

BROOKLINE SCHOOL BOARD
SEPTEMBER 25, 2019
MEETING MINUTES

A meeting of the Brookline School Board was conducted on Wednesday, September 25, 2019 at 6:01 p.m. at the Captain Samuel Douglass Academy.

Matthew Maguire, Chairman, presided:

Members of the Board Present: Kenneth Haag, Vice Chairman
 Rebecca Howie, Secretary
 Alison Marsano
 Erin Sarris

Members of the Board Absent:

Also in Attendance: Gina Bergskaug, Assistant Superintendent
 Bob Thompson, Assistant Superintendent of Student Services
 Kristen Maher, Assistant Business Administrator
 Dennis Dobe, Principal, Captain Samuel Douglass Academy
 Daniel Molinari, Principal, Richard Maghakian Memorial School
 Brian Rater, Brookline Finance Committee

AGENDA ADJUSTMENTS - None

CORRESPONDENCE/RESIGNATIONS/NOMINATIONS - None

PUBLIC INPUT - None

PRINCIPALS' REPORT

Principal Molinari spoke of appreciation of the Board's support of the new playground equipment. Cards written by students were shared with the Board.

The school year got off to a great start with many activities such as the Blue Jay assembly that kicked off the District-wide theme of the whole-child initiative; this year's focus is self-management and self-awareness of students and staff.

Coming up is the school-wide evacuation drill to the fire station. The event will be filmed to be shared with parents at next year's open house during discussion of how reunification is handled.

Principal Dobe stated the start to the school year was a good example of the enthusiasm and joy of the back-to-school season.

Fall NWEA testing will begin October 1st.

He commented on the well-attended Open House noting the participation by Brookline Police Officers and a representative of the SAU41 Human Resources Department to help conduct the volunteer screenings.

Principal Molinari commented on the positive experience with Student Transportation of America (STA), the new bus company. Principal Dobe spoke of concerns raised regarding over-crowding on a

few buses, and that they were addressed by STA. He spoke of the timeliness of the buses commenting it is a huge improvement over last year.

Assistant Superintendent Bergskaug noted the school year started with the transportation company fully staffed.

Principal Molinari spoke of an email from Marcia Farwell addressed to the Board, Superintendent, and Principal of RMMS regarding the Brookline Lions Club's (Club) sponsorship of the Penny Sale held on the first Saturday of November. Revenue gained from the event is disbursed to many charities; mainly the SHARE Program, which services people from the Brookline/Milford area. Ms. Farwell indicated the Club was dismayed to learn they were being charged \$500 for the use of RMMS. In the past, there had been no cost involved as the prior custodian donated her time and services at no charge.

The Club helps those in need in addition to running the Kid Sight Program, which, over the years, has screened every child in Hollis and Brookline. The Club continues to provide that service with screenings scheduled for the fall. The equipment used is very expensive and does wear out. There are also expenses for paper and ink to do and report the results of the exams. They are happy to provide the service at no charge, and feel they are fulfilling a need.

A request was made that the fee be eliminated or, at a minimum, reduced.

Principal Molinari commented on how instrumental the Club has been over the years in providing the screenings. The \$500 fee referenced was what the Club was charged last year (first year they were charged). At that time, the District did not have the category fee schedule, associated with Policy KF, fully developed for implementation. A review of the policy resulted in the Club being placed in Category B of the fee schedule, which identifies established youth organizations serving the youth of Brookline, Brookline community groups such as religious, cultural, fraternal, patriotic, political service, and duly established charitable organizations where no admission is charged or other profit-making activity engaged in, except in the case of activity, which benefits the youth of Brookline.

Noted was that category A is the Brookline School District affiliated organizations, PTO, etc., and department branches of the municipal government in the Town of Brookline.

