

## SAU #39 Board

Thursday, February 17<sup>th</sup>, 2022

Meeting Minutes- Approved 04 06 2022

Attendees:

Administrative Team:

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, Secretary- Jessica Hinckley, Kristen Clark, and Stephen O'Keefe.

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

Board Minutes: Danae A. Marotta

Public: Anna Goulet- Zimmerman, 22 Veterans Road, Amherst NH, Mike Campo, Plodzik and Sanderson, P.A. Concord NH, Martin Goulet, 22 Veterans Road, Amherst NH, Tiani Coleman, 32 Simeon Wilson Road, Amherst NH, Jeanne Ludt, 3 School Street, Amherst NH, Casey Loose, Amherst NH, Rolf Van Bibber, 38 Christian Hill 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. Public Comment I of II

Ms. Anna Goulet- Zimmerman, 22 Veterans Road, Amherst NH, commented on the recent press release that was sent out to various media outlets was for a student from 22 years ago. She does not have details, but the SAU has potentially ruined someone's life by sending out a press release that got picked up by U.S. News and World Report of all places. It could have just said that it was pending on a Department of Education investigation, or an allegation at a former position over 20 years ago, it did not say any of that. There is a real question is what was the motivation behind that being the message that was sent out and why was that done. She hopes that the boards are looking into that because you are the board who the Superintendent reports to and this was a release that came out from the Superintendent's Office.

The Board thanked Ms. Goulet-Zimmerman.

III. Principals' Reports

Mr. O'Keefe asked for questions for the Principals Reports.

He started with C/W Principal, Ms. Anna Parrill and C/W Assistant Principal, Ms. Kathleen Murphy.

34 Ms. Parisi added that the ASB has already reviewed their report at their monthly board meeting.

35 Mr. Conklin thanked the PTA for the snowshoes. He inquired how are they being used.

36 Principal Parrill noted that they are being used everyday and classrooms have signed up to go  
37 out. The PTA purchased them, and all of the classes are taking advantage

38 Assistant Principal Murphy added that they also added a Snowshoe Club with 20 students run by  
39 so Ms. Murrell and Mr. Holt.

40 Mr. O'Keefe asked where do they go.

41 Principal Parrill replied that they stay on the property.

42 Ms. Lawrence asked if they could share information about their interns from St. Anselm's  
43 College.

44 Ms. Murphy commented that they have started a partnership with St. Anselm College. We have  
45 five full time student teachers here for 15 weeks in a dedicated classroom. They are senior  
46 elementary education students, .and they are in their final semester this year. Prior to that, they  
47 all did a bridge experience in the fall where they were with their cooperating teacher for at least  
48 20 hours but two of them actually did a full internship experience of 110 hours. Many of them  
49 have been with their classes for the year. We have them in five different classrooms, wonderful  
50 clinical educators. It is really exciting, they are volunteering everywhere within the building and  
51 having a great experience asking lots of questions and jumping right in. It has been a nice  
52 connection for us, St. Anselm has asked us to host again next year. We will have another five in  
53 the fall who will do their bridge experience this spring.

54 Mr. O'Keefe asked for questions for AMS Principal, Dr. Bethany Bernasconi.

55 Ms. Parisi asked about the National Junior Honor Society.

56 Principal Bernasconi replied that they are in their sixth or seventh year in our National Junior  
57 Honor Society at the middle school. We inducted 66 8th graders into founding society which is  
58 really focused on community service and leadership around the school. One of the most notable  
59 things about this are that they are inviting kids to apply to this organization. In order to be  
60 accepted, they have to demonstrate everything from leadership and community service, academic  
61 integrity, all of these different attributes so it really recognizes the whole child.

62 Ms. Grund noted that she is happy to see Theater Club up and running.

63 Principal Bernasconi replied that they have tried to adjust and pivot with all kinds of things with  
64 COVID. The Theatre teacher gave the students a lot of voice and choice and the group ultimately  
65 decided that instead of doing one big production they would have smaller plays so that everyone  
66 could be involved. They are excited to see it all come together.

67 Ms. Taylor noted that there is a lot of tension with the bond.

68 Principal Bernasconi replied that the renovation would be a huge lift to teaching and learning at  
69 the middle school. We have some challenges, and it is hard to point out the challenges because

70 they are so incredibly proud of what is happening there. The biggest challenges that she sees at  
71 the middle school right now are really undersized classrooms with those triangle shaped  
72 classrooms. Once you stick 24 8th graders in them and are trying to do any amount of flexible  
73 seating, even if the square footage looks ok on paper, the usable square footage is not there for  
74 our students. We are just putting a lot of bodies in very small spaces which contributes to that  
75 whole culture of learning. It really limits us in terms of flexible groupings and some of the  
76 creative pieces we can do in those spaces.

77 In addition, those spaces have movable walls. The movable walls are not in a great state and the  
78 acoustics are really bad. If a class in one room is trying to sit quietly and work on a project or an  
79 assessment and the teacher next door is talking or teaching or any kind of activity going on all of  
80 that noise travels through and not just a low level of noise, but you can actually hear everything  
81 that's being said. This also impacts confidentiality and all of those other pieces as well.

82 Heating and cooling are another major piece that goes into learning. We know that when  
83 students' basic needs aren't being met and they are not comfortable in their learning spaces that  
84 it is really hard to do this deeper level of learning that we are asking of students. Even just  
85 thinking about those basic needs, the bigger picture the overall redesign addresses those basic  
86 needs and allows us to create a layout in this school which allows true teaming to take place  
87 which allows guidance and social emotional learning and special education to be integrated right  
88 into grade levels and teams.

89 Finally, it allows us to reimagine what safety and security looks like in a building to make sure  
90 that we are really designing with that in mind. Making sure we have a welcoming and yet secure  
91 entrance for visitors, that our school building can be accessed by the public in areas that are  
92 appropriate to be accessed while still maintaining the integrity of our school day and the safety of  
93 all of our staff and students.

94 Mr. Eckhoff complemented Principal Bernasconi on the Grocery Games and the food drive.

95 Mr. O'Keefe asked if she could talk about Ecology Camp.

96 Principal Bernasconi replied that they had a trip planned for the fall and we had to abruptly  
97 change plans. We are really excited and committed to making sure that 8th grade has a great  
98 experience. It's the same group of kids that in 6<sup>th</sup> grade were out with remote learning and never  
99 got to have that experience. They are looking forward to it and have a high amount of  
100 participation.

