
 - b. The requirements of the information resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to an informal final resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
 - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary written consent to the informal resolution process; and

In no event may the organization offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Adopted: January 21, 2021 (SAU)

5 - "the Investigation Letter" AMHERST, MONT VERNON, SOUHEGAN, and SAU39 POLICY

BCA – Board Member Code of Ethics

Each Board member should adhere to the following expectations to facilitate the Board in its duty of providing educational services within the District:



1. Attend all proper Board meetings, insofar as possible, and become informed concerning issues to be considered at those meetings.
2. Understand that the Board, as governing body, does not manage the District, but rather sets the broad goals and standards for the District by way of policies adopted by a quorum of the Board at proper meetings under the state's Right-to-Know law.
3. Be informed about current educational issues by individual study and through information, such as those sponsored by state and national school board associations.
4. Make decisions and take votes based upon the available facts, the full deliberation of the Board, and independent judgment; refuse to surrender or subordinate that judgement to any individual or special interest group.
5. Work respectfully with other Board members by encouraging the free expression of opinions and ideas, and by displaying and demonstrating courtesy and decorum at all public meetings and in all public statements.
6. Seek opportunities for the Board to establish systematic communication channels with students, staff, and members of the community.
7. Recognize that final Board actions will be supported by all members of the Board; take no private action that will compromise the Board or administration; and refrain from private actions which undermine or compromise official Board action.
8. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or in non-public session.
9. Recognize that individual Board members are without authority to act relative to District business, and may not individually speak for or commit the Board to any action except as specifically designated to do so by Board action.
10. Understand the chain of command and refer problems or complaints to the proper administrative office per applicable Board policies.
11. Work with other Board members to establish effective Board policies, and foster a relationship with the District administration toward the effective implementation of those policies.
12. Communicate to the Superintendent and to the Board (only as consistent with the state's Right-to-Know law) expressions of public reaction to Board policies, policies, and actions; and, encourage the public to express such reactions directly to the Superintendent and the Board.
13. Present personal criticisms concerning the District to the Superintendent rather than to District staff or the public.
14. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.
15. Avoid being placed in a position of conflict of interest and refrain from using Board position for personal or partisan gain.

Adopted: October 13, 2021 (SAU)

Signature Certificate

Document Ref.: KHUZH-YFM6H-6MKJN-NRWDA

Document signed by:

	<p>Stephen O'Keefe Verified E-mail: sokeefe@sau39.org</p>	<p><i>Stephen S. O'Keefe</i></p>
<p>IP: 107.115.17.68</p>	<p>Date: 01 Dec 2021 16:59:14 UTC</p>	

Document completed by all parties on:
01 Dec 2021 16:59:14 UTC

Page 1 of 1



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John Glover <jglover@sau39.org>

SAU 39 Investigation -- Interview Request

Sara S. Hellstedt <shellstedt@bernsteinshur.com>

Mon, Dec 6, 2021 at 12:48 PM

To: "jglover@sau39.org" <jglover@sau39.org>

Hello John,

I hope this email finds you doing well. As you may know, I have been asked to conduct a neutral, external investigation into allegations that you engaged in improper conduct at a November 9, 2021 Lawrence-Spalding Trust Committee meeting. I am hoping that you might be willing to share your account of what happened with me. Please let me know if there are any dates/times during the week of December 13 that would be convenient for you and I to connect via Zoom videoconference.

I look forward to hearing from you soon. In the meantime, please don't hesitate to reach out with any questions or concerns that you may have. Thank you and take care.

Sincerely,

Sara

Sara S. Hellstedt
she/her/hers pronouns
Shareholder

207 228-7124 direct

207 774-1200 main

207 774-1127 fax

[LinkedIn](#) | [Twitter](#)

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Confidentiality notice: This message is intended only for the person to whom addressed in the text above and may contain privileged or confidential information. If you are not that person, any use of this message is prohibited. We request that you notify us by reply to this message, and then delete all copies of this message including any contained in your reply. Thank you.

