

SCHOOL ADMINISTRATIVE UNIT NO. 12
Office of the Superintendent of Schools
Londonderry, New Hampshire 03053

5 A concurrent meeting of the School Administrative Unit No. 12 School Board and the Londonderry School District School Board was held on **Tuesday, May 17, 2016** at 7:00PM at the Londonderry Town Office, Moose Hill Conference Room, 268B Mammoth Road, Londonderry, NH. In attendance were School Board members; Ms. Ganem, Mrs. Hendricks, Mr. Lekas, Mrs. Reilly and Mr. Young. Also in attendance were Superintendent, Mr. Greenberg, Business Administrator, Mr. Curro and School Board Secretary, Lisa Muse.

10 **1. Call To Order:** The meeting was called to order at 7:00PM by Mrs. Hendricks.

2. Pledge of Allegiance: The Pledge of Allegiance was led by Dr. Lundgren.

15 **3. Questions, Announcements and Presentations**

A small gift was presented to Olivia Caruso the Student School Board rep and introduction to Carolyn Hill who will be the new student rep.

20 **6. Deliberations**

6.1 To see what action(s) the Board will take regarding the Property-Liability and Workers Comp Insurance recommendation – Peter Curro, Chuck Zappala, Suzie Swenson and Jennifer Goode from Davis and Towle. Mr. Curro gave a background regarding the run-off environment and what that means in regard to Property Liability Trust (PLT). All claims will be covered by the reserves of the organization of PLT. Because the school district knew this was coming they have been doing research into other risk pool companies. Primex was the fall back, but the three of them looked into what else is out there and presented the information to the Board. Risk pools were developed because private sectors bailed on schools and towns. Using their contacts at PLT, the one company in state that had experience with schools and towns is Davis and Towle out of Concord, NH. They met with Primex and Davis & Towle and discussed our needs. Pricing is outlined in the packet. They met with the underwriters from both companies. Credit reference checks were run on both companies. Proposals were reviewed and all three are comfortable with recommending Davis & Towle. The student accident rider coverage will continue to be provided for an additional \$9,538. They will recommend on a one year basis for Property Liability and Workers Comp beginning July 1, 2016 – June 30, 2017. Mrs. Reilly asked if this will be the same level of insurance and Mr. Curro said yes. Mr. Curro spent a lot of time with Utica on claim processing to ensure the same level of service is provided. There will also be training sessions and wellness programs. Ms. Ganem asked if we are losing anything that PLT offered. Mr. Curro said as we move forward the important programs we will continue to receive from David & Towle. Mrs. Hendricks asked if we renegotiate from year to year. Mr. Curro said we would reevaluate each year or we would renew until something like a large price rate incurs. ***Mrs. Reilly made a motion to accept the administration’s recommendation for Property-Liability and Workers Comp Insurance for fiscal year 2017 be provided by Davis and Towle. Ms. Ganem seconded the motion. The motion passed 5-0-0.***

45 **7. Superintendent’s Report**

7.1 Non-Discrimination Transgender Students Background Information – Nate Greenberg. Mrs. Hendricks mentioned that it is the position of this Board to support all students and provide an environment and culture that does not discriminate against any student for any circumstance.

