

**Special School Board Meeting**  
**MILFORD SCHOOL BOARD AGENDA**

Thursday, January 12, 2023

5:30 PM

MHS-Lecture Hall Room #182

**This meeting is for the sole purpose of a Non-Public Session RSA 91-A:3 II(c)**

**1. Consent Agenda**

**2. Public Comment**

Pursuant to RSA 189:74, III, because the intended sole purpose of this meeting is to consider a matter in non-public session, there will be no opportunity for public comment

**3. Board Member Reports**

**4. Reports and Presentations**

**5. New Business/Action Items**

- a. This meeting is for the sole purpose of a Non-Public Session RSA 91-A:3 II(c)

**6. Old Business/Action Items**

**7. Public Comment**

Pursuant to RSA 189:74, III, because the intended sole purpose of this meeting is to consider a matter in non-public session, there will be no opportunity for public comment

**8. Adjournment**

**\* Denotes Action Items**

***The Board reserves the right to change the agenda at any time up until the conclusion of the meeting.***

### **Policy 2152 (BEDH) - Public Participation at Board Meetings**

The primary purpose of School Board meetings is to conduct the business of the Board as it relates to District policies, budget, programs, and operations. The School Board encourages citizens to attend its sessions so they may become better acquainted with the operation and programs of the schools and so the Board may have an opportunity to hear the thoughts of the public related to items on the agenda. However, the Board reserves the right to meet and to adjourn or recess a meeting at any time. The Board also reserves the right to enter non-public session at any time, in accordance with the provisions RSA 91-A:3. In order to assure that persons who wish to appear before the Board may be heard and, at the same time, it may conduct its meetings properly and efficiently, the following rules shall pertain to public participation at Board meeting

1. The Board will hear public comments related to items on the agenda at the beginning of each regular board meeting. All public comment periods will be a maximum of thirty (30) minutes, provided there are people who wish to speak. This period may be extended by a majority vote of the Board. Excluding the first and final comment periods, the Board may include an additional public comment period for specific agenda items.
2. Individual speakers will be allotted (3) three minutes. Speakers may not relinquish allotted time to another speaker. For specific meetings and/or specific agenda items, the Board may at the outset of the public comment period increase the individual time limit for all speakers
3. Only those individuals recognized by the Chair will be allowed to speak
4. In order to comply with the minute requirements of RSA 91-A:2, II, any individual recognized to speak shall give his or her name, address, and the group, if any, he or she is representing.
5. Except as otherwise provided in this policy, the board will hear public comments on non-agenda items related to the School District if a final comment period is provided by the Board.
6. No public comment periods will include question and answer.
7. In the interest of preserving individual privacy and due process rights, the Board requests that comments (including complaints) regarding individual employees (other than the Superintendent) or individual students be directed to the Superintendent in accord with the complaint/grievance resolution processes set forth in School Board Policy 2422. The Board will not hear personal complaints of school personnel nor complaints against any person connected with the school system.
8. Any comments which do not adhere to the above, or which disrupt the official business of the Board may be ruled out of order by the Chair.

The Board Chair may terminate the speaker's privilege of address if the speaker does not follow the above rules of order. Repeated violations or disruptions may result in the individual being asked to leave the meeting location. Failure to comply with such a request could result in a meeting recess and a request for law enforcement assistance to remove the individual.

Persons appearing before the Board should note the members of the Board are without authority to act independently as individuals in official matters. Thus, comments may be directed to individual Board members, but responses will likely be deferred pending consideration by the full Board.

### **Policy 2422 - Public Complaints About School Personnel, Employees, Students or Administrators**

Any complaint presented to the Board about school personnel, employees, students or administrators will be referred back to the Superintendent. The Board may choose to not hear or review complaints until such complaints have first been brought forth through the appropriate and applicable administrative procedures and the Superintendent or his/her designee has a reasonable opportunity to resolve the complaint. The proper channel will usually be as follows:

1. Teacher
2. Principal
3. Superintendent of Schools
4. School Board

To remain impartial the Board may decline to hear any complaint as related to student or personnel matters. The complaint procedure shall not supersede or modify any right held by employees of the District under federal law, state law, contract or collective bargaining agreement.

