

**CANDIA SCHOOL BOARD MEETING
THURSDAY, MAY 5, 2016 AT 6:00 P.M.
HENRY W. MOORE SCHOOL MEDIA CENTER**

These minutes have not been approved.

CALL TO ORDER

Nicole LaFlamme, Chair, called the meeting to order at 6:05. Those in attendance were Superintendent Dr. Charles P. (Phil) Littlefield; board members Kim Royer, Matthew (Matt) Woodrow, Rebecca (Becky) Cronk, Kayn Yeatman, Nicole LaFlamme; Principal Robert (Bob) St. Cyr, Director of Student Services Kathryn Duncan; Technology Director Dan Roma; Assistant Superintendent Marge Polak; Business Administrator Karen Lessard, and attorneys Gordon Graham and Anthony Meuir.

Michelle Sangillo led the attendees in the Pledge of Allegiance.

PROOF OF POSTING

Dr. Littlefield provided proof of posting.

APPROVAL OF MINUTES:

Motion by Kim Royer, seconded Matt Woodrow to accept the minutes of the Candia School Board meeting on April 7, 2016 and the motion carried unanimously.

Nicole LaFlamme welcomed the audience and explained the format and opportunity for the public to participate. Nicole reminded the audience that all comments should be courteous and kind. Nicole asked that with such a large crowd the school board asked that speakers limit their words for no more than 3 minutes and that points already made should not be repeated. Public comment will be limited to 45 minutes. Nicole introduced those at the panel which included our two lawyers Gordon Graham and Anthony Meuir.

Presentation by Candia School District Attorney, Gordon Graham, Regarding Policy

JBAB

- JBAB Transgender policy has been adopted by about 15 other towns.
- No state statute that mandates adopting a policy. But no unlawful discrimination may occur which includes discrimination based on sex. Graham referenced various state laws that apply to discrimination based on sexual orientation. RSA189.15 and ED 303.01 (i) which authorizes the school to make policies that enforces no unlawful discrimination based on sex, race, or color. Graham referenced Title IX and Title VII of the Civil Rights Act. Courts ruled the word "sex" in the Title VII of the Civil Rights Act includes gender stereotyping. When a school segregates by gender the school must treat students consistent with their gender identity. Recent court case in Illinois came to a settlement consistent

with Title VII and the meaning that discrimination against gender identity is not permitted. Our lawyer's office has consistently said that school districts must treat students based on their gender identity. Previous question was asked: are we required to draft a policy? Graham's answer was to recommend the school board adopt a policy before it needs to be used. The law, as it stands, is students be treated based on their gender identity.

Matt Woodrow asked: if we consider a policy for transgender do we need to consider policies for all other groups that can be discriminated it? Graham's replied that yes we do but we have a policy, AC, that covers the groups. Not required to adopt a policy but it is recommended.

Matt followed up with: we have a discrimination policy already, since we are calling out one group, will we need to make other policies? Graham said a separate policy is needed because the school separates based on gender in the building.

Matt continued with: what consideration should be made for those students whose policy may be at risk? Graham stated that since the policy allows all students to use a single stall bathroom. The policy recognizes that privacy rights are important to protect. Everyone is treated equal in allowing all students to use the single stall bathroom.

OPPORTUNITY FOR PUBLIC TO ADDRESS THE BOARD

Dr. Sandra Trube began by saying she was speaking as both a pediatrician and parent. She explained some facts known about transgender children. Transgender students know this early on and interventions should occur early on. Surgery is not done until 16. Many mental health issues with transgender children.

Felix Shepard said it is more private and personal. Why do we want to bring this to the public? Let these kids have the time to grow up. The school should not bring it up to the public.

Johnny Plant: read a letter from Alliance Defending Freedom, feels that opening up the bathrooms to transgender students would open up the school district to legal risk. She asked if she could present a different policy from Alliance Defending Freedom. She stated that the Alliance Defending Freedom would defend any school who adopted their suggested policy.

Dana Buckley: when speaking with other members of the community they were against the policy however would support the school if they developed a different policy. The policy ignores the majority of the privacy of other students in the school. He suggested making a committee

Sharon DeWitt stated that the Alliance Defending Freedom protects those who are defending religious freedom. She spoke against the Alliance Defending Freedom defending our school.