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This is the beginning of many discussions on coming up with guidelines and the Board expects it to be thoughtful, respectful and non-inflammatory. She reminded the public that they can always send an email to the School Board from the website at Londonderry.org/department/school board. Mr. Greenberg went over a Power Point presentation and went over his memo. He started with going over definitions of transgender, gender identity and gender expression, transsexual and gender non-conforming. Transgender describes a person who consistently and uniformly asserts a gender different from the gender assigned at birth. It involves more than a casual declaration, but does not necessarily require medical diagnosis. It does not refer to the person's sexual orientation. He continued with the present State of the Law and Policy mentioning that the transgender under Federal Law: US Department of Education (DOE) – Office of Civil Rights has taken the position that Title IX protects transgender students against discrimination based on their gender identity. Title IX passed in 1972 prohibits sex discrimination in any federally-funded educational program or activity. In 2014, the US DOE issued guidelines asserting transgender students are protected from gender discrimination under Title IX. He went over a letter from US Department of Education regarding Title IX and Sex Discrimination which is present in the board room and available online. He went over what the schools must provide under Title IX, the environments that the schools must provide to all students, sex segregation and facilities, restrooms and locker room requirements, athletics, single sex classes, housing and overnight accommodations. He discussed FERPA (Family Educational Right to Privacy Act) and Title VII – Civil Rights Act. He then discussed the First Amendment which protects students' rights to free speech and freedom of expression including the expression of gender identity. Mr. Greenberg then went over the most recent court case which was Grimm vs. Gloucester Country School Board, which found for the Plaintiff, allowing use of male restrooms at Gloucester High School. He also discussed the Resolution between Arcadia Unified School District and USDOE and US Department of Justice, Civil Rights Division: Case of a transgender student who wanted access to sex-specific facilities consistent with gender identity – may request private facilities based on privacy, safety and other concerns. Treat same as other male students and treat school records as confidential. Mr. Greenberg then went in depth over the NH Laws/Regulation and Local Policy which include RSA 186:11, NH Code of Admin Rules, ED 303.01(i) and (j) and Chapter 354 A:71, Chapter 354 A:2, Londonderry Policy AC: Non Discrimination/Equal Opportunity and the Londonderry Policy ACA-S: Student Sexual Harassment Prevention Policy. He then went over the list of other considerations moving forward and went over the Draft Transgender Students Guidelines and procedures in detail which include Purpose, Definitions, Addressing the Needs of Transgender Students and Guidance on Specific Issues and Staff Training and Informational Materials. The guidance from the Federal Government comes down to basically transgender students fall within the non-discrimination clause and he felt our job is how do we operationalize for the transgender students and all other students. Mrs. Hendricks mentioned for the record a couple emails she had received. Daniel Tamburello, 3 Royal Lane who opposes the policy and from several residents who encourage us to adopt the policy: (Aida and Bradley Maher, 7 Tanager Way; Caroline and Mark Edwards, 5 Tanager Way; Katie and Daniel Grayson, 6 Tanager Way; Christine and Jeff Gaffny, 18 Tanager Way; and Elizabeth and Jaime DiBurro, 15 Tanager Way)

Mr. Lekas mentioned that this is federally and State mandated so our hands are tied and all we can do is abide by the laws.

Ms. Ganem asks Mr. Greenberg about the school bathrooms with all having stalls and the exception is in the boy's rooms where there are not any stalls around the urinals and what would be the cost to put stalls around this. Mr. Greenberg mentioned that every bathroom has been surveyed and identified and looking into how much to address some specific bathroom issues. Locker rooms have privacy stalls. Girls have showers with stalls and boys are gang showers with alternate dressing areas. The only team that consistently showers is the wrestling team. We need to look at alternatives for boys shower area.

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Any student can use the stalls not just the transgender student. The locker rooms at the Middle School and High School would need to be looked at.

5 Ms. Ganem asked if our current policy needs to now include transgender wording but Mr. Greenberg said we don't need to specifically identify it. Mr. Greenberg recommended to the Board that we have policies that cover the rulings that have been handed down and the guidance provided to us which is consistent with court cases related to employment and employment discrimination. Ms. Ganem said because she was asked this by a resident she wanted to confirm that we cannot require a medical diagnosis and Mr. Greenberg said that was correct.

10 Mrs. Reilly mentioned that we already have policies in place to prevent discrimination and it's not our job to interpret laws, but to follow. It's our moral obligation that every student feels welcome, is educated and they have a right to feel safe and she considers that for all students not just one class of students. She felt we need to look at what we have in place and what we need to change. She would like to see what measures it would take to provide all these privacy measures for all students and how much it would cost and how much time it would take.

15 Mr. Lekas mentioned that he would be uncomfortable making any kind of vote on this without getting a lot more information and getting a better understanding and being more educated.

20 Mr. Young would like to hear from the public and then will give his feedback.

Mrs. Hendricks mentioned that residents have brought up their concerns in regard to locker rooms and overnight trips and how we protect the modesty of all the students. She felt we all need to get more educated and discuss privacy for all students.