The \$500 fee charged last year represented a reduction. Total fees would have reached \$835. The total fee was reduced by the \$25 kitchen fee and the \$10/hr. utility fee. The custodian fee of \$50/hour stayed in place. The Club was provided the option of a Friday night set-up, which allowed the Saturday hours to be reduced to Noon to 10:00 p.m. (thereby reducing the cost of a custodian on Saturday).

Chairman Maguire questioned if the particular day in question sees the single event occurring as the only reason a custodian would be onsite, and was informed that is the case.

Ms. Sarris questioned if the policy provides the option for the Board to waive fee(s) within that category, and was informed the language reads "The Board reserves the right to waive rental fees for charitable or non-profit organizations."

Principal Molinari noted issues that arose from last year's event, which required additional custodian work. People were smoking on school grounds (prohibited by law). On Monday morning the school was faced with cleaning up cigarette butts along the path to the playground, in the parking lot, behind the gymnasium, etc. With that, you have to get into the issue of a police detail, which comes at a cost.

Asked if they would once again utilize the opportunity to do the set-up the night prior, Principal Molinari indicated his intent to propose that.

Ms. Sarris spoke of the contributions the Club makes to the community, and her feeling it is simply a matter of clear communication with regard to both sides minimizing cost as much as possible. With that in mind, she would be open to waiving a reasonable amount of the cost.

Ms. Marsano questioned the number of similar organizations that use the facility throughout the year, and was informed, other than the PTO, there may be one other. The concern was expressed with setting a precedent. Principal Molinari stated there are other groups that use it, but they don't reach this level of attendance.

Ms. Sarris spoke of the longevity of the event.

Asked if CSDA receives similar requests for outside organizations (District policy), Principal Dobe indicated it does not. There are scout groups, youth basketball, and a few PTO functions, which take place on days and during hours when there are custodians already onsite.

Vice Chairman Haag commented the policy was put in place because of costs the District incurs and concerns such as peanut allergies. Although he appreciates what the organization does, he is also concerned with setting precedent, and that if the number of organizations increases, it would be an expense not planned/budgeted for. Five to ten events could be \$5,000 - \$10,000 of an expense for the District. He spoke of the recent Deliberative Session and of being mindful of taxation. The District is trying to minimize the budget as much as possible. This one particular event would not cause great difficulty, but multiple events do.

Chairman Maguire commented on the duration of the event (10+ hours). Ms. Marsano echoed concern with setting a precedent and the potential for additional costs if other groups see use of the school facility as a means of cost avoidance. She questioned the percentage of the revenue gained that would have to go towards the facility fee.

Vice Chairman Haag suggested a cap be identified; however, stated the need to capture costs associated with the custodian.

The Board stated agreement with the prior action of waiving the kitchen and utility fees.

Principal Molinari stated the fee structure identifies \$50/hour as the custodial fee. He questioned if the Board wished to cover the actual cost of the custodian, which would include actual wage, overtime, benefit costs, etc. noting it could equate to less than \$50/hour. There are also utility fees, etc.

Vice Chairman Haag remarked the fixed costs can be donated as it is a community group serving the community. It is the variable costs that need to be considered.

Ms. Sarris spoke of the monetary value of the service provided to the District. When discussing the setting of precedent, that is a factor that should be considered and could be cited when addressing other organizations that seek waivers.

Principal Molinari reiterated how grateful he is that the Club provides the screening services for the students. Were they not to do the screenings, he is uncertain who would and at what cost. The School Nurse does the screening, but utilizes the Club's equipment. Vice Chairman Haag and Ms. Marsano stated agreement the value of the screenings should be considered. Chairman Maguire commented he would be agreeable to waiving the kitchen and utility fees, providing the kitchen is cleaned at the end of the event, and actual or slightly discounted cost for the custodial fee. He suggested a security deposit to cover costs associated with additional cleaning should they be incurred as a result of the event.

Vice Chairman Haag suggested the discounted custodial cost could be 50% or lower noting the value of the services provided. He was in complete agreement with a surcharge being imposed to address additional cleanup.