Mike Severson is proud of Candia and the school but JBAB protects the few and not the majority. A good policy would include all. Alliance Defending Freedom sent a letter to the school board on May 2, 2016. He provided a petition from the town against the policy.

Kristina Ickes (New Boston Rd): asked that the school board table the policy and create a committee made up of school board members and at least 18 parents to create a policy the town can agree on.

Mike Volts (South Rd): brought up that the school may not bring up the gender or privacy is not allowed. He thinks we should have a well-crafted policy that includes the community opinions.

Stephany Helmig is upset about the division of the town and feels the policy is being rushed through. She stated that the policy violates the Tri Country League rules. She asks what is the urgency? Others are being told to use the single stall bathroom. Why is that not discrimination?

Joe Durate (District representative) spoke about a "Bathroom Bill" that was passed in the House but it was struck down in the Senate.

John Parant (pastor of the church) read from the American College of Pediatrics. He read that gender ideology does not help but harm. JBAB adoption would be against God's words and teachings. He stated that God has created two genders.

Angie Severson opposes the adoption of JBAB. She is not ok with the privacy of her children and her rights to know what is going on in the school being taken away. She brought up 5th grade Science Trip and 8th grade trip to Washington DC. She stated that there is a potential for a student of the opposite genders to be rooming together. She wants to work together on a policy.

Chris Sampson (High St) asked a variety of questions concerning the use of the bathroom. Is there a limit to how many times they can change their feelings concerning gender? If a group of girls decide to use the single stall bathroom, is that considered bullying?

Susan Young (Deerfield Rd): She thanked everyone who spoke and expressed her love for the town of Candia. She is concerned about peer pressure and someone may do something, learning coping strategies, how are we going to monitor it. She is begging the school board not adopt JBAB and consider the student policy that was sent to the school board members.

Jacob Robie reminded those present that Hooksett and Auburn voted to table this policy unanimously. There are too many loop holes in this policy. It is not required by the NH School Board. We already have discrimination policies.

Tram Fultz (South Rd) knows what it is like to feel discrimination, it is not about protecting our children any more it is about the community. The school is not where this discussion should be.

The discussion should be done at home. Suggested a video about transgender for 10th graders and up.

Cindy Bradshaw is for the policy and the conversation needs to happen now. She talked to her own children about the issue and they felt bad for the children who have to go through this.

Chris Plant stated this decision is not a decision that should be made quickly. The policy has flaws. He questioned what happens when we have events outside of the school day. He does not agree with the policy as written but we need a policy that is good for all.

Todd Keating presented some statistics requiring transgender and safety. 41% of transgender students have attempted suicide and 4.6% non-transgender have attempted suicide.

Kerri Laflamme feels the policy is needed more than ever. She supports this policy.

Chris Dewitt (Highland St) stated that we need to deal with now before we have a transgender student.

Public participation closed after 45 minutes at 7:32.

BOARD DISCUSSION OF POLICY JBAB

Kim Royer asked Graham about the sports program. Graham stated that the NHIAA has rules for high school students and not sure, doesn't think it applies to the middle school. NHIAA has made policies similar rules, requirements, to JBAB.

--- Kim heard from the audience about the "loop holes". In any policy there is going to be situations that it is not going to deal with. JBAB sets up a relationship between the parents of the transgender student and the school. The alternative policy presented does not follow the law of the land. Nicole mentioned that the law is fluid on this and brought up that the laws or cases keep coming. Graham stated the obligation to avoid discrimination is a difficult task.

--- Kim asked about activities that happen on the weekend, does the policy only apply to the school day. Graham stated that consistently asserted gender children would use the bathroom they use during the school day.

Nicole LaFlamme brought out the letter from the Alliance and it seemed to state that they would sue if the policy is adopted. Graham he is unaware if any school was named in any court case. He stated that anyone can sue but the policy does address the privacy of all the students.