25 Mr. Greenberg said regarding the facility issues: It is the transgender student's right who has asserted in a consistent way to access the facility for the gender they are exhibiting. The issue Mrs. Hendricks is bringing up is facilities need to provide modesty areas for all students which is a different question. Overnight field trips: a transgender student can't be excluded or the only room offered to them is in a single room. He mentioned that the children are more aware and if kids agree to room with one another and parents are ok then that is it. In regard to predators, there is no evidence that transgender students are sexual predators and there is more evidence that they will be harassed and bullied. A high percentage of suicides happen among transgenders. A survey was done across the country with 17 school districts and there was one case of a transgender being a sexual predator. There tends to be modesty on the transgender student. We need to figure out what is the best way for all students and provide an environment the children feel safe and where there is no discrimination, harassment or bullying.

30 **Kristin Rolfe, 20 South Road:** She agreed with Mr. Lekas. This is federally mandated and is the law. She personally believes it's the right thing to do. She discussed urinal use and her concern is that people are fear mongering about what we don't know and are making a big issue out of it based on fear and not fact.

35 **Laura El-Azem, 22 Summer Drive;** She thought this was a recommendation and not a law. Mr. Greenberg mentioned they are guidance for Title IX and civil rights. However, the actions they have taken are in support of what the Grimm decision was which was a transgender student who went from girl to boy had right to use boy bathroom. Under Title IX, if a complaint is brought that is how it will be addressed. The law is basically the civil rights act which says that say you can't discriminate against

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people for race, religion, color and sex and the interpretation is that transgenders are covered under that interpretation and they cannot be discriminated because of sex. He mentioned that we have several million dollars in federal funds, which is under 3%, designated for special Ed and Title 1. She is in support and policies that broke us free of any Federal control of education. She does not want Londonderry to be the town to make a social statement. She is concerned about pronouns being used as stated in the policy due to free speech.

Dr. Dave Lundgren, 21 King John Drive; He is a State Representative. He mentioned that this is not a law, but has been mandated by President Obama with the threat of taking monies away from school districts. He felt we should take a stance like we did with the lunch program and try to absorb what costs the government sends us. He asked if it is possible for boys and girls changing and showering in the same locker rooms....Mr. Greenberg said yes that is possible. He asked could we have a 1st grade girl and 5th grade boy using the same bathroom.....Mr. Greenberg said yes that is possible. In regard to locker rooms, Dr. Lundgren felt this is opening up to sexual harassment liability issues.....Mr. Greenberg said we would be looking at modesty areas and just because a child is a transgender child doesn't mean they exhibit predatory behavior. He felt the majority non-transgender children who want to maintain their privacy are overlooked by the massive minority of transgender children.

Al Baldasaro, 41 Hall Road: He is a State Representative. He discussed the Bathroom Bill of 1999. It passed the House by one vote and then the Senate killed this bill because there were so many what ifs. He asked Mr. Greenberg to explain the part under Title IX in regard to sex segregated classes. If a student identifies as a girl on a consistent basis, they would have access to girl classes. Mr. Baldasaro mentioned that the legislature gives parents the option to opt out of a lesson/class and Mr. Greenberg agreed. Mr. Baldasaro mentioned that we never lost any federal monies when we went against the government as legislatures. He felt we already have a system in place and the spotlight wasn't on these kids before. He quoted Representative Dan Tamburello who said "this effort by POTUS and the federal government is yet another attempt for the feds to socially engineer our society and control our education system by withholding funds or threatening expensive litigation." He said it was made clear in the legislature that intent on sex in New Hampshire was between a male and a female. The Congress didn't make any changes to the law, but changes have been done to the courts. Where are the rights of the other children who are in the majority? He discussed other states that are fighting this and felt we should leave it to the legislatures in New Hampshire to come up with a law. People have told him they are willing to pull their children out of the school system here in town.

Denise Piro, 7A Walton Circle: She is opposed to the aspects of these guidelines regarding the restrooms and the locker rooms. Girls are already uncomfortable changing and showering and now the federal government comes in and tries to make changes. She felt that until a transgender has a sex change operation and that is complete and documentation is provided the State will not change a driver's license and that is the law in this State. She felt the issue is not transgender it is if you are born a man or a woman and she felt the issue is being confused by having different sexes use bathrooms and locker rooms. It is not fair to the kids. She felt the federal government has over stepped their boundaries and felt this is wrong. She does not feel this change should start with the children but with adults. The State of North Carolina is bringing a suit against the government because its sex not sex identity and they are asking the court to clarify that term. She is opposed to this policy.