7 - "the Right-to-Know Response"

1. Any written policies or procedures regarding teachers taking school property off the school premises, which have been in effect at any time from July 1, 2018, to the present. None. See Policy GBEB re Staff Conduct, attached, for general conduct rules.
2. Any documents showing how the policies, if any, produced in response to Request#1, above, have been enforced from July 1, 2018, to the present. None. Any disciplinary records related to violations of Policy GBEB are exempt under RSA 91-A:5, IV.
3. Any written policies, emails, or other documents pertaining to the use of air purifiers at Souhegan High School, that have been in effect at any time after July 1, 2018. None specific to air purifiers but see an Emergency Policy on Personal Protective Measures, attached.
4. Any documents pertaining to the purchase of the air purifiers used during the 2020-2021 school year in the band room at Souhegan High School. Purchase orders for SHS Air Purifiers and Replacement Filters are attached.
5. Any documents showing the identity of teachers or staff whose employment with SAU 39 or any of the SAU 39 school districts ended after July 1, 2018. With regard to this request, if there are multiple responsive documents for each individual, then only one such document need be provided. I am NOT asking for the details of any separation or for anything showing personal contact information, just the identity of individuals who are no longer affiliated with the schools. Document attached.
6. Regarding the individuals identified in response to Request #5, above, any documents showing the date of separation from with SAU 39 or any of the SAU 39 school districts ended after July 1, 2018. If there are multiple responsive documents for each individual, then only one such document need be provided. Document attached.
7. For any teachers who have left employment with SAU 39 or any of the SAU 39 school districts since July 1, 2018, a copy of their last contract before separation. Contracts attached.
8. For any staff who left employment with SAU 39 or any of the SAU 39 school districts since July 1, 2018, one document per individual which shows their years of service at the time of separation. SAU 39 does not maintain a report or documents which show years of service for former employees.
9. For any teacher or staff who left employment with SAU 39 or any of the SAU 39 school districts since July 1, 2018, any official notices given to the school community via email or otherwise regarding the cause of the individuals separation (such as an email announcing a resignation or retirement). Documents attached.
10. Any complaint or grievance which was brought, pursuant to Policy GBK-R, Section 4, to the Souhegan Cooperative School Board at any time from July 1,