101 The school has a new facility that is called River Bend Farm, in Saco, Maine. It is a beautiful  
102 facility, and it is focused on environmental and sustainability. It is right on the river so there is a  
103 lot of learning about watershed which ties directly into our curriculum. their goal is to grow the  
104 majority of their food right on their farm on site. They infuse the entire day with that idea of  
105 sustainability and tying into the science curriculum for us. She was able to go there this summer,  
106 with other educators, for a residency program and they got to participate as students. Letters  
107 should have gone home to all 8th grade families at this point. Many of our families just had us

108 hold on to their deposits from the fall and most of that logistical work has already been done on  
109 the ground.

110 Mr. O'Keefe inquired if they will be reaching out to the families that have not yet paid.

111 Principal Bernasconi replied yes.

112 Mr. O'Keefe asked for questions for Mont Vernon Village School Principal, Mr. Tom Lecklider.

113 Ms. Kuzsma inquired how Kindness Month is going.

114 Principal Lecklider replied it is going well. They have SOAR slips and everyday they recognize  
115 students for kindness, caring and random acts of kindness. It has been a real positive vibe from  
116 everyone.

117 Ms. Lawrence asked how the first spirit week went and if he can provide a brief update on the  
118 Kindergarten classroom repairs.

119 Mr. Lecklider replied that the vibe was very energetic and enthusiastic for Sprit Week and  
120 School Counselor, Ms. Anna Girard's had coordinated some theme days. In addition to it being  
121 Spirit Week, they had 100<sup>th</sup> day which added to the fun. All in all, it was a great week.

122 Regarding the Kindergarten room, as you know, we had a flood a few weeks back. They are  
123 waiting for the flooring to come in and they should have students back in right after the break. It  
124 was an unfortunate situation. The Art and Spanish teachers have been mobile on wheels and have  
125 adjusted doing a great job.

126 Ms. Behm inquired about how their Individual Student Plans are coming along.

127 Principal Lecklider replied that it is coming along well. The RTI team is composed of special  
128 education, some of our specialists (speech, OT). They have a template for the plans and are now  
129 piloting with Tier II students, which are already receiving some level of intervention. They just  
130 had a meeting and have students with families that they are going to be piloting with. It is  
131 ambitious but he is seeing a goal for Fall for all students.

132 Mr. O'Keefe asked for questions for SHS Principal, Mr. Mike Berry.

133 Ms. Grund thanked Principal Berry for the update of the Program of Studies. There are revised  
134 descriptions, and it is much improved, there are more opportunities. Thank you for supporting  
135 staff and students with their overall resilience.

136 Principal Berry replied that the Program of Studies was a collaborative effort. It is a fluid  
137 document from year to year. He appreciated the Ms. Grund's comments.

138 Ms. Behm thanked Principal Berry for the diagram and that they are focusing on the social and  
139 emotional needs from the staff. He has been a great example. She inquired about the timing of  
140 Fang Fest.

141 Principal Berry replied that they are going to stay with the model that they used last year. They  
142 are getting closer to having a theme and it will be the week before April break.

143 Ms. Lawrence asked about the career and training expo follow up. She inquired if that is trending  
144 higher due to the expo.

145 Principal Berry replied that there seems to be preliminary interest in courses and the schedules  
146 were made. There is more interest and, he will have more specific data at the next meeting, but it  
147 is a goal for us. They want students to be successful in their first choice.

148 The Board thanked Principal Parrill, Assistant Principal Murphy, Principal Bernasconi, Principal  
149 Lecklider and Principal Berry.

#### 150 IV. Annual Financial Report

151 SAU #39 Business Administrator, Ms. Amy Facey, commented that as you know every year, we  
152 complete an audit of the SAU as well as the three school districts. You should all have a hard  
153 copy of the audit and in addition, Mr. Mike Campo from Plodzik and Sanderson is in attendance  
154 to do a brief presentation and answer any questions.

155 Mr. Campo commented that he went to Page 39, the SAU 39 report. He noted that this is how we  
156 end up with your fund balance from last year. We start with what the school has appropriated in  
157 terms of estimated revenues and estimated appropriations. On schedule one you see that you got  
158 your revenue side of the equation primarily made up of the contributions of the member districts.  
159 Going to page 40 you then see how will the expenditures compare to what was appropriated,  
160 which you end up with a surplus of appropriations of approximately \$175,000. As we go to page  
161 41, you see a breakdown of the fund balance. At the top is what had started the year with, the  
162 next line you see there is a reduction of \$18,735, that is what was used to offset the current year  
163 appropriation. Instead of raising that money, you retain fund balance and use that to offset the  
164 expenditures for the year. The next two numbers you see there are going to be the revenue  
165 surplus that would be back from schedule one, so essentially what you received in excess of what  
166 was anticipated. The next line is from schedule two the \$175,000 we just discussed, and then you  
167 have a net budget surplus of \$189,000. In addition, you had a reduction in your non-spendable  
168 fund balance. Non-spendable fund balance tends to be prepaid items, items that are part of your  
169 assets but not in spendable form. Then you see a reduction in restricted fund balance of \$2,400 to  
170 arrive at an ending unassigned fund balance of just north of \$290,000. He will now have the  
171 board go back to page one. Ultimately the reason why you bring us in is this document here,  
172 these two pages, the Independent Auditors Report. He is pleased to share with you that you did  
173 again receive a clean opinion, which means you've met all GASB reporting requirements. In  
174 addition, as we evaluate various areas of the school administrative unit, we found no areas that  
175 would cause us to not be able to rely on the financial statements provided to us at the time of  
176 audit. He is happy to go into more detail, if there are specific questions, he is happy to answer  
177 them.