Ms. Marsano spoke of the Club having a long-standing history of providing a service. She suggested all fees be waived and that a \$200± security deposit be provided, which could be refundable if the facility is left in acceptable condition.

Suggested was an overall fee of \$200.00 (waives all building fees and roughly 50% of custodial cost), a \$100 refundable security deposit, Friday set-up, and rental time of Noon to 10:00 p.m.

Asked how the issue is addressed at other districts within the SAU, Assistant Superintendent Bergskaug responded, in the middle and high school, most of the outside agencies that come in are distinct and separate from the school.

Ms. Howie asked for additional information on the screenings that have been provided. Principal Molinari stated the service has been provided for some time and is done at both schools. She questioned what the cost to the District would be were it not for that donation. She agreed with a refundable security deposit.

Mr. Rater indicated the scanner that is used comes at a cost of approx. \$400,000 - \$500,000. The Lions Clubs in the State have a few that are used regionally. In addition to that cost is the amount of volunteer time provided.

Ms. Marsano suggested the fees be waived and a \$100 refundable security deposit be required.

Principal Molinari noted, even if the Club were placed in Category A under the fee structure, the cost would be the same, e.g., the PTO would be charged a custodial fee on the weekend.

Vice Chairman Haag spoke of the value of the PTO and other organizations that would also be charged the custodial fee commenting there is a cost to everything, and there was a rationale for creating the policy in the first place.

The consensus of the Board was that the fee charged to the Lion's Club for use of the facility for the Annual Penny Sale, within the parameters discussed, e.g., Friday set-up, Noon-10:00 p.m. use, be \$100 with a \$100 refundable deposit.

- Full-day Kindergarten

Principal Molinari stated the Kindergarten Steering Committee met the previous day. A presentation is planned for the Board's November meeting. The question was asked of whether the Board would want to revisit the slides from last year or receive a preview of the presentation that will be made at the Deliberative Session. Chairman Maguire stated the desire for the Board to view the presentation that will be provided at the Deliberative Session.

Additional data points will be sought, e.g., asked of parents of existing and prior year's half-day students "Please share the deciding factor for sharing the half-day program for your child."

Ms. Marsano questioned the amount of contribution made to full-day programs from KENO revenue. Assistant Superintendent Bergskaug stated it to have been an additional \$1,100/student. Principal Molinari stated his understanding KENO is no longer designated for kindergarten but instead for building aid. Assistant Superintendent Bergskaug stated her belief it generated more revenue than anticipated and the State had to identify funding to help support building aid from prior years. Regardless of the source, if the funding is identified in the State budget, it will be covered.

Chairman Maguire commented, if looking to a survey to gain data, limiting participants to those having children in kindergarten will skew the results. Ms. Sarris questioned the need to conduct another survey when a comprehensive one was done last year. Principal Molinari noted, in the prior survey, even those who did not have children in the District showed overwhelming support. Chairman Maguire stated concern if the same sentiment exists in the current tax state.

Principal Molinari will re-do the entirety of the survey including the question of sharing the deciding factor.

Noted was that the budget passed earlier in the day and included the restoration of the stabilization grant and full funding of kindergarten. Chairman Maguire explained full funding is intended to mean that the budget is fully funded for what the State puts forward as revenue, it is not intended to mean covering the full cost of kindergarten.

Principal Molinari read through the list of proposed survey questions. The list will be provided Board members for review and feedback.

- Staffing

Principal Dobe welcome Linda Durkee as the new Senior Secretary at CSDA, and commented on the tremendous amount of support she has received from the across the District.

Mr. Dubray resigned from his position as custodian some time ago. The position is one that is very difficult to fill. Principal Dobe informed the Board Charles Austin would take over that position beginning the following day.

The search continues for a part-time reading specialist.

- Theatre Club Shed Project

The Theatre Club and PTO are financing the construction of a storage shed that will be located behind the building where Theatre Club and other PTO materials can be safely stored.