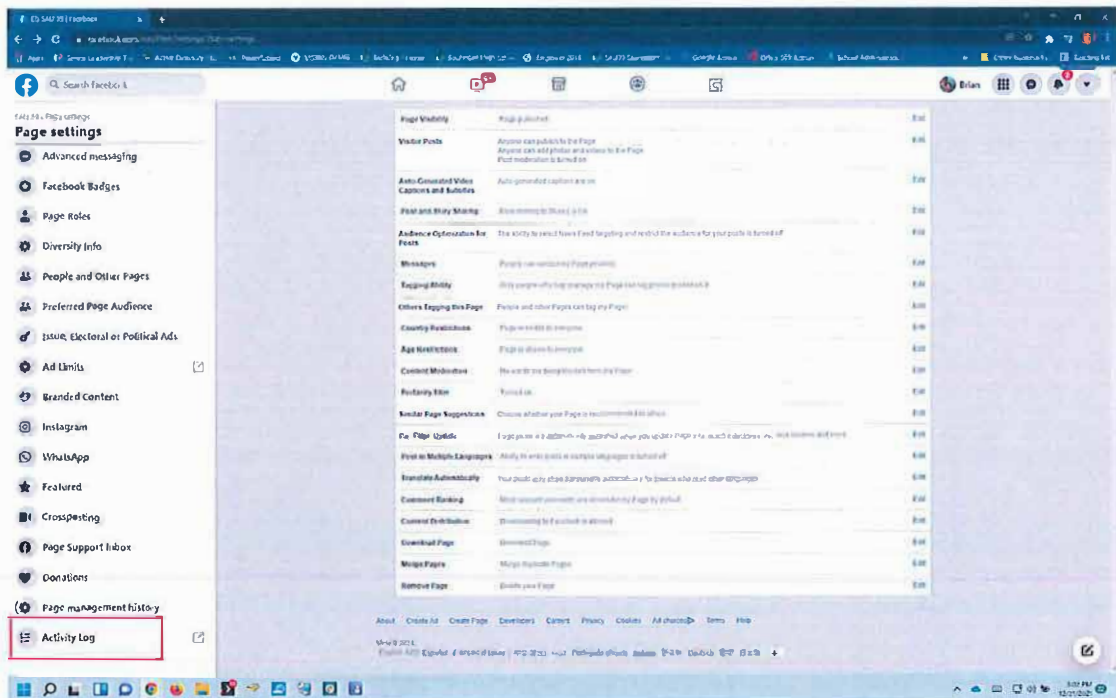
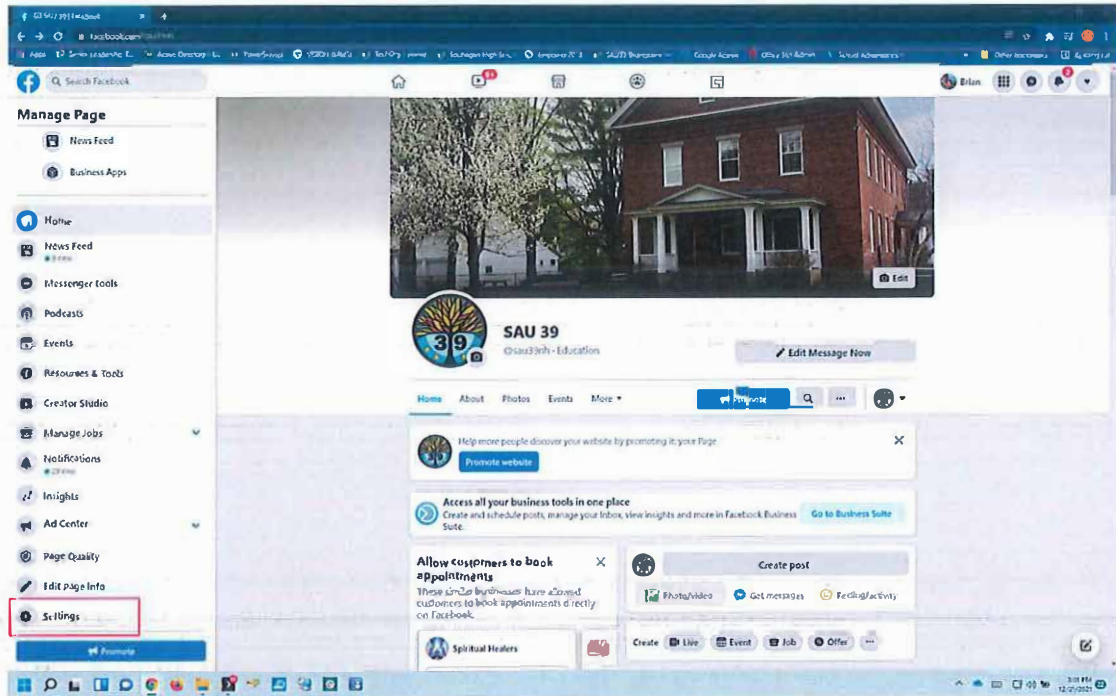
7 - "the Right-to-Know Response"

2018 to the present. [Employee grievance documents are exempt under RSA-91-A:5, IV.](#)