178 Mr. Torres asked if it was an unmodified opinion.

179 Mr. Campo replied yes.

180 Mr. Torres inquired about any issues with policies.

181 Mr. Campo replied that they should evaluate policies 3-5 years. He recommended that they  
182 evaluate the management team in finance based on size. The requirements of the finance  
183 department have grown so much. He has had this conversation three times this week with small  
184 districts trying to employ a part time person to keep up with it. He does not know how you  
185 possibly do it and you are managing three school districts and the SAU. He is not saying that you  
186 are short staffed but would be evaluating that on a regular basis. You have some of the most  
187 talented people in this industry in your building. He applauded Ms. Hannan, Ms. Facey and Ms.  
188 Jardim- Lee. This is not an immediate concern but something they should be cognizant of. Track  
189 it and make sure that you are adequately staffed with talented people.

190 Ms. Behm replied that she agrees that they have an amazing staff. She noted that there are some  
191 constituents that have mentioned that they do not need that many staff because they do not have  
192 many buildings. She inquired if that was correct.

193 Mr. Campo replied that it is beyond the budgets, especially this time of year where you are  
194 dealing with budgets and the day-to-day operations. Yes, it is three or four buildings however if  
195 you were looking at the three districts, you are probably also looking at one of the larger  
196 employers in the community. It is not uncommon for the school district to be one of the larger  
197 employees in terms of volume of people and that falls on your finance department, they are  
198 handling all of their payroll and benefits.

199 Mr. Torres asked if he was comfortable with the internal controls.

200 Mr. Campo replied yes. He recommended that they should be evaluated on a regular basis. He  
201 noted that they target the key areas of the financial process, cash receipts, cash disbursements,  
202 food service, and payroll. We will interview members of the staff and try to gain an  
203 understanding of what the process is. From there, we will document that and then we will  
204 actually put transactions through that, what we call a walkthrough. If we found deficiencies when  
205 we look through, that is where we have findings and comments for management and governance.  
206 That did not occur here, it dictates our risk assessment.

207 Ms. Taylor asked about the \$2.5 million in long term debt.

208 Mr. Campo replied that when he considers debt, he thinks of long-term borrowing. What this  
209 represents is the amounts owed to your staff, the compensated absences, if they were to leave and  
210 they meet all the criteria for a departure that is what that represents. It is not due next year, it is  
211 do as they leave, depart or retire the district. When you look at the net pension and the OPEC  
212 those are intertwined in that they are related to the New Hampshire Retirement System and  
213 commitments made to your employees. Not just your employees but the employees of anybody  
214 who participates in the New Hampshire Retirement System. One challenge he has as he audits  
215 these is that the two largest numbers typically in a financial statement are those two. The board  
216 as governance and Ms. Facey and her team as management, have no say over that number. it is  
217 the rules of the game when it comes to GASB, it is a reporting requirement. At no point is  
218 anyone going to come to the SAU 39 and say we need \$2.2 million to satisfy this obligation.

219 **Mr. Coughlan motioned to modify the agenda and move the consent agenda to the next**  
 220 **topic. Mr. Gauthier seconded the motion. No discussion. The vote was unanimous, motion**  
 221 **passed.**

222 V. Consent Agenda

223 Mr. O'Keefe went to item #1. Treasurer's Report- 11.2021.

224 No board comments or questions.

225 Mr. O'Keefe went to item 2. January 27, 2022, Draft Minutes

226 Mr. Coughlan added that there was a change from "IV to IX".

227 Ms. Taylor noted that on line 48 she abstained from the consent agenda.

228 Mr. O'Keefe went to item #3 Enrollment Update.

229 Ms. Grund commented she had a question about Souhegan enrollment.

230 Mr. O'Keefe went to item #4 Superintendent's Report.

231 Ms. Taylor noted that the start time survey it was not provided in the report.

232 Mr. Chamberlin replied that he will look into it.

233 Ms. Grund inquired about the larger conversation.

234 Mr. O'Keefe added that this board will not meet until April.

235 Ms. Parisi commented that with the start time survey they should break out the schools. She is in  
 236 support of the board retreat.

237 Ms. Taylor commented the board retreat takes time, effort and continual conversations.

238 Mr. Chamberlin replied that the planning has been extended well beyond March into either April,  
 239 May or even depending on the schedules. He remarked that her point is well taken.

240 Mr. O'Keefe went to 5. Facilities Update. No comments or concerns.

241 Mr. O'Keefe went to #6 Policy BDD.

242 Ms. Taylor remarked that it seemed restrictive and recommended to have a more unified  
 243 discussion after the elections.

244 Mr. Coughlan responded that they discussed this a couple of months ago and this policy existed  
 245 in all three districts for a very long time. This table is reformatted, but it is the exact same cut and  
 246 paste with words.

247 **Ms. Kuzsma motioned to accept Consent Agenda items 1. Treasurer's Report- 11.2021, 2.**  
 248 **January 27, 2022, Draft Minutes, as amended, 3. Enrollment Update, 4. Superintendent**  
 249 **Report, 5. Facilities Update and 6. Policy BDD Mr. Glover, Ms. Grund, Ms. Taylor, and**  
 250 **Ms. Peters abstain. Motion passed.**

251 VI. Board Update

252 Mr. O’Keefe there has been no forward progress since the last meeting. Mr. Glover’s attorney  
253 has been in contact with our district attorney. Mr. Glover has requested time on the calendar to  
254 address the board as a whole.

255 Mr. Glover noted that with microphones, the audio quality for some people in poor in the  
256 recording of last month’s meeting. This appears related to some people not speaking into the  
257 microphones For the benefit of our meeting watchers and our minutes taker and us as we approve  
258 minutes, I request that everyone have a microphone that is on and working and close enough by  
259 so that everyone is heard. In addition, Public Comment, there may be some people here who are  
260 mainly interested in this update, and who may have comments about this matter. Out of respect  
261 to them, I request that after discussion about this matter, a public comment period be offered so  
262 they can be heard and then go about their evening as they wish.

263 Mr. Glover continued, Trust, Respect, Courage – the motto of Souhegan Cooperative High  
264 School, and noble principals for any organization. These principles are at risk because of the  
265 way this matter has been handled. As he communicated to all of you when he requested the  
266 matter be placed on the agenda, he expressed that his trust has been broken because the actions  
267 taken have disrespected this Board’s decisions and policies, and those leading us down this path  
268 have not shown the courage to correct course. As he also communicated to you and now for the  
269 benefit of the community, he will restate that since our last meeting in January, the will of the  
270 Board has again been ignored because there has been no change in the procedural posture.  
271 Instead of the coordinator duties being fulfilled as this Board unanimously directed, twice, the  
272 investigation continues.