Greg DePasse, 21 Welch Road; He supported this policy that was provided and grateful for the efforts in this area. He felt the policy addressed public concerns and the rights and privacy of all the students.

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Holley Maki, 42 South Road; She supported the policy and has done some research. She discussed the times when children are born with both genitalia and a decision has to be made which support gender identity not matching gender assigned at birth. She reminded everybody that it is not always a clear cut case. In regard to the modesty of a child, all children should have the same option as anybody else to go to a private location. She felt we need to be compassionate to the transgender student and we have to continue these policies where we are protecting them and offer the ability where everybody can go somewhere where they feel comfortable.

Ann Gaffney, 28 Tokanel Drive: As a teacher, she has had experience with transgender children. She felt we need to protect all students and not just what the law says, but the moral obligation. She felt if privacy is given to all the students we get rid of the issue. She inquired about the excess fund balance at the end of year that goes into the maintenance trust funds. She encouraged the Board to look further into this topic. Mr. Greenberg said what we are talking about is guidelines that cover all areas as well as the sexual harassment policy. He mentioned that nothing will be changed in the official educational record unless there is legal action. The teacher would know which preferred pronoun to use, but it would not be changed in the educational computer system. She supported the guidelines. Mr. Greenberg mentioned that the guidelines were created after looking at models and meeting with attorneys. She would like input from members of the transgender population for input to be considered.

Alicia Davis, 58 Boulder Drive: She is opposed to this situation. Transgender doesn't end at students. There are adults such as teachers, faculty and coaches that will have access to these facilities. Mr. Greenberg mentioned that faculty uses faculty bathrooms. She said teachers do go in the student's bathrooms and Mr. Greenberg said generally speaking if there is an issue in the bathroom the assistant principals go in or a faculty member of the same sex. She felt people, other than transgender, may act a certain way to take advantages of loopholes and take advantage of the situation. She stated that based on research eighty percent of children who start off as transgender grow out of it. She wondered how it will be handled if at puberty they decide to change their mind. Mr. Greenberg said we can't cover all situations and predict all situations.

John Farrell, 4 Hancock Drive: He is the Town Council Chairman who has served the town for over 17 years. He mentioned that we generate \$100 million in revenue and \$70 million goes to the schools. He asked the Board to be thoughtful, kind and to take their time and to make sure to understand all the pieces before making decisions and take it slow. He encouraged them to get educated. The Town side will help as best they can and they will be looking to the School Board for advice.

Mr. Young referred to a document in the packet provided which is a letter of guidance from the Department of Justice – Civil Rights Division. This letter is guiding us on what we should do on the 1972 law. He read a paragraph from that letter. He felt that this indicates that using existing or adding facilities cannot solve this problem as long as we have segregated facilities in our schools. If the community intends to provide privacy for all students within the federal law, we must modify the existing facilities and construct in the future facilities that provide privacy. He felt that in the future we will have one set of bathrooms and all stalls will be private. This is yet another unfunded mandate being handed down to school districts. He felt this can be addressed in a timely basis, appropriate manner and make everybody comfortable.

Mrs. Hendricks encouraged people to call and email the board with any questions and concerns.

5. Committee Reports:

5.1 Student Council – Olivia Caruso: The Special Olympics was held at the high school track this past Saturday. Thank you to the many clubs and organizations for volunteering and

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congratulations to the athletes who competed. Also this past weekend, the high school hosted “Art in Action” at Mack’s Apples; this event showcased live models as works of art. Thank you to the community for showing their support. Inductions took place Monday, May 16th. Congratulations and good luck to those elected onto the student council and class executive boards for the upcoming school year. This Saturday, May 21st at 6:30 PM is the Senior Prom at the Andover Country Club.

4. Consent Agenda: Mrs. Reilly made a motion to accept the consent agenda. Mr. Lekas seconded the motion. Motion passed 5-0-0.