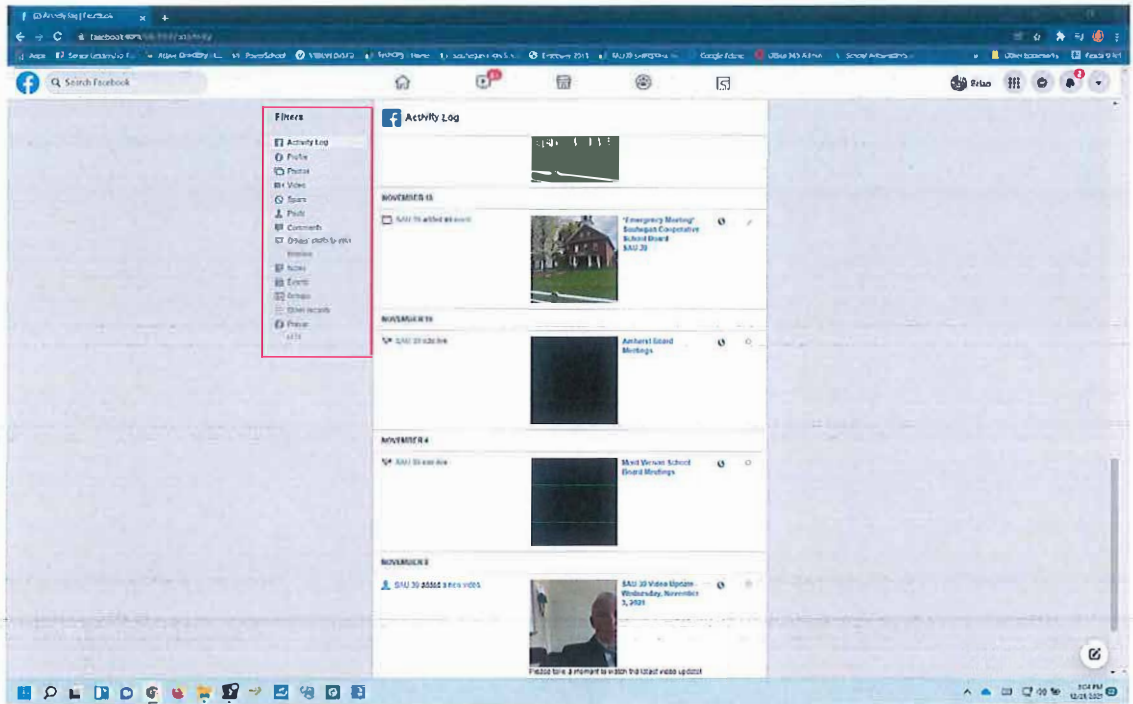
11. All Policy Committee Meeting Minutes pertaining to the proposed amendments of Policy GBK and/or GBK-R and created at any time from July 1, 2018, to the present. [This policy is currently under discussion. Meeting minutes from this summer are attached.](#)
12. Any documentation showing the rate or percentage of teacher and staff turnover from July 1, 2018 to the present of: [Lists of former employee from 2018 to present are provided in response to request #5 and 6. 2018 list is attached.](#)
 - a. SAU 39 Employees
 - b. Employees of the Souhegan Cooperative School District
 - c. Employees of the Amherst School District
 - d. Employees of the Mont Vernon School District
13. Any documentation showing the rate and/or percentage of teacher and staff turnover from July 1, 2013 through July 1, 2018 of: [None.](#)
 - a.SAU 39 Employees
 - b.Employees of the Souhegan Cooperative School District
 - c.Employees of the Amherst School District
 - d.Employees of the Mont Vernon School District
14. The original Facebook Posts, including all comments from the livestream of the SAU Board and the Souhegan Cooperative School Board meetings on November 18, 2021; and the Souhegan Cooperative School Board Meetings of November 15, 2021. While these appear to have been deleted from the SAU39 Facebook page, they are recoverable for a period of 30 days and, accordingly, remain available. If this request is denied for any reason, please accept this as my formal request that this information be preserved until a court can rule on the subject.

[The recovery of deleted Facebook posts is an available feature on a personal page. Currently, there is no method of recovering deleted Facebook posts from business pages. The location in which this option is found on a personal page \(Settings > Activity Log\), is not found on a business page. \(see below screenshots and additional screenshots attached\).](#)

7 - "the Right-to-Know Response"



7 - "the Right-to-Know Response"



15. The minutes and Zoom video, or any other recording of the Lawrence Spaulding Trust Committee meeting of November 9, 2021. While we had committee members join via Zoom, this meeting was not recorded. Minutes were taken in a memo format and shared with the school boards at their December meeting. A copy of the memo is attached.
16. Any documents showing the date of any complaint(s) made against John Glover regarding conduct during the Lawrence Spaulding Trust Committee meeting of November 9, 2021. See response to #17 below.
17. A copy of any complaint(s) regarding John Glover and his alleged conduct during the Lawrence Spaulding Trust Committee meeting of November 9, 2021. I am not seeking the identity of the individual(s) making such complain and have no objection to that information being redacted. Copies of the original complaints are attached. All other records related to this matter are exempt under RSA 91-A:5, IV.
18. Any emails or other communications between any employees of SAU 39 regarding the subject matter of the complaint(s) made against John Glover which were sent or received before the complaining individual officially filed the complaint. None.
19. The identity of any schools using the "Domain Leader" model which were reviewed while considering whether to adopt domain leaders within SAU 39 and its school districts. The SAU is not in possession of records that provide the

7 - "the Right-to-Know Response"

requested information.