273 As a result, Board policies are still being implemented without fidelity. This is additional  
274 evidence of retaliation against him, and damages to my reputation and health continue to accrue.  
275 He has attempted to act with courage by demanding we respect our decisions and policies, so our  
276 community of residents, employees, and students trust us to be their leaders. When he saw  
277 improper deviations and could not alone resolve them, he said something to you. You attempted  
278 to resolve them by amending initial motions and reaffirming your initial decision, courageous  
279 acts, but your efforts have not yet been successful. We are all suffering damage as a result.

280 He reached out to SAU counsel and the person hired to evaluate the matter in an effort to  
281 establish a line of communication and find another way to find a resolution. He hears now that  
282 the person hired to evaluate the matter was hired as a Coordinator. This contradicts what that  
283 person told him twice during different phone calls last December. In any event, assertions that  
284 the duties of the Coordinator under the ACAC policy were fulfilled are incorrect. They describe  
285 the objective analysis required under the Grievance Process Section III.B.4, but that analysis is  
286 only proper when there is a Formal Complaint.

287 What is missing here is the subjective evaluation required under Section II.J.2 of that policy  
288 whereby the Coordinator speaks with the complainants about supportive measures and the  
289 process for filing a Formal Complaint. *“As soon as reasonably possible after receiving a report*  
290 *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."

The process for filing a Formal Complaint is outlined in Section III.A where, in the first instance, the complainants the ones who choose whether to file a Formal Complaint. The Coordinator can only file on someone else's behalf if a "deliberate indifference" test is met. *"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)."*

The assertions here say that it would be deliberately indifferent to not conduct an investigation because the conduct at issue could constitute a violation. Could constitute a violation? He would suppose, in a vacuum, sure, but we do not live in a vacuum. The policy offers guidance about when it may be appropriate for a Coordinator to file on someone's behalf – assault, employee-student situations, repeat reports, and inadequate supportive measures. He would suppose too that an employee-boss situation where there are power dynamics at play would fall within the guidance. These are not the situations here. Nobody has claimed assault. No students were involved. There have been no repeat reports. Board members have no control over each other or over SAU employees other than the Superintendent who was not at the trust meeting. The problem is there has been no explanation why the required test has not been applied in accordance with the policy, or why the wishes of the people who filed reports about the matter, their wishes to not file a Formal Complaint, which the record shows is true, why their wishes should not be trusted and respected. And because this situation falls well outside the policy guidance, there is no basis for a Coordinator to go against someone's wishes to not file a Formal Complaint. Instead, a different test has been applied, the objective analysis he mentioned that is only proper after there is a Formal Complaint. This is circular reasoning – one cannot apply a test to find a Formal Complaint when a Formal Complaint is required to apply the test. This is against logic and against the policy, and wholly improper.

Because of these procedural violations, there are conflicts of interest that need to be addressed now. Number 1: SAU #39 counsel represents the SAU, which he understands is a corporate entity governed by the SAU Board of which we are all members. There is a conflict of interest whenever there is an actual or potential dispute between the SAU vis-à-vis its employees and the Board vis-à-vis one of its members, which is the case here. When the Souhegan Board was faced with a similar situation, the Souhegan Board has its own counsel representing it, and a non-meeting was held with all Board members present to hear first-hand counsel's analysis, and to

ask their own questions so they could reach their own understanding about that situation. That process is not going on here. Number 2: The outside person hired to address the matter has a financial interest in finding a Formal Complaint is warranted even when nobody else has filed one and the situation is outside the policy guidance. The conflicts of interest here could have been waived if the procedures had been properly followed. But they have not been followed, and so the conflicts of interest here cannot be waived.

Actions taken after the trust meeting have been replete with misinformation and mischaracterization, which is a key indicator of apparent retaliation, which by the way, our policies prohibit. A couple examples:

#1. He was informed on November 12th – 3 days after the trust meeting – that “complaints had been filed against me” and that he could either resign or face the consequences including an investigation and possible legal actions. In fact, there was no Formal Complaint then or still now.

#2. He learned on January 31<sup>st</sup>, 4 days after our January meeting, that the outside person hired to address the matter believed that at the meeting he had stated my refusal to participate in the investigation process. This is false. He never said any such thing. He has always maintained willingness to participate when warranted by policies this Board has sought to apply. What he cannot do is condone Board actions that encourage precedents of ignoring the will of the Board, incorrectly implementing Board policies, and retaliating against people.

Given the conflicts of interest, the misinformation, and now the fundamental disagreement with the person hired to evaluate the matter about whether they are a Coordinator and about how the policy is being implemented, that person likely has bias against me, and he fears that the bias will unduly influence the outcome of that work. This needs a remedy.

Our decisions and our policies are our rule of law. When we ignore them or follow them without fidelity, people get hurt. People rely on us to act in accordance with our decisions and policies. When we don’t, we expose ourselves to irreparable damage – damage to reputation, to fiscal health, to physical, to mental health. Those damages infect the community and lead to rejection by those already here and those who consider coming here. We should avoid such damages by instead acting in ways that engender trust, earn respect, and reward courage. So, what now? What are you going to do about all this? Are you, for instance, going to trust our people who did not file and have not filed a Formal Complaint and who are wholly capable of making that decision on their own, are you going to respect their decisions, and find the policy’s Grievance Process was not triggered and thus the investigation being performed is not warranted, and thereby resolve the matter? Are you going to examine this whole situation and take actions to help ensure nothing like this happens again? Are you going to demand accountability for the actions taken and take steps to repair the damages caused? There is nothing preventing you from taking courageous steps like these to begin mending the damages caused, and to begin reestablishing trust and respect within our community.

Mr. O’Keefe reminded the board that they are classified as decision makers. That means that we are a persons tasked with the responsibility of making initial determinations of responsibility

372 when a report is provided to us by an appropriate party. That also includes responsibility to  
373 decide whether or not any appeals need to be remedied or admitted or entertained and with  
374 respect to the formal complaint process of our sexual harassment policy in accordance with title  
375 IX grievance processes. We have been encouraged not to engage in this conversation, Mr.  
376 Glover's attorney has already engaged our District Council. The advice from our council was  
377 allow that process to play out.