- Eagle Scout Bridge Project

Life Scout Matthew Frye completed his Eagle Scout project; construction of a 15' bridge in the trail system located behind the school. Principal Dobe spoke of the benefits to the students as the trails are utilized for recreational pursuits, environmental education projects, and are critical to the emergency response action plans.

- Girl Scout Troop 12000

As part of their Bronze Star, assembled a gaga ball pit.

DISCUSSION

- Medicaid to School

Assistant Superintendent Thompson stated the District participates in the Medicaid to Schools Program, administered by the Department of Health & Human Services (DHHS). Reimbursement is received from DHHS for expenses for rehabilitative services provided to students with disabilities. On August 29th, DHHS issued new emergency rules, which limit the number of individuals who can order these services.

In the past, a Physician, a Physician's Assistant, an Advanced Practice Registered Nurse or a Licensed Practitioner of the Healing Arts would be able to issue the orders, which would enable the District to receive reimbursement. The new rule change removes the term "Licensed Practitioner of the Healing Arts".

That term encapsulates Guidance Counselors, School Psychologists, Occupational Therapists, etc. The restriction of that language will significantly reduce the revenue the District receives from the program. Although an emergency rule change, DHHS is in the process of finalizing the rule, and hopes to do that by February.

Revenue received for the 2018-2019 school year was \$275,000 SAU-wide (\$55,000 for Brookline).

Assistant Superintendent Thompson spoke of having met with Henry Lipman, Medicaid Director, DHHS, who indicated the reason for the rule change was to comply with Federal Law; other states do not have such language.

Legal counsel has advised the District continue to log all services provided. They will not be submitted for reimbursement, but if they continue to be logged and there is a rule change or this emergency rule is repealed, the District would be able to submit and receive the reimbursement.

During development of the FY21 budget, an adjustment will be made based upon the anticipation the revenue will not be there. The current budget is being reviewed for ways to adjust, e.g., greater utilization of the IDEA Grants.

The SAU has been working with the New Hampshire Association of Special Educators, the NH School Administrators' Association, and the Association of Business Administrators to petition Legislators and others who may have some decision making around this.

They also meet as regional special education directors, and are exploring a number of different options. Brookline is losing \$55,000, but districts like Manchester and Nashua are losing millions of dollars. There is a concerted effort to get creative. The cost/benefit analysis of hiring physicians that can consult with the District is being considered. There are challenges around confidentiality issues and the availability of physicians. It is already difficult to speak with providers let alone to contract with them to come into our schools to attend IEP meetings.

Assistant Superintendent Thompson is meeting with Boothby Therapy Services, one of the District's contractors. They have floated the idea, to many of their partner schools, of their hiring physicians that would contract out to the schools to be able to provide this service.

There will be a hit to revenue, and those adjustments are being made. This is a trend. It was seen last month with the reporting on the IDEA Grant, it is being seen with special ed education, etc. Those are major revenue sources we have in special education, and they are on the decline.

Ms. Marsano commented on the SAU looking to hire a new Nurse as a floating substitute, and questioned if it is possible to put that as an APRN qualification. Assistant Superintendent Thompson responded the District could; however there are two separate and pressing issues. Medicaid to Schools is a revenue issue. The rationale for bringing in a part-time Nurse is to address the issue of coverage; when nurses are out (across six schools) with illnesses, personal days, professional development, field trips, time they spend at other meetings. When that occurs, it often falls upon a building administrator to be the nurse. He spoke of his experience as a Middle School Principal, when the nurse was out, and it fell upon him to be the nurse, it put him in an uncomfortable position and some students in an uncomfortable position. There is a significant need for a nurse substitute.

He stated concern if having to choose between possibly solving a revenue issue versus meeting the health and safety needs of the students, he would go with the health and safety needs.

For him, it is not a negotiation point when it comes to taking the 3-day substitute and moving them over to possibly find someone to write these orders. Currently there are no candidates for the Nurse Substitute position, and if going down the road where that position remains vacant, maybe that is a conversation that can be entertained.