To the extent it is deemed appropriate by the Superintendent and notwithstanding the rights afforded by federal law, state law, contract or collective bargaining agreement the individual who is the subject of the complaint may be advised of the nature of the complaint and may be given an opportunity for explanation, comment and presentation of the facts. The Superintendent shall seek to resolve the matter and report to the Board.

Complaints about the Superintendent may be made directly to the Board through the Board Chair but only after reasonable efforts have been made by the complaining party to resolve their complaint directly with the Superintendent. The Board may, to the extent it is appropriate, advise the Superintendent of the nature of the complaint and may give the Superintendent an opportunity for explanation, comment and presentation of facts.

In the event a complaint is made directly to an individual Board member the procedure shall be as follows:

1. The person is referred to the Superintendent, who may delegate the investigation to a Principal or other administrator. 2. If the person will not personally present the complaint the Board member will then ask that the complaint be written and signed. The Board member will then give the written statement to the Superintendent who will forward it to the appropriate party as necessary. 3. If the person making the complaint believes that the reply from the Superintendent is not satisfactory the Board may hear and act upon the complaint only by a majority vote. The Board may decline to act on any complaint which, in its sole judgment, would interfere with the Superintendent's ability to properly administer the district. If the Board does hear and act upon the complaint, all Board decisions shall be final. 4. If the Board decides, in accord with Paragraph Three (3) above to hear and act upon a complaint that pertains to personnel, employee, student or administrative matters, it shall determine whether the complaint is heard in public or nonpublic session in accordance with RSA 91-A:3 and laws pertaining to student and family privacy rights. The Board shall also determine if it is appropriate to inform the individual who is the subject of the complaint of the meeting and to provide said individual with further opportunity for explanation, comment and presentation of the facts to the Board. 5. If the Superintendent is the subject of the complaint, the Board shall determine whether the complaint should be heard in public or non-public session in accordance with RSA 91-A:3. The Board may, to the extent it is appropriate, advise the Superintendent of the nature of the complaint and may give the Superintendent an opportunity for explanation, comment, and presentation of the facts.

#### **Policy 3575 Public Complaints Involving Non-Personnel Matters**

The Milford School Board believes that complaints and grievances are best handled and resolved by the parties directly concerned. Any complaint presented to The Milford School Board about non personnel matters such as instruction, discipline, learning materials, or school operations shall be referred back through proper administrative channels and handled in compliance with applicable language as noted in relevant Collective Bargaining Agreements. Parental objections to specific course material will be handled in accordance with policy 3526. The Milford School Board may choose to not hear complaints from individuals until such complaints have first been brought forth through the appropriate administrative procedures. The proper channel will usually be as follows:

1. Teacher
2. Principal
3. Superintendent of Schools
4. School Board

If a complaint is made directly to an individual Board member, the procedure shall be as follows:

1. The person is referred to the (appropriate) party as noted above.
2. If the person will not personally present the complaint to the appropriate party the Board member will then ask that the complaint be written and signed. The Board member will then give the written statement to the Superintendent who will forward it to the appropriate party as noted above.
3. If the person making the complaint believes that the reply is not satisfactory after all of the proper channels have been followed The Milford School Board will hear and act upon the complaint only by a majority vote.
4. If the Milford School Board does hear and act upon the complaint all Milford School Board decisions shall be final.

*Public complaints about school personnel, employees, students or administrators shall be handled in accordance with Milford School Board Policy 2422.*

*Exceptions to this provision are for complaints that relate solely to The Milford School Board actions or Milford School Board operations.*

### **Policy 2130 School Board Officers**

*The officers of the Board shall be a Chair, a Vice-Chair, and a Secretary. Elections for any Board officer position may be held at any Board meeting, provided that item appears on the posted agenda for the meeting. A positive vote from a majority of the Board members present and voting shall be necessary for the election of any officer.*

*Officers will remain in their respective offices until new successors are elected. If the chairperson position becomes vacant, the vice-chairperson will become chair of the Board. If the vice-chairperson or secretary positions become vacant, the Board may hold new elections for those offices.*

**Chair** – *The Chair shall preside at all meetings, shall have the right to discuss and vote on all matters before the Board, and shall have the right to make and second motions. The Chair shall prepare the agenda for each meeting in cooperation with the Superintendent/designee. The Chair shall develop an Annual Report of the School Board's activities for distribution to the public. The Chair shall have authority to sign contracts and other instruments as approved by the Board in its name and on its behalf, and shall have such other powers and duties as the Board may from time to time determine.*