378 Mr. O'Keefe opened it up for discussion.

379 Mr. Glover added that he wanted everyone to understand this notion of not communicating about  
380 this. There is a section in this policy that is issued ACAC that says nothing will restrict the  
381 ability of either party to discuss the allegations under investigation or to gather and to present  
382 relevant evidence. Current communication is not prohibited by our policy, in fact it is expressly  
383 allowed and so he believes everyone should feel free to express themselves.

384 Mr. O'Keefe countered that this board is not party to this complaint, this board is the decision  
385 maker of this complaint. The parties of this complaint already presented their case, we have hired  
386 an individual to go through and independently look at the circumstances as was communicated to  
387 our Superintendent and to our District Council back in November after our meeting in writing.  
388 They then hired an individual that qualified based on their expertise and experience. That  
389 individual then decided to communicate with you back in December to indicate that we were  
390 beyond the investigatory phase and moving beyond the initial factfinding phase and moving over  
391 into the investigative phase. That is the process that's been in motion up until today. The facts  
392 that you are raising maybe completely valid, but this is not the venue in order to discuss those.  
393 He has encouraged him to speak to his counsel, to go through the proper authority or the course  
394 of action directly through the investigator who's actually charged with inside the policy for  
395 dealing with these issues. Once that is done, and a report is determined and created it will then be  
396 presented to this body but then discussion for interpretation, review and questions. After you've  
397 had the opportunity to go ahead and address any type of things in that report, he believes that it is  
398 10 days according to our policy That you can then go back to the investigator and say I agree, or  
399 I disagree. That report after that has happened will then be created and forwarded off to this  
400 board for review.

401 Ms. Peters commented what would this board review and decide.

402 Mr. O'Keefe replied so we as a fact-finding board well need to determine the facts and the  
403 circumstances as they are. We will render a decision and then the decision in terms of whether or  
404 not we find them true, factual or we determine that it is without warrant. That process when it  
405 happens, we will make sure there is a detailed explanation in terms of the mission at hand at that  
406 point in time. When we take a look at the decision-making power or the ramifications that come  
407 out of this process, as he has articulated in the past, this board has very limited abilities and then  
408 this issue would then be referred over to the Souhegan School Board for additional follow up and  
409 additional course of action.

410 Ms. Taylor asked if the course of action would be from the Souhegan school board.

411 Mr. O'Keefe replied yes.

412 Ms. Taylor responded this is a political body, we are all elected officials, it is not a judicial body,  
413 is that correct.

414 Mr. O'Keefe replied is that a statement or a question.

415 Ms. Taylor responded that she was just trying to understand what he was saying.

416 Mr. O'Keefe replied in regard to what, us being the decision-making entity.

417 Ms. Taylor replied yes.

418 Mr. O'Keefe replied yes, our policy requires that someone go in and interpret the results.  
419 Because Mr. Glover is a board member this body is that decision maker.

420 Ms. Taylor remarked that you think that this body is the decision maker, but this body has no  
421 control over the results or what happens.

422 Mr. O'Keefe added that this body has the opportunity to go ahead and censure Mr. Glover if it  
423 finds it appropriate and applicable at that point in time. This body also has the opportunity to  
424 saying we believe this is without merit and we dismiss it, that is where this body has say. The  
425 results of that, this body can refer over to the Souhegan Cooperative School District for  
426 additional action.

427 Ms. Taylor commented that this is a political body, that we are not experts in Title IX and that is  
428 why we have a policy that refers to other experts on our behalf.

429 Mr. O'Keefe replied that is correct.

430 Ms. Taylor continued that Mr. Glover has a very valid point that quite a few things have gone on  
431 that don't seem to follow our policy. She is trying to wrap her head around where this goes and  
432 how it got here.

433 Ms. Peters replied that this is the first time that she has heard that something on the table was to  
434 censure Mr. Glover. She inquired what does that look like. She added that she was involved in  
435 censuring other public officials in the past or in other places and it was a short-term thing that  
436 was more of a slap on the wrist and had no long-term effects whatsoever. She inquired if that  
437 was what he was talking about. She asked if Mr. Glover will still be seated at this table even  
438 though he's an elected school board member with all the rights of that.

439 Mr. O'Keefe responded that we have absolutely no authority or power to remove Mr. Glover.

440 Ms. Peters inquired so we would say to Mr. Glover is that you can sit at this table, we just don't  
441 like you anymore.

442 Mr. O'Keefe responded that's just minimizing the impact of the actions at hand. He is not in a  
443 position to comment about whether or not Mr. Glover has been found responsible or not  
444 responsible for this matter. We need to wait for this independent individual to generate a report  
445 and issue to this body where we can then share with the community, so they have an

446 understanding of the events that happened and the seriousness that we take it as a board and as a  
 447 community. That the situation that may or may not have occurred is something that we will not  
 448 tolerate. We can share that expression in public and we will have an opportunity to go ahead and  
 449 share that with the community.

450 Ms. Peters responded that she in no way meant to minimize it, just trying to understand what that  
 451 looks like.

452 Ms. Taylor inquired if the polls are the only thing that can take us out and put us into office.

453 Mr. O'Keefe responded a Superior Court judge if the situation merits that level and Souhegan  
 454 school district will be making that decision at that time.

455 Mr. O'Keefe asked for other comments and concerns.

456 Mr. Glover inquired about the accounting of the funds paid for counsel on this to be relayed.

457 Mr. O'Keefe responded that he would have to request that through the SAU office. He added the  
 458 last invoice we saw prior to our last meeting, was just shy of \$5,000.