The other districts he is speaking with have indicated difficulty receiving any response to phone calls to area physicians. He would hate to allocate the funds for the Nurse Substitute to a physician when the future of the program remains unclear.

He spoke of a question that came up at the COOP School Board meeting and the desire to be very clear that changes to Medicaid to Schools will not have any impact on the programs the District offers to students. Those will be unaffected by any of the changes.

Ms. Sarris questioned if there is a district within the State that has in place a structure that would allow for reimbursement under the proposed changes. Assistant Superintendent Thompson commented for larger districts like Manchester and Nashua who are taking in millions of dollars, the cost benefit analysis will likely result in the hiring of a few consulting physicians, but a District the size of the SAU with a total revenue of \$275,000, at best, we will have to see if there is a mechanism to contract through Boothby or pool resources with neighboring districts.

Ms. Sarris commented one would like to think that the rule was created because it could apply to some sort of existing situation in the State, e.g. to support larger districts. It is upsetting that it was really created to attempt to do away with it. Assistant Superintendent Thompson remarked what DHHS would say is this has been an ongoing issue of non-compliance and that the Federal Government was looking, in late August, to shut off the program altogether if remaining in non-compliance. They actually created a few additional rules that expanded access to non-identified students and greater access to mental health services, for the first time, for non-identified students. However, the same rules apply. Our School Psychologist, who is a Department of Education certified School Psychologist, cannot write those orders. A Board-Certified School Psychologist can. Most districts do not have Board Certified Psychologists.

Assistant Superintendent Bergskaug commented that is consistent with all of the larger grants; Title I, Title II, and IDEA. The State was audited, and it didn't go very well. All of the requirements for approval have been dramatically changed.

Assistant Superintendent Thompson noted the State of New Hampshire just received a \$41 million grant from the Federal Department of Education for the expansion of charter schools. The argument from the Federal Government would be they are sending more money to the State than ever before.

- Principal Search Committee Timeline

Assistant Superintendent Bergskaug noted the timeline included with the [agenda](#) packet. A concern with going out too early is that folks don't know yet if they are looking to make a switch. With the extended break in December the desire is to avoid starting the process only to take a three-week hiatus.

The proposed timeline shows the position being posted the week of November 25th and keeping it open until the start of January. From there the process would result in moving a candidate forward for the Board's January meeting.

The Interview Committee would consist of the Assistant Superintendent Curriculum, Instruction, & Assessment, building level Administrator, 3 professional staff members, 1-2 support staff members, 1 Brookline Board member, and a community member from Brookline.

Asked what the norm is for a timeframe when individuals having the necessary skillset would be searching for another position, she indicated the proposed timeline is early. Ms. Marsano stated understanding of the desire to get the process started; however, questioned if doing so would limit the pool of candidates. Assistant Superintendent Bergskaug noted that is a consideration. With regard to the process identified for the week of November 25th on, it is a very similar timeline to what was done for the Middle School Principal search. The size of the pool was decent. There is a shortage out there. She stated concern with moving the process out given the lack of a Board meeting in February due to the Deliberative Session and that March would be very late in the process.

Chairman Maguire stated support of the timeline providing the option exists to adjust should an acceptable candidate not be found.

- Superintendent Evaluation Update

Ms. Marsano stated the policy would be distributed shortly to allow for evaluation during the SAU41 Governing Board meeting scheduled for October 3rd. Ms. Sarris stated the desire for the policy to be approved to allow the revised policy to be utilized for this year's evaluation process.

DELIBERATIONS

- To see what action the Board will take regarding Policy EHAB – Data Governance and Security
 - 1st Reading: 6-12-19
 - 2nd Reading: 8-28-19 (as amended)

Given its 3rd Reading;

Assistant Superintendent Bergskaug noted the recommended language change (reference to Data Technology Team rather than full technology team) has been incorporated. The Policy was brought forward to the Hollis and COOP School Boards. The COOP School Board made an additional change; deletion of the words “When necessary,” in the 2nd paragraph of Section F. The concern that had been expressed was who would determine “when necessary”; that the authority should be for the Superintendent or designee to promptly address an issue.