20. Research or data on the success of the "Domain Leader" model in the schools identified in response to Request #19, above. The SAU is not in possession of records that provide the requested information.

Memo

To: Amherst School Board
and
Souhegan Cooperative School Board
From: SAU 39 Trust Fund Committee
Date: Nov 9, 2021
Re: Aaron Lawrence and Isaac Spalding Trusts
Attachment: 2005 Trust Fund Committee Summary

Task:

Update the Districts' management and usage of the trust funds designated for the Amherst schools through the Aaron Lawrence and Isaac Spalding Trusts

Committee:

Terri Behm, John Glover, Victoria Parisi, George Torres with administrative support from Assistant Superintendent Christine Landwehrle and Business Administrator Amy Facey

Findings:

As referenced in the attached 2005 summary, "Aaron Lawrence and Isaac Spalding in the late 1800's left money in Trust Funds designated for the Amherst schools... According to the Lawrence and Spalding wills, the Amherst schools should receive the income each year."

The 2020 Amherst Town Report provides information regarding the status of these funds as of June 30, 2020:

Isaac Spalding Trust	Date of Creation: 1/1/1867
Principal End of Year June, 2020	\$182,520.96
Interest End of Year June, 2020	\$28,056.37

Aaron Lawrence Trust	Date of Creation: 1/1/1894
Principal End of Year June, 2020	\$30,857.16
Interest End of Year June, 2020	\$7,438.57

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Plan for Managing the Fund:

The Committee used the 2005 model and made several changes to allow for a more open use of the funds for SAU 39 Amherst schools.

The Committee has agreed that the money from the Trust Funds will support professional development geared toward improving the quality of teaching and/or school programs. The funds will support the educational goals of the SAU 39 District, specifically the Amherst School District and the Souhegan Cooperative School District.

The funds are meant to pay for in-house or contracted educators to provide professional development and/or training for staff as well as the associated costs for such. The intent is for these funds to have the widest impact on the educational professionals within the districts. These funds could be used for a speaker to present to staff or for a consultant to provide job embedded coaching, mentoring, or other PD support. It is not intended to pay for attendees' salaries related to their time. Funds could be used to support an SAU-wide conference as originally noted in the 2005 document or used for other professional development. While this was entrusted to the town of Amherst for the schools, Mont Vernon educators are invited to attend such professional development as they are part of the SAU39 community.

At the time of the Wills, the schools were configured differently than they are today. The Committee agreed to continue the division of these funds between the Amherst School District and Souhegan Cooperative School District at a 60/40 split accordingly.

The funds would be managed by the Superintendent or his/her designee(s) who is responsible for curriculum development and the SAU #39 Professional Development Committee. As the Amherst Trustees of the Trust Fund have requested, that person would bring forth the plan for Board approval prior to the Trustees of the Trust Fund releasing funds. The Committee recommends that the funds are projected as revenue and expense for budgeting purposes.

15.

Summary of the "Trust Fund Committee's" Work

Task:

Decide how to manage and expend the Trust Funds that Jeanne Ludt discovered were designated for the Amherst Schools but have not been accessed for many years.