459 Mr. Glover inquired if that included Mr. Dean Eggert's bills.

460 Mr. O'Keefe replied that he only saw Ms. Sara Hellstedt's.

461 Mr. Glover mentioned to keep in mind there are two people working on this that you are paying  
 462 for.

463 VII. Public Comment

464 **Mr. Coughlan motioned to open it up to Public Comment. Ms. Peters seconded the motion.**  
 465 **The vote was unanimous, motion passed.**

466 Mr. Martin Goulet, 22 Veterans Road, Amherst NH, mentioned that this is the third SAU board  
 467 meeting that he has been present for where this issue has been discussed. In each of those three  
 468 meetings the understanding expressed by the policies seems to be at odds with the process being  
 469 followed by the Chair. The question he would ask is are your policies so incomprehensible that  
 470 one cannot discern how those policies should be interpreted and acted upon or are they simply  
 471 not being acted upon. He does not know what happens when the public isn't sitting here and  
 472 listening. You guys are dancing around the topic and there is an important set of questions to be  
 473 asked and a chair to be held accountable on this question if you find that he is not acting in the  
 474 way that you have determined as a board you would like to proceed. He cannot understand why  
 475 you are dancing around it. If what you have all agreed is that you didn't mean what you said last  
 476 time that you really wanted the chair to go back to this Title IX coordinator role person and make  
 477 sure that she understood what her role was and that the next step was very explicitly going to be  
 478 a finding that might or might not lead to an investigation. He did not hear the results of that in  
 479 the conversation, in fact, he heard the chair say we have no more information than we had a  
 480 month ago and he is gob smacked that you guys are just willing to tolerate that. thank you.

481 Ms. Tiani Coleman, 32 Simeon Wilson Road, Amherst NH, commented that it is pretty common  
482 for bodies like this to often have this dual role, where you are a legislative body, but you are also  
483 a judicial body in certain cases. That does present some problems and it does present some  
484 conflicts. She thinks that's the problem here, when Mr. Glover is speaking, you are saying we are  
485 a judiciary body so we cannot do anything about this. You are also a legislative body, you are in  
486 charge of your own policies, you are in charge of amending them and you are in charge of  
487 following them. You need to be able to evaluate whether you are following them and all of these  
488 different kinds of things. She inquired whether this is really correct that you can't address some  
489 of these concerns that he has brought up because you are a body that does both. Yes, that does  
490 present a conflict no doubt, it is a conflict that this organization has and lots of other  
491 organizations like you have. You have to be able to deal with both. Mr. Glover has brought up  
492 something very serious that is going on. This idea of trust having been violated, this idea of  
493 respect not being in the way it could be and courage lacking those three things are definitely  
494 what she has been feeling. She has been feeling it on a matter completely different than Mr.  
495 Glover's matter. As you know, our community is not in a good place right now, not just because  
496 of this issue but there are a lot of issues right now with the items coming up on the warrant  
497 article and every time she comes to these meetings there are so many different issues that you  
498 need to deal with, and you are doing such a great job. For the last few months, we have had a lot  
499 of meetings where your time is being taken up with these kinds of issues and she doesn't think  
500 that is good for your time and she can tell you it is not good for our time. She has a lot to do too  
501 and doesn't want to be at these meetings every single week. As Mr. Glover brought up, it is a lot  
502 of money putting into these efforts. You need to be aware that you need to address these issues  
503 and she will discuss them more when the board has their second public comment.

504 Ms. Jeanne Ludt, 3 School Street, Amherst NH commented that what she is hearing is raising her  
505 blood pressure because Mr. Glover pointed out countless areas where there are flaws in this  
506 whole process. To begin with there is no formal complaint, at least that is what she is hearing  
507 which is essential to apply the policy that you are working under. He has asked you to have the  
508 courage to determine that this doesn't rise to the level of the kind of scrutiny that you all are  
509 applying or spending a lot of money on. It would be her hope that tonight or sometime very soon  
510 that you would regain your courage to see that this needs to be withdrawn or come to a halt.  
511 Right now, this does not meet the merits that you initially thought it did. It would be her hope  
512 that you all would step up to the plate and realize that this is something that should not proceed  
513 beyond tonight. Thank you.

514 Mr. Casey Loose, Amherst NH, noted that he has a serious issue with the board. There has been  
515 a lot of issues with process, a lot of things talked about over these many months and I'm not  
516 saying it's not relevant, but the problem now is you, the board. The board is not some inanimate  
517 object. Is there an allegation, there are concerns and reports, yes? He inquired where we are right  
518 now, four months in. Is there an allegation? As far as he knows it does not exist. What are you  
519 doing? The board can put an end to this, are you waiting for someone else to do it? Thank you.

520 Ms. Anna Goulet Zimmerman, 22 Veterans Road, Amherst NH, noted she had a couple of  
521 questions. She inquired if it was the District Council or the Board Council, is there a conflict

522 now between the council who represents the SAU. It seems odd that is who you would be  
523 relying on when asking do we have to take these steps, what are we required to do next. It is  
524 unclear to her if the attorney that has been hired to do the investigation and/or Title IX work was  
525 hired by the SAU or by this board. It becomes the same issue, if you all hired her then you  
526 should be able to talk to her. If the board hired her then maybe you should have your own  
527 counsel.

528 Ms. Goulet- Zimmerman continued, it seems incredibly circular to her to tell Mr. Glover that this  
529 is not the venue to challenge it and that the venue is to go talk to the investigator who he is  
530 questioning whether or not they even should be investigating. The only option you have to  
531 challenge this is to go to the person that you say shouldn't even be doing this makes no sense to  
532 her. There's got to be some other option there. She is a little confused now by this discussion of  
533 sanctions because her understanding before was that anything like that would get deferred over  
534 to the Souhegan Cooperative School Board. What she heard today was that this entire board can  
535 issue a sanction. She is not sure exactly what a sanction involves along Ms. Peters' lines earlier.  
536 She does not think there is any disagreement about what happened in that meeting, we know  
537 what happened. We have seen the emails from Mr. Glover saying what happened. Why can't this  
538 board just say we want the Title IX Coordinator or the person who is acting as a Title IX  
539 Coordinator to talk to the employees who felt uncomfortable and make sure that their concerns  
540 have been adequately addressed. We talked early on how that meant maybe not being alone in a  
541 room with someone, things of that nature. If the answer from them is yes, just be done with it. If  
542 it has to be that this board needs to do something and there's a question can you not just say we  
543 have a concern and we want to make sure people don't do that, so we are going to say be more  
544 careful in the future. Mr. Glover will respond, absolutely, that he has learned that lesson and will  
545 be very careful in the future. We say we want everyone to be careful, so this doesn't happen to  
546 any other employees or individuals who are around and thank goodness there were not kids  
547 present, teachers etc. Unless it rises to the level where you really think we are looking for a  
548 Superior Court to remove it, she does not know why you are spending all this money. She  
549 suggested that they look into more cost-effective options to get it resolved quickly.