Matt Woodrow reiterated that the majority of those who spoke stated that they are not against a policy they are asking to slow down and make a policy that addresses all. This is an optional policy and he has concerns about implementation. He feels that the board has not taken

everything in account. He attended the NHSBA School Board Orientation on Tuesday evening. During the meeting it was stated that NHSBA policies are created as template policies for NH School Districts to customize to meet the unique needs of their district. Rarely do we see districts take the template policies and adopt as is. Nicole stated that she finds it actually more common to take their policy suggestions and use them. Matt stated that he feels there is a lot of work to do on this policy.

Nicole thanked Matt for reiterating what we are hearing from anyone. Nicole said she heard that the town loves the students but does not want to address the transgender rights. Nicole stated that it is the law and that we have a policy that addresses this. She does not feel we need to change the policy or have community help change it. She referenced our attorney stating that this policy is legal and needed. Graham said you have to do this by law and you could address this by policy and be public or you could do it quietly. According to Graham a transgender student must go to the bathroom of their gender identity.

Karyn asked if we table the policy and a transgender student walks in tomorrow, what do we have to do. Graham stated we have to keep the child's privacy, they have to be permitted to use the bathroom of their gender identity.

Kim brought up that this could be happening now and we could not know about.

Nicole asked about transgender students in Hooksett and Auburn, how are they being handled with the tabling of the policy? Graham reiterated what he said before that under the law you cannot discriminate against the child.

Graham quoted what OCR told the district in the current court case in Illinois that students may not be treated differently per Title IX. All students including transgender are protected under Title IX.

Karyn stated how it is difficult to put personal feeling aside when making decisions. She then asked if a boy dresses as a girl, and grows his hair long, would he be able to use the girls' room? Graham said the child would need to be identified as a girl. It needs to be consistently asserted. Karyn asked if should we talk about the adults using the single stall or adult bathrooms? Karyn wonders what is the privacy issue? If a transgender student consistently asserts themselves as one gender, wouldn't it be more challenging for that student to use the bathroom of their birth gender. Since we have to do what the policy says anyway, Graham interjected that it is what the lawyers would recommend they do.

Becky stated that the board has heard what community members have said and listened. The school board has received and heard many positive words about JBAB prior to the meeting. Becky stated that she has to look at the policy as what is best for the students of Candia not her personal feelings. Becky stated that administration would do what they usually do when it

comes to implementation. She feels that transgender students would want their privacy. Adults in the building should be using the adult bathrooms not the children's bathroom. We would not know if the transgender child is a transgender child unless the parents tell us. We should be worrying about their education and preparing them for the future.

Kim made a motion for JBAB to be approved as written, Becky seconded it. Matt requested a roll call. The roll call went as follows; Kim: yes, Matt: no, Becky: yes, Karyn: Yes, Nicole: yes, The motion passed with 4 yes and 1 no vote.

The meeting went to recess at 8:20.

Resumed the meeting at 8:30.

UPDATES FROM DR. CHARLES P. LITTLEFIELD, SUPERINTENDENT OF SAU #15

None

REPORTS

- A. Reports of Administrators:** Principal Bob St. Cyr highlighted the following points:
- a. Kayes Arcade Night: cardboard from Arcade night was an amazing success, collaborative effort from 4-8 grade. He commended the faculty who supported the event.
 - b. Smarter Balance testing is only in make-ups now.
 - c. Pinkerton Career Fair: our students will be in DC so they will not be attending.
 - d. Kathryn: height of IEP season. Extended school year is being planned.
- B. Report of Technology Director:** Dan Roma highlighted the following points:
- a. No problems this month. We pushed the limits and had more taking the Smarter Balance Test at the same time.
 - b. Went into Judy Lindsay classroom to teach the students about his bearded dragon, Wendy
- C. Marge Polak** brought up the Science NECAP
- a. Math in Focus workshop at Auburn is tomorrow
- D. Report of Maintenance Director**
- E. Report of Food Service Director**
- F. Reports of Standing Committees**
- **Becky Cronk -- Budget:** empty position filled by Dana Buckley
 - Budget committee asked how was oil budgeted, was it historical data? Karen Lessard confirmed that it was based on historical data.
 - **Kim Royer – Personnel & Negotiations, SERESC, and Technology:** Technology has a lot going on with testing and the end of the year.
 - **Matt Woodrow -- NHSBA and Manchester Board of School Committee:** a lot of discussion on policies at the NHSBA and Matt brought back the calendar of upcoming events. Kim brought up the May 24th event about Superintendent

Evaluation process. She thought it was a good tool. Dr. Littlefield stated that the evaluation and the process brought about a good amount of dialog. Matt is concerned about what happens when we get a new superintendent and what it will look like, the evaluation. Dr. Littlefield goal centered evaluation will require the districts to work together. Our attention has to be towards the same goal for the district not each town.