Vice Chairman Haag questioned if there is a procedure to be followed in the event of a security breach. Assistant Superintendent Bergskaug noted the policy is a summary of the 45-page Data Governance Plan that notes the policy exists.

**MOTION BY MEMBER HAAG TO ACCEPT THE THIRD READING AND ADOPT POLICY
EHAB – DATA GOVERNANCE AND SECURITY, AS PRESENTED
MOTION SECONDED BY MEMBER MARSANO
MOTION CARRIED
5-0-0**

Ms. Marsano commented on the gas leak emergency that came up at the COOP last week. She questioned if there is a plan in place within the Brookline District to address such an unanticipated situation. The COOP District, in that situation, had students dropped off in the middle, walking past the gas leak building, and into the back parking lot, which did not seem like the best overall plan.

Assistant Superintendent Bergskaug clarified it was not a gas leak, there was a detected gas odor.

Ms. Marsano commented the situation left her believing there are improvements that could be made to the handling of such a situation. She questioned if there are procedures in place to handle situations that occur while students are arriving.

Assistant Superintendent Bergskaug remarked, dismissal time, arrival time, lunch time, are all times that are difficult to practice. The situation that occurred provided an opportunity to sit down after the fact and review what did and did not work so that, if necessary, adjustments can be made to the emergency operations plan. She added the building impacted is particularly difficult given the flow of traffic in terms of once you are on the road how do you go another route.

Assistant Superintendent Thompson commented SAU41 is very unique in that it has a district-wide safety committee, which is made up of representatives of all of the buildings, emergency services from both towns and the Department of Homeland Security. The Department of Homeland Security has stated this is the only committee in the State that they actually sit on. The benefit to Brookline residents is the newly appointed chairman of that board is Mr. Molinari.

Principal Molinari commented on the activities of the safety committee and their review of what occurs during different scenarios. Procedures are in place. Principal Dobe commented the District has been at this for quite a while; emergency management policies and practices are in place. They try to ensure everything that is done/practiced is done well. They try to address what are believed to be the most likely/critical scenarios. This recent event was unanticipated; that there would be an issue at the exact time buses were arriving. The committee and school-based safety committees work to continue to fill in the blanks.

APPROVAL OF MINUTES

Brookline School Board [August 28, 2019](#)

The following amendment was offered:

Page 2, Line 28; insert a hyphen between “half” and “day”

**MOTION BY MEMBER MARSANO TO ACCEPT, AS AMENDED
MOTION SECONDED BY MEMBER HOWIE
MOTION CARRIED
5-0-0**

NON-PUBLIC SESSION

**MOTION BY MEMBER MARSANO THAT THE BOARD, BY ROLL CALL, GO INTO NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3 II (c) TO DISCUSS A MATTER, WHICH IF DISCUSSED IN PUBLIC, WOULD LIKELY AFFECT ADVERSELY THE REPUTATION OF A PERSON, OTHER THAN A MEMBER OF THE BODY OR AGENCY ITSELF
MOTION SECONDED BY MEMBER HAAG**

A Viva Voce Roll Call was conducted, which resulted as follows:

Yea: Matthew Maguire, Erin Sarris, Alison Marsano, Kenneth Haag, Rebecca Howie
5
Nay: 0

MOTION CARRIED

*The Board went into non-public session at 7:21 p.m.
The Board came out of non-public session at 7:41 p.m.*

ADJOURNMENT

**MOTION BY MEMBER HAAG TO ADJOURN
SECONDED BY MEMBER MARSANO
MOTION CARRIED
5-0-0**

The September 25, 2019 meeting of the Brookline School Board was adjourned at 7:41 p.m.

Date _____ Signed _____