550 Mr. Rolf Van Bibber, 38 Christian Hill Road, Amherst NH, noted that he wanted to comment on  
551 the Souhegan Principal's Report. He is addressing the SAU as a whole because he believes  
552 relevant to all members of the Amherst and Mont Vernon community especially since our  
553 younger students are headed towards Souhegan which is advertised as a democratic school. The  
554 report sets the goal to encourage staff and students to have a voice and provide input. He is not  
555 convinced that is the intent of the school's administrative leadership to increase student and  
556 faculty voice.

557 When members of the Community Council propose amendments to proposals brought by the  
558 administration, the administrative sponsor of the proposal challenges the intent of the  
559 amendments and refuses to consider any changes that the body proposes. The formation of Saber  
560 Spotlight also restricted the voice of the community by giving the administration complete  
561 narrative on the happenings of the school. This is unlike the Community Council forums that  
562 were held on a monthly basis there is no opportunity for community feedback or questions and

students cannot see who their council representatives are. The community used to be encouraged to participate not forced to listen. This report sets the goal to strengthen the relationship between Community Council, staff, administration, and the school board. He takes particular issue with these as certain administrative figures have completely disregarded the role as Community Council is a decision-making body. Currently, there is a proposal in the Community Council, notably, sponsored by an administrator which would create a requirement of academic performance for all clubs that represent Souhegan and includes Community Council. He has concerns on the proposal as a whole, but he is especially concerned by the inclusion of Council as a club as he believes that it is not a club or comparable to a club. In a private conversation that he had with certain Souhegan administrative figure, which presented to the board earlier tonight, he was told something that he believes is in direct opposition to the Souhegan constitution and Souhegan's general values. This administrator told him that this is not a government, it is not a legislature, Council is a club and always has been. He is going to be putting his foot down starting now. Community Council is established in the Souhegan Cooperative School Board policy CE which is the Souhegan constitution. The policy clearly states the following, "the primary purpose of the Community Council is to govern Souhegan High School under authority derived from the school board". He is under the impression that the role of a governing body is only given to the government of a body, and he is similarly impressed that the authority of the school board is greater than that of the administration.

Mr. VanBibber finalized his comments. He encouraged the board to watch closely the happenings of community council and its relationship with the administration and be suspicious in general. Thank you.

Ms. Behm thanked Mr. VanBibber for coming out. This is not the Souhegan School Board, and she believes that would be more appropriate there. As a longtime member of Community Council, and one of the things she really loved being a part of, she respects it very much and appreciates him being very passionate about it and trying to make sure that things are being followed, thank you.

Ms. Behm continued; she takes issue with having the courage of this body questioned. She is a personal friend and has served alongside Mr. Glover for a long time and has a lot of respect for him. To accuse an independent counsel of being biased when they do not have that same relationship, there would be no reason for them to be biased, makes no sense to her.

Her role as a parent is one thing, she will fight for her children tooth and nail it is very personal. Her role as a board member is a very different thing, it is to do what is right for students. Another part of being a board member is to do what is right for staff. When she is told that three different individuals not just a fellow board member who she respects and works with, but a board member that was involved and then two staff members who she is charged with protecting that is her role. If they have a complaint and have gone through the proper channels, they have gone to the people in the SAU, and said "I have a complaint". It is not for her to tell them what is going to make them feel better, it is not for you to tell them what is going to make them feel better it is, we do not get to dictate that. She would rather err on the side of we followed I believe as a body what we thought or the appropriate steps. She is not a lawyer, nor a legal expert, so we went to a



legal expert, we took it as seriously as we possibly could, and we believe we followed the right steps. She knows that there are some questions with some very specific pieces, and she is sympathetic to that. She does take personal issue with being told that she is not courageous. She believes that she is always going to err on the side of students and protecting them and is always going to err on the side protecting our employees because it is not about her and quite honestly as an elected official it is not about you it is about our employees. Whether you feel like it rises to the level of a formal complaint or not, a complaint was made and there is no argument about that. There were three separate complaints, and three separate complaints going through the process she is willing to let that process go through. It is taking time and money and that is unfortunate that we can't do this in a less embarrassing public way for all involved. She is always going to err on the side of students and believing and protecting employees.

Ms. Taylor remarked that she has not seen you vote much against the administration to say you're independent is a concern for her. She also wanted to say that sexual harassment has a legal definition which is why a Title IV Coordinator is necessary to help the process which has been part of our problem all along.

#### VIII. Individual Board Updates

Amherst School Board Chair, Mr. Tom Gauthier, noted that their Deliberative Session is completed. All five of their warrant articles will be placed on the ballot as presented during that session. Their most recent public forum was on Tuesday night. They took a first look and how their projects will be phased at the middle school and at the renovated major addition at the elementary school. It was very interesting to see how that would look and how it would be phased over the next three years starting in 2023 if it were to pass. They have one more public forum on Saturday March 5<sup>th</sup> 4:00PM. They continue to work on ways to get the word out about that project over the final three weeks before Election Day. He thanked Ms. Parisi for all of her work with this building project. She has taken this on as her main focus and Mr. Conklin has done a lot with her. He thanked Ms. Kuzsma for her 6 years to the Amherst School Board. Tonight, will be her last meeting as a member of their board.

Mont Vernon School Board Chair, Ms. Sarah Lawrence, noted that they had their Deliberative Session last week. All three articles are on the ballot as they were presented in the Deliberative Session. It was well attended by members of the public and after the Deliberative Session they had the opportunity to meet with the Middle School Study Committee to review the findings of their report. The findings are present on the SAU website under their committee tab. Anyone is welcome to go and review that. The conversion needs to continue, and they have things to consider from a tax perspective in Mont Vernon. They are looking at a partnership with Amherst to see if there are creative ways that they can come to improve the tax situation and be fiscally responsible for our constituents.