- Manchester Board of School Committee: they have a redistricting committee to discuss what to do. They will report to the board in October and changes wouldn't be until the 2018-2019 school year. Dr. Littlefield stated that they will be looking for a new Superintendent who is retiring in October. Nicole asked about personnel issues and moving teachers around. Matt stated that it wasn't brought up. Kim heard that they were probably moving teachers' around because there are less Hooksett students attending Central.

- **Karyn Yeatman -- Transportation and Wellness Committee:** nothing to report
- **Nicole LaFlamme -- Facilities and Long-Term Planning:** looking at the exterior of the building, the engineer will be making a presentation at the May 16th leader meeting.

G. Policies – 1st reading/Review: JLCC- Communicable Diseases: Karyn brought up that a parent made a point that we need to give the public opportunity to weigh in. We should not wave the second reading. Scott Baker (via a previous meeting) asked why we don't post the policies with the agenda. Nicole said that she had put the JLCC up with the agenda. Matt asked for the schedule of the policy meetings because he would like to attend. Dr. Littlefield wants all subcommittee meetings to be posted prior to the meeting and the minutes posted as well. Kim looked for clarification on which should be posted. Dr. Littlefield stated that public meetings should be posted.

- a. **JLCC Communicable Diseases:** one change to the form needs to be made. (see attached)

Karyn made a motion to approve the first reading of JLCC and Kim seconded the motion, it was unanimously approved.

OLD BUSINESS

A. New Morning Contract Renewal: Karen Lessard

Karyn made the motion to accept the contract with New Moring School as presented, Becky seconded and it was unanimously approved.

NEW BUSINESS

A. Three 8th grade students were presented with scholarships for Washington DC: Chrystina Moran, president of Women's Club presented Michelle Sangillo (in attendance), Kellie Ferns, Anna Schleck with a \$200 scholarship for the trip to Washington DC.

FINANCE/OPERATIONS

A. Review of Expenditure Manifest and Action Relating Thereto – Karen Lessard

Karyn made a motion to accept the manifest of \$450,600,051.31 Kim seconded the motion. All in favor, and it passes unanimously.

B. Budget Adjustments –Karen Lessard

Becky made a motion to accept the budget adjustments as presented, Karyn seconded the motion. All voted in favor and it passed unanimously.

PERSONNEL

Becky made a motion to approve the nomination for assistant track coach. Karyn seconded the motion and all voted in favor of the nomination. It passed unanimously.

NON-PUBLIC SESSION: RSA 91-A:3 Sections II (a through k) – if needed

INFORMATIONAL ITEMS AND CORRESPONDENCE

A. Student Enrollment Reports (to be passed out at board meeting)

ITEM(S) FOR NEXT/FUTURE AGENDA

Policies – 2nd Reading/Adoption

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Jodi Hedstrom (North Rd) asked about the 8th graders who are going to Central to Pinkerton. Nicole stated that the contract for Pinkerton starts in 2018. The board could not comment on pending litigation. Dr. Littlefield said we are waiting

Tami Baker said that there are 8th grade parents who would be willing to help if needed.

Nicole brought up that it is Teacher Appreciation Week. Bob said Chyrstina Moran and Lisa Cote had a great spread for the teachers today.

Nicole made a motion to adjourn the meeting, Karyn seconded the motion. The meeting adjourned at 9:22.

ADJOURNMENT

The next regularly scheduled Candia School Board Meeting will be held Thursday, June 2, 2016 at 6:00 p.m. at the Henry W. Moore School Media Center.

Respectfully submitted,

Jennifer Maurice
Recording Secretary