4.1 Retirement(s):

Marilyn Eddy	Instructional Assistant	North School
Candace Elefante	Speech & Language Pathologist	South School
Paula Goldberg	Teacher	Middle School
Susan Goyette	Teacher	Matthew Thornton
Diane Malley	Curriculum Coordinator	High School
Dorothy Paradis	Dining Services	Matthew Thornton
Jane Ward Guaraldi	Teacher	Moose Hill

4.2 Resignation(s):

Kathleen Wilson	Teacher	High School
Linda Geanoulis	SPED Assistant	High School
Kayla Giuffrida	Speech & Language Pathologist	South School
James Lauzon	In-School Suspension Monitor	High School

4.3 Minutes: April 19, 2016

4.4 Meetings:

June 1, 2016	Retirement Reception	4:00PM	LHS Cafe
June 2, 2016	Adult Ed Graduation	6:30PM	LHS Café
June 6, 2016	Senior Project Showcase	6:00PM	LHS Cafe
June 7, 2016	Regular Meeting	7:00PM	Town Offices
June 9, 2016	Baccalaureate	7:00PM	Capital Center for the Arts in Concord
June 10, 2016	High School Graduation	7:00PM	Verizon Wireless Arena
June 21, 2016	Regular Meeting	7:00PM	Town Offices
July 12, 2016	Regular Meeting	7:00PM	Town Offices

9:33PM – Mr. Young dismissed himself from the meeting.

5. Committee Reports

5.2 Teacher Liaison – Stella Skoropowski: Moose Hill: The kindergarten students are also looking forward to visiting the elementary school they will be attending for first grade. We will visit South and MT in the morning and then North and MT in the afternoon. This is always a great day thanks to the administration of all three schools! **All Schools:** Last night, the High School Symphonic Band put on a wonderful program for the elementary schools. The students had instruments on display for the children to learn about and try, and then they put on a short concert during which the children could sit with the band and take turns at the podium conducting. The concert ended with a grand march around the gym. All had a wonderful time.

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The Tri-M Music Honor Society also honored the elementary music teachers for their work getting students started on their musical journeys. They were presented with beautiful plaques and gifts, and were very touched by the recognition. Mr. Greenberg and the three elementary principals took part in the presentations, and it was a very special night for the music teachers.

5 All district fourth graders began the Science NECAP testing today and will test tomorrow and Thursday.

Matthew Thornton: At Matthew Thornton we are very proud of the effort that our students put into the reading incentive program, Books and Beyond, Between October and mid-May, MT students logged over 26,000 hours of reading outside school.

10 Elementary schools are wrapping up transition meetings with the middle school. The fifth grade will be doing step up day on June 1.

The MT HealthyTigers are doing a Walk for Cystic Fibrosis this Saturday, 5/21, to raise money for the cause. The Wellness Committee is also doing a Shoe Recycling fundraiser by collecting gently used shoes which are sent to a company that pays us for them. The company then sells the shoes at a reduced price to those in need. With the money raised, the committee hopes to purchase some aeroponic tower gardens. It is hoped that the Wellness Committee can work together with some of the STEM committee members to find a way for students to grow food inside during the school year.

15 **Middle School:** This is from Spanish Teachers - Sra Gendron, Sra Fox, Sra Tetley and Sra Bailey. Spanish 8 students have begun working on their final oral presentation as this is the end of "Spanish 1" for them. Using notes in English, they have to speak to the class for 5 minutes in Spanish. It is truly incredible how well they do!!! We are always so proud of their work.

20 **High School:** We would like to let the school board know that we have a remarkable group of girls here at LHS - who we have dubbed "Lancers with a Purpose" - who have worked diligently this past semester to raise awareness of two global issues that they are passionate about solving. One issue is malaria and the other is lack of access to clean drinking water. This group of students from Current Events - Global Issues continues working to raise awareness and funding to purchase mosquito nets and LifeStraw Community water filters for students in Sub-Saharan Africa. There is also a video clip that they made to share with the school community

25 **5.3 School Board Liaison Reports:** Ms. Ganem talked about the C3 Meeting and looking for more community involvement. They discussed WIFI and iReady updates for grades 1-8. Teachers were excited about the pilot. The District website is being changed to a more user friendly update. Bus monitoring system will be up and running this fall. There will be an app for purchase. Mr. Laliberte said community involvement did increase this year and they are looking at targeting meetings around specific issues/programs by giving people a chance to plan ahead. Ms. Ganem talked about the Matthew Thornton PTA and the money they raised. Box tops brought in \$1,200. Mr. Lekas talked about the Middle School concerts and how they did a great job. He attended the Allied Health meeting. Mrs. Reilly attended a couple health care presentations and the Lion King performance by North School. Mrs. Hendricks attended the band concert at the High School.