"Committee":

Jeanne Ludt and Pam Dudoff with administrative support from Howard Colter, Susan Ward and Steve Zadrevac

Findings:

Aaron Lawrence and Isaac Spalding in the late 1800's left money in Trust Funds designated for the Amherst Schools. The 2004 Amherst Town Report provides information regarding the status of these Trust Funds as of June 30, 2004:

Trust Fund	Principal		Income		Principal Only	
	Beg.	End	Beg.	End	Beg.	End
	Annual Delta		Annual Delta		Annual Delta	
A. Lawrence	\$12,607.98	\$12,486.35	\$7,246.86	\$7,587.08	\$17,131.65	\$19,202.31
	(\$121.63)		\$340.22		\$2,070.66	
I. Spalding	\$74,584.01	\$73,864.50	\$42,869.69	\$44,882.30	\$101,344.33	\$113,593.57
	(\$719.51)		\$2,012.61		\$12,249.24	
June 30, 2004 Totals	\$86,350.85		\$52,469.38		\$132,795.88	
Total 2004 Income			\$2,352.83			

According to the Lawrence and Spalding Wills, the Amherst Schools should receive the income each year. The fund has not been accessed in many years leading to the current income balance being considerably higher than the 2004 income. A reading of the wills appears to indicate that there are no restrictions on the use of the funds and the Amherst Trustees of the Trust Funds have refused to provide any guidance in writing as to the intended use of the funds. Verbally Steve Mantius has repeatedly said that we can simply request that they cut us a check for whatever portion of the Income balances that we want.

Plan for Managing the Funds:

At the time of the Wills the schools were configured differently than they are today. To avoid having to get tangled in how to divide this money given the current configuration of the schools, we agreed to use this money for a single purpose that would benefit all of the schools. Many thanks to Dwight Brew for this helpful suggestion! The Committee has agreed that the money

7 - "the Right-to-Know Response"

from the Trust Funds will support professional development that is geared towards improving the quality of teaching and/or school programs. This would take the form of the "SAU #39 Annual Lawrence/Spalding Professional Development Conference". Depending on the SAU educational goals each year, the presenter at the conference may also be engaged to do some consulting work to recommend improvements to our educational programs. The money from the Trust Funds would primarily be used to pay for the National Speaker/Consultant. Additional funds for the other conference expenses would be sought from other sources such as business partnerships. The conference may also accept paying attendees from other SAU's to offset expenses.

Don Borrer from the DRA has given the following opinion about these funds. He does not believe that the SAU receiving the funds would be appropriate; he would be more comfortable with one or both of the school districts receiving the money. Don is in favor of a gross budget approach and does not view this money (even in the 1st year) to be unanticipated revenue. We could request to receive the money this year but we would not be able to exceed the bottom line of our budgets. Don also recommended that going forward we project this money as revenue and budget for its use as well.

Given Don Borrer's opinion we have agreed to wait until the next budget cycle to access these funds. The money from this fund would be managed by the Assistant Superintendent of Curriculum and the SAU #39 Professional Development Committee. This Committee would prepare a conference budget in time for the appropriate projected revenues and expenses to be included in the budget. It is anticipated that the amount of money from the Trust Funds would be between \$5,000 and \$10,000 each year with the amount decreasing over time as the conference becomes established. Eventually the fund may reach the point where there is less than \$5,000 of income available each year and at that time other funds would need to be secured to make up the difference or a new plan would need to be created. Currently the annual amount of income from the funds is around \$2,300. Each year, the Amherst School District would budget for 60% of the projected income and expenses for the conference while the Souhegan School District would budget for the remaining 40%. The first conference would be held some time after July 1, 2006. It is thought that holding the conference a few days prior to the beginning of school would allow new teachers to attend. In addition the 1st day of school is a fixed date while the last day of school is not determined far enough in advance to plan this type of event. Therefore late August is a likely time for the conference to be held. The Assistant Superintendent of Curriculum would be responsible for initiating the request to access the needed amount of money from the Trust Funds at the appropriate time.

Respectfully Submitted,

Pamela Dudoff
Amherst School Board Member

April 25, 2005

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School Administrative Unit 39 Mail - Conduct Email

<https://mail.google.com/mail/u/0/?ik=026099499f&view=pt&search=al...>

16 17



Adam Steel <asteel@sau39.org>

Conduct Email

5 messages

Victoria Parisi <vparisi@sau39.org>

Wed, Nov 17, 2021 at 10:24 PM

To: Stephen O'Keefe <sokeefe@sau39.org>, Adam Steel <asteel@sau39.org>

Hi,

This is my amended statement.