**Vice-Chair** – *The Vice-Chair shall have the powers and duties of the Chair in his/her absence and shall have other powers and duties as the Board may from time to time determine.*

**Secretary** – *The Secretary shall send Board correspondence when directed by the Chair and shall record the minutes of meetings when a recorder is not available.*

### **Policy 2132 (BDE,BDF) School Board Sub-Committees**

*Though the Board shall generally act as a committee of the whole, the Board also recognizes that certain tasks could be addressed more effectively through the use of sub-committees, who shall make recommendations for action to the Board. Up to two School Board Members shall be appointed to a sub committee. Meetings may commence provided at least one board member is present.*

*Special Advisory Sub-Committees: Sub-committees created for specific short-duration tasks shall be referred to as Special Advisory sub-committees. All Special Advisory sub-committees shall be dissolved automatically following each annual school district meeting.*

*Standing Sub-Committees: Sub-committees established on a long-term or permanent basis shall be referred to as Standing sub-committees. No Standing sub-committee shall be created without a corresponding policy in this section of the policy manual describing the specific purpose and limitations of the sub-committee.*

*Members of Board sub-committees shall be appointed by the Chair, with the approval of the Board. Board members may be appointed to Board sub-committees at any Board meeting, provided that item appears on the posted agenda for the meeting, and shall serve until the Board's next Organizational Meeting or until a successor is appointed, whichever comes first.*

### **Policy 2164 School Board Communications**

*The School Board shall not use any form of communication as a substitute for voting, deliberating, or conducting business that is properly conducted at Board meetings.*

*If at any time an electronic communication (email, text, instant message, Twitter, Facebook, etc.) is originated by a Board member or administrator and is communicated to a quorum of the Board either directly or by sequential communications, the communication shall be considered a governmental record for purposes of RSA 91-A:1- a, III. As such, the contents of the communication shall be publicly disclosed and included in the minutes of the next regularly scheduled Board meeting. Under no circumstances shall communication governed by FERPA, confidentiality regulations, RSA 91-A:3, and/or other applicable law relative to privacy and confidentiality be communicated electronically. Exceptions to this shall be as follows:*

- 1. Reminders to Board members about special school events from the Board Chair or Superintendent/designee.*
- 2. Notification to Board members by the Chair or Superintendent/designee of incidents or school district emergencies for awareness and informational purposes.*

3. *Electronic communication exclusively between two Board members.*
4. *School newsletters and announcements sent from school administrators.*

### **Policy 2405 Staff Concerns and Complaints**

*A "concern" or "complaint" is defined as an alleged violation of Board policies or administrative procedures that apply to all employees. The process designated for the resolution of "grievances" is established in the collective bargaining agreements, if applicable.*

*The procedure to be followed by an employee regarding a personal concerns or complaints is to discuss the matter in a personal conference with the School Principal or with the immediate supervisor directly in charge. When the nature of the concerns or complaints dictates otherwise, the employee is always entitled to present his/her concerns or complaints to a higher supervisor. When the employee so decides, the initial conference on the concerns or complaints may be held with the Superintendent of Schools, or an unsatisfactory result of an interview with another supervisor may be appealed to the Superintendent of Schools.*

*Specifically, in order to promote efficiency the following guidelines should be followed:*

1. *All personnel employed by the District shall be responsible to the Board through the Superintendent. No dispute or other personnel issue shall be brought to the Board without first having gone to the Superintendent for determination. No personnel issues will be brought to the Board unless the affected employee has a right to a hearing before the Board, as established by law or collective bargaining agreement.*
2. *No dispute or other personnel issue shall be brought to the Superintendent without first having been presented to the building Principal for determination.*
3. *Building personnel working under the immediate direction and/or supervision of someone other than the building Principal will inform their immediate superior of any dispute of personnel issue s/he intends to bring to the principal.*

*It is expected that concerns or complaints will be resolved satisfactorily through these procedures. Unless the affected employee has a right to a hearing before the Board, administrative decisions shall be final. An employee's failure to adhere to such decision or directive may be considered insubordination and may lead to adverse employment action.*