Interim Souhegan Board Chair, Ms. Stephanie Grund, added that their Deliberative Session went smoothly, their warrants are on the ballot. They have not had a full board meeting since December. They have a few members that are not returning Mr. Coughlan, Mr. Torres, and Ms. Taylor. She thanked them for their service.

644 Mr. O’Keefe recognized the board members for their service.

645 The Board thanked the Chairs for their updates.

646 IX. Policy GBK

647 Ms. Kuzsma commented that policy GBK this is a Souhegan and SAU policy only. Amherst and  
648 Mont Vernon both have collective bargaining agreements with their employees that cover these  
649 areas on the proper processes and things like that to go through for concerns, complaints, and  
650 grievances. The Souhegan and SAU 39 office does not. This would cover those employees in  
651 those circumstances. We do know that there are some notes in here. They will be removed once  
652 it is approved.

653 Mr. Coughlan added that Ms. Peters found a hole when they last discussed this at the SAU. He  
654 went back and added a sentence.

655 Mr. O’Keefe asked for any questions.

656 Ms. Grund commented that there is one part on page one, towards the bottom that she has  
657 concerns about “in order to promote efficiency and administration to avoid misunderstandings”.  
658 She inquired if there was a different way to word that.

659 Mr. Gauthier replied that it provides that chain of command.

660 Mr. Coughlan added that he lost track where the language came from. He thinks of efficiency as  
661 that it is not uncommon for employees to have a concern or a grievance and then sharing it so  
662 that anyone can hear it.

663 Ms. Taylor inquired about #4 who is not applicable to a hearing.

664 Mr. Coughlan replied that he is aware of some types of grievances that are not appealable to the  
665 board.

666 Ms. Taylor asked if they should be given a broader ability to file complaints because we are  
667 giving them a closer scrutiny by adding these extra requirements on them.

668 Mr. Coughlan commented that he would like to get this passed tonight because there is nothing  
669 for the SAU employees. They can then go back and perfect it.

670 Ms. Behm questioned what word would she prefer.

671 Ms. Grund noted that she just wanted to put it out there, promote fairness.

672 Mr. Coughlan noted that Ms. Lawrence reminded him that the language was from the NHSBA.

673 **Ms. Parisi motioned to move to the Souhegan Board but for first reading for the SAU. Mr.**  
674 **Eckhoff seconded the motion. Ms. Taylor abstained. Motion passed.**

675 X. Public Input II of II

676 Ms. Tiani Coleman, 32 Simeon Wilson Road, Amherst NH, noted it has been brought up that  
677 your duties are to protect students and protect staff. She would definitely agree with that. That  
678 means following process the best way that you can. Some of the complaints that some of us have  
679 made some of you may believe that we are trying to get a certain resolution before the process  
680 has been followed or that we are more concerned about our own agenda, and we are not  
681 concerned about the big picture. She wants the board to know that what we are concerned about  
682 is process, which is the main thing we are concerned about. We do want the process to play out,  
683 but the problem is we don't trust the process. The reason she is here is because you are the  
684 oversight board to the administration. She wants to make sure that you are providing that  
685 oversight and that you are looking into it and making sure that the process is working and that it's  
686 being followed correctly.

687 Ms. Coleman continued, there are a few things she has been able to confirm with the DOE. First,  
688 the first case that we all dealt with earlier it's over and it was completely different than this case.  
689 They are not related. She inquired if they went back and made sure that case fell appropriately  
690 because it was more than two months that they had no teacher and had a lot of heartache from a  
691 lot of people. She would like the board to go back and review what really happened there and  
692 were the steps that were followed the correct steps. Was it in the best interest of the students,  
693 staff, school, and community?

694 In the recent case it has been confirmed that the press release was done solely the  
695 Superintendent. Even though the DOE's attorney was on the release and was aware of it she had  
696 nothing to do with it and they usually do not release a press release. Is that a press release that  
697 you feel was in the best interest of the students, or the staff? it was also determined that the state  
698 does not require that the staff go on automatic administrative leave just because there's an  
699 investigation. That is not an absolute requirement that is something that this district is to  
700 determine. That is her question again, was that determination correct. Was that a termination that  
701 really had to happen, maybe it did.

702 In the last case, it really still bothers her then email went out to the entire community and told  
703 them that Mr. Benevides had resigned and that it was for personal issues. That was not the case,  
704 he did not resign, he had not been fired. It really bothers her that it was never corrected, the  
705 community was never told by the administration that the email was incorrect that he had not  
706 resigned, that he had not been fired, that they had made a mistake. She wants the board to be  
707 looking into all of these things and there are more, but her time is up. Thank you very much for  
708 your time and service.

709 Mr. Glover commented that he is speaking as a member of the public. This should have been  
710 said earlier in response to Ms. Behm. He tried to prepare his remarks in a clear manner and  
711 believes she may have misheard him. He praised this board for their courage and what they did  
712 in the first paragraph. To amend initial motions that needed amending, to reaffirm their decision  
713 that they made that is praise, and recognition of courage that this board did. his challenge to the  
714 board was to continue doing that at the end of his remarks. He was not questioning the ability for  
715 courage it has been demonstrated what he is calling for is more of that to continue to hold people  
716 to their word and to follow their policies to protect people. He has a lot of respect for the people

717 involved in this who have expressed their wishes and those wishes have been heard and  
718 respected, that should continue. If you misheard him, and thought he was challenging you or any  
719 particular member, that they were not being courageous that is not what he said. He just wants  
720 the board to know that it was not his intention, he did not write it in that tone.

721 The Board thanked Ms. Coleman.

722 XI. Non-Public Session

723 **Ms. Kuzsma motioned to enter into Non-Public Session RSA 91A:3 II (c) at 8:02PM. Mr.**  
724 **Gauthier seconded the motion.**

725 **Mr. O’Keefe called a roll call: Behm-Yes, Eckhoff-Yes, Gauthier- Yes, O’Keefe- Yes,**  
726 **Coughlan- Yes, Lawrence-Yes, Conklin- Yes, Torres- Yes, Clark- Yes, Peters- Yes,**  
727 **Hinckley- Yes, Grund-Yes, Taylor- Yes, Ms. Parisi stepped out for the moment.**