Thanks,

Victoria

I am writing to share my point of view in regard to the actions of John Glover at the Lawrence-Spalding Trust Committee meeting held at the Brick School on November 9, 2021.

At the meeting, inappropriate media was broadcast from Mr. Glover's phone.

This is not professional conduct. I have concern for the district employees subjected to this. I am grateful that it didn't happen in a meeting with students, parents, or the public present.

I have had a week to process the event. I have come to the conclusion that as an elected public official, I should formally report my perspective regarding the incident.

It is important that this matter is taken seriously in accordance with District policies.

Thank you,

Adam Steel <asteel@sau39.org>

Wed, Nov 17, 2021 at 11:03 PM

To: Elizabeth Kuzsma <ekuzsma@sau39.org>, George Torres <gtorres@sau39.org>, Jessica Hinckley <jhinckley@sau39.org>, Josh Conklin <jconklin@sau39.org>, Kristen Clark <kclark1@sau39.org>, Laura Taylor <ltaylor@sau39.org>, Peter Eckhoff <peckhoff@cokenortheast.com>, Peter Eckhoff <peckhoff@sau39.org>, Pim Grondstra <pgrondstra@sau39.org>, Sarah Lawrence <slawrence@sau39.org>, Stephanie Grund <sgrund@sau39.org>, Stephen O'Keefe <sokeefe@sau39.org>, Steve Coughlan <scoughlan@sau39.org>, Terri Behm <tbehm@sau39.org>, Tom Gauthier <tgauthier@sau39.org>, Victoria Parisi <VParisi@sau39.org>

Dear SAU Board:

I am in receipt of the complaint received below. As superintendent, I have no jurisdiction regarding this complaint, and thus am forwarding to you. I am in receipt of informal complaints under the aegis of both Title VII and Title IX from district employees which may or may not be submitted as formal complaints in the future. I have provided SAU chair O'Keefe and Souhegan Vice-chair Grund with the information I have and have done my best to provide protective measures for the employees involved.

Sincerely,

Adam

[Quoted text hidden]

--

Adam Steel | Superintendent of Schools | SAU #39

Amherst, Mont Vernon, and Souhegan Cooperative School Districts

PO Box 849 | 1 School Street

Amherst, NH 03031

(603) 673-2690 | www.sau39.org | @adamsteelnh

7 - "the Right-to-Know Response"

School Administrative Unit 39 Mail - Conduct Email

<https://mail.google.com/mail/u/0/?ik=026099499f&view=pt&search=al...>

Stephanie Grund <sgrund@sau39.org>
To: Adam Steel <asteel@sau39.org>

Fri, Nov 19, 2021 at 12:55 PM

Just so you are aware, Christie Peters and John Glover were not sent this email.

Stephanie

[Quoted text hidden]

Adam Steel <asteel@sau39.org>
To: Stephanie Grund <sgrund@sau39.org>

Fri, Nov 19, 2021 at 1:38 PM

Ok- not sure how I missed them. Feel free to Forward.

[Quoted text hidden]

Stephanie Grund <sgrund@sau39.org>
To: Adam Steel <asteel@sau39.org>

Fri, Nov 19, 2021 at 2:12 PM

Ok, thanks. I didn't want to do it without checking first.

Stephanie

[Quoted text hidden]

7 - "the Right-to-Know Response"

12/17/21, 1:56 PM

Google Vault - Conduct Concern

Conduct Concern

email: "vparisi@sau39.org Victoria Parisi" Wednesday, November 17, 2021 at 5:37:41 PM Eastern Standard Time
To: email: "sokeefe@sau39.org Stephen O\342\200\231Keefe" , email: "asteel@sau39.org Adam Steel"

I am writing to convey my displeasure with the actions of John Glover at the Lawrence-Spalding Trust Committee meeting held at the Brick School on November 9, 2021.

At the meeting, inappropriate media was broadcast from Mr. Glover's phone. His handling of the situation made an already awkward situation extremely uncomfortable.

This is not conduct becoming of a school board member. I have concern for the district employees subjected to this. I am grateful that it didn't happen in a meeting with students, parents, or the public present.

I have had a week to process the event. I have come to the conclusion that as an elected public official, I feel compelled to report my perspective regarding the action of a fellow Board member.