40 Mrs. Breithaupt and Mr. Parent gave an update on the Class of 2028 Little Lancer Day. The High School students did a fantastic job with making butterflies, face painting, parachute/basketball, games and dance club performed. All children had a great time. The kindergarteners get a Class of 2028 t-shirt. Mr. Parent talked about the Hall of Fame and how they are looking to resurrect this and bring it back in the fall. They will present this to the Board and this would be for academics, music and sports.

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6. Deliberations

6.2 To see what action(s) the Board will take regarding the Adult Education Grant Proposal for FY 2016-2017 - Amity Small: Mrs. Small went over how they plan to spend the grant money allocated for the Adult Education Program. They plan to offer the same amount of classes since

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the projections for FY16-17 enrollment is consistent with FY15-16 enrollment. The program plans to continue the use of ODYSSEYWARE for math. This online learning opportunity allows students in the evening and day programs access to online courses taken for credit recovery and to access courses not available through an adult education class. Most of the \$57,600 grant money will be put towards
5 technology, ODYSSEYWARE and staff. There were 22 graduates in January and 28 will graduate on June 2nd. *Mr. Lekas made a motion to accept the Adult Education Grant proposal as submitted for FY 2016-2017, Ms. Ganem seconded the motion. The motion passed 4-0-0.*

6.3 To see what action(s) the Board will take regarding the Liaison Assignments:

Mrs. Hendricks went through the Draft of the Londonderry Liaison Assignments and the school board
10 members were assigned.

7. Superintendent's Report

7.2 April Enrollment Report – Nate Greenberg: Mr. Greenberg mentioned that present
15 enrollment is 4414.

8. Non-Public Session

**Non-Public Session requested under RSA 91-A:3, Section II (b). Please see attached Confidential Memorandum. Mrs. Reilly made a motion to move into non-public session requested
20 under RSA 91-A:3, Section II (b). Mr. Lekas seconded the motion. Motion passed by a roll call vote.**

9. Adjournment:

Public meeting was adjourned at 9:56PM.

25 Respectfully submitted,

Lisa Muse
School Board Secretary

Londonderry School Board
Non-Public Minutes
Tuesday, May 17, 2016

5 PRESENT: Board Members: Mrs. Hendricks, Mrs. Reilly, Mr. Lekas and Ms. Ganem
Superintendent of Schools: Mr. Greenberg
Assistant Superintendent: Mr. Laliberte
Director of Human Resources: Mrs. Swenson

10 Mrs. Reilly moved, seconded by Mr. Lekas and passed unanimously (4-0) to enter non-public session under RSA 91-A:3, Section II (b) at 9:58PM..

15 Ms. Ganem moved, seconded by Mr. Lekas and passed unanimously (4-0) to approve administration's recommendations for three teachers and two psychologists

Mr. Lekas moved, seconded by Ms. Ganem and passed unanimously (4-0) to approve administration's recommendation for a library media assistant

20 Mr. Lekas moved, seconded by Ms. Ganem and passed unanimously (4-0) to approve administration's recommendations for adult education teachers and support staff

25 Ms. Ganem moved, seconded by Mrs. Reilly and passed unanimously (4-0) to approve administration's recommendation to rescind a resignation for a middle school custodian

Ms. Ganem moved, seconded by Mrs. Reilly and passed unanimously (4-0) to exit non-public session at 10:08PM.

30 Mr. Lekas moved, seconded by Mrs. Reilly and passed unanimously (4-0) to adjourn public session at 10:09PM.

Respectfully submitted,

35 Nathan S. Greenberg
Superintendent of Schools