How our Board and District respond to this situation is extremely important.

I cannot be party to sweeping anything related to Title IX under the rug.

How can we hold staff and students to an expectation that we are not willing to uphold ourselves? Policy GBEA states that staff must “exhibit professional conduct.”

Thank you,

Victoria

7 - "the Right-to-Know Response"

12/21/21, 2:44 PM

School Administrative Unit 39 Mail - Complaints Received

16



Amina Fazlic <afazlic@sau39.org>

Complaints Received

1 message

Adam Steel <asteel@sau39.org>

Thu, Nov 18, 2021 at 2:08 PM

To: Stephen O'Keefe <sokeefe@sau39.org>

Cc: "Dean B. Eggert" <deggert@wadleighlaw.com>, Stephanie Grund <sgrund@sau39.org>, Amina Fazlic <afazlic@sau39.org>

Dear Chairman O'Keefe:

Two of my staff members have written to me to ask for protective measures as a result of an incident that is alleged to have occurred on 11/9/2021 involving John Glover. According to both staff member's written messages to me, they both describe in their own words that Mr. Glover's phone played an inappropriate audio message that made them feel uncomfortable. One staff member additionally indicated that Mr. Glover attempted to contact the staff member later that evening on the staff member's personal cell phone which additionally made the staff member even more uncomfortable.

Both staff members requested that I put protective measures in place. One staff member made these requests:

- "1. The presence of someone else at all future meetings with Mr. Glover.
2. Mr. Glover shall be prohibited from calling my personal cell phone.
3. Future communication be limited to electronic communication, with the exception of meetings where there is someone else present."

The other staff member made these requests:

"I respectfully request that someone else be present any time I may need to meet with Mr. Glover, either as a board member or a parent. I would also prefer all communication to occur electronically. If a phone call is necessary, I prefer it to be planned in advance so someone else can be present on the call if needed."

Although neither staff member indicated that what they sent to me was an official complaint, I have no choice but to treat them as such because of the nature of the protective measures they have requested and our obligations under state and federal law.

While I am not in a position to make findings regarding the allegations, I need to ask your help in providing these protective measures to my employees. It is imperative to me that I take all available steps to protect these employees. Without disclosing their identities, both employees are senior staff members who have regular contact with board members, especially board chairs. I am not sure how to balance the organizational need to protect my employees while also working collaboratively with a board chair in this position.

Sincerely,

Adam Steel

7 - "the Right-to-Know Response"

12/21/21, 2:44 PM

School Administrative Unit 39 Mail - Complaints Received

Cc: Stephanie Grund, Souhegan Vice-Chair

Amina Fazlie, HR Director

Adam Steel | Superintendent of Schools | SAU #39

Amherst, Mont Vernon, and Souhegan Cooperative School Districts

PO Box 849 | 1 School Street

Amherst, NH 03031

(603) 673-2690 | www.sau39.org | @adamsteelnh



John Glover <jglover@sau39.org>

Agenda Request

Stephen O'Keefe <sokeefe@sau39.org>

Tue, Jan 25, 2022 at 8:20 PM

To: John Glover <jglover@sau39.org>

Thank you Mr. Glover for your email.

Per your request, I will have Abby amend the agenda to include an official update regarding the pending investigation. I will attempt to schedule this towards the end of the meeting to allow our district employees an opportunity to leave the room. I do not yet know if we will have a second non-public session.

In addition to your agenda request, you requested several items be included in the board packet. With your email to the full SAU #39 Board, you have already provided the documents to the entire board via email, hence constituting a public record subject to disclosure in policy BHE B: 3.

The more appropriate action at this juncture would be to submit your documents into the record at the meeting as we have done in the past with other public record requests. In an effort to streamline your request, I will make sure Danae receives them in advance of our session.

As a reminder of my December 1st communication to you, we have a duty to protect the privacy of those administrators who were present at the meeting in question. As a result, the Board had been advised to provide a fact based update that will not impede the investigation or its process.

Regards,

Stephen S. O'Keefe
Mont Vernon School Board
Chair, SAU #39 Consolidated School Board