### Agenda Worksheet

School Administrative Unit #101
Wakefield School District Board Meeting:
Paul School Library
60 Taylor Way, Sanbornville, NH 03872
sau101.org

Date: Tuesday March 5, 2024 at 6:30pm

Transportation Committee 5:00pm

- 1. CALL TO ORDER- Chair, followed by FLAG SALUTE
- 2. AGENDA REVIEW
- 3. PRESENTATIONS, PUBLIC HEARINGS
- 4. PUBLIC COMMENTS: Public's opportunity to speak to items on the agenda.

### 5. REPORTS

a. Superintendent Report

### 6. CONSENT AGENDA

- a. AP Manifest- Batch #43697, \$624.63; Batch #43738, \$468,975.04; Batch #43752, \$1,023.01; Batch #43743, \$5,219.66; Batch #43730, \$1,900.01; Batch #43772, \$10,927.99; Batch #43780, \$173.31; Batch #43752, \$1,023.01
- b. Payroll Manifest- Batch #43744, \$72,325.92; Batch #43734, \$211,433.92; Batch #43740, \$378.32; Batch #43745, \$105.98; Batch #43739, \$1,955.78

### 7. MEETING MINUTES

- a. WSB Non Public Minutes 2.20.24
- b. WSB Public Minutes 2.20.24

### 8. NEW BUSINESS

- a. Board Member Emails
- b. Role of a School Board Member

### 9. POLICIES

BBB School Board Elections- 1st Reading

BBBC Board Member or District Officer Resignation- 1st Reading

BBBE Unexpired Term Fulfillment- 1st Reading

BCA School Board Member Ethics- 1st Reading

BCB Board Member Conflict of Interest- 1st Reading

BDB Board Officers- 1st Reading

BBBH - Remove

### 10. FOLLOW-UP

11. NON-PUBLIC; RSA 91-A;3 II (c)

Upcoming: The next Wakefield School Board meeting will be held <u>March 19, 2024</u>

### Agenda Worksheet

Statutory Reasons cited as foundation for the Nonpublic Sessions.

- 91-A:3, II (a): The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.
- 91-A3, II (b): The hiring of any person as a public employee.
- 91-A:3, II (c): Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.
- 91-A:3, II (d): Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.
- 91-A:3, II, (e): Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled.
- 91-A:3, II (i): Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.
- 91-A:3, II (j): Consideration of confidential, commercial, or financial information that is exempt from public disclosure under RSA 91-A:5, IV in an adjudicative proceeding pursuant to RSA 541 or RSA 541-A.
- 91-A:3, II (k): Consideration by a school board of entering into a student or pupil tuition contract authorized by RSA 194 or RSA 195-A, which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general public or the school district that is considering a contract, including any meeting between the school boards, or committees thereof, involved in the negotiations.
- 91-A:3, II (1): Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

### Superintendent's Report SAU 101 Wakefield School District March 5, 2024

With February behind us, it looks like we can look forward to an early spring, and busy times at the Paul school.

- We are excited to join in the celebration of the Wakefield 250th Birthday. I have joined the committee forming the events of the birthday and as a school we are excited to build these events into our curriculum. Some of the things we are thinking about doing are:
  - o Time Capsule we will be working with our staff and students to fill a time capsule with artifacts from each class. The details of this have not been completely worked out, but we will keep you updated as to how and when this will happen.
  - School float we hope to have a school float to join in the parade scheduled for the birthday, date to be determined.
  - The East Wakefield School has been renovated and we hope to work with fourth graders to have a field trip to the school and get the feel of what it was like to go to a one room schoolhouse. The Heritage Commission (Pam Wiggins) will be working with us on this and the plan is to have an essay contest to go along with the field trip focusing on the history of Wakefield.
  - The town of Wakefield has a song which was written and we hope to teach this song to the students of the school so they can share their talents by singing the song at events throughout the celebration year.
  - On July 27th the first class to attend the Paul School will be having a reunion at the school. We hope to have some of our students available to offer tours of the school for the members of the class.
  - We will be working with Mrs. Dexter to do some sort of art project to celebrate the birthday. In addition, we have been asked if we might be able to have the students make the buttons that will be sold for entrance to the birthday celebration planned for August 31st, 2024.
  - These are just a few of the ideas of what the school will be working on to help with this great celebration, we encourage any ideas that the board or school community might have to add to the celebration. There is much history to be learned about Wakefield, within the fourth grade social studies curriculum we study the state history, we will be incorporating Wakefield history into the curriculum.
- Technology Update: We have contracted with Acapella, a third party IT company to assist with the work needed to be done to our infrastructure. We are still committed to a full time IT staff member that is able to provide immediate support to our staff and students and continue to advertise. A big thank you goes to both Tarah LLewellyn and Alex Gillikin for doing everything they can to assist us in supporting our school

- community with technology as we move forward. The technology committee will be bringing a proposal for a buyout purchase of our older apple computers for our teachers. Many still have their apple computers, and would like to be able to buy them. This proposal will come to the board at the March 19th board meeting.
- State testing will begin this month, and we ask that parents encourage their children to come to school well prepared to take these tests. It is important for students to know that this testing is important to us as a staff to assist us in learning what we can do better to assure our students are learning the essential skills necessary to be able to move forward in high school and beyond in a successful way. State testing is one of many ways we measure student achievement. Other testing we use as benchmarks and for progress monitoring are the STAR testing and NWEA testing. These tests are given 3 times a year and are used to help teachers drive instruction. Of greatest value for a measurement of student achievement is their own work. As a staff we will begin working on ways in which we can use our student work as one of the many ways we assess achievement.

Respectfully submitted,

Anne L. Kebler Superintendent, SAU 101

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Mary Collins, School Board Chairman

Bob Ouellette, School Board Vice Chairman

Sandrea Taliaferro, School Board Member

Brennan Peaslee, School Board Member

Robert DeColfmacket, School Board Member

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Carlene Stewart, Treasurer

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Bob Ouellette, School Board Vice Chairman

Sandrea Taliaferro, School Board Member

Brennan Peaslee, School Board Member

Robert DeColfinacker, School Board Member

Carleue Stewart

Carlene Stewart, Treasurer

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Sandrea Taliaferro, School Board Member

Brennan Peaslee, School Board Member

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Robert DeColfmacker, School Board Member

Carlene Stewart, Treasurer

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WAKEFIELD SCHOOL DISTRICT - SCHOOL BOARD AND SUPERINTENDENT APPROVALS

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Sandrea Taliaferro, School Board Member

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Brennan Peaslee, School Board Member

Robert DeColfmacker/School Board Member

Carleue Stewart

Carlene Stewart, Treasurer

Anne Kehler, CEO

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WAKEFIELD SCHOOL DISTRICT - SCHOOL BOARD AND SUPERINTENDENT

APPROVALS

Mary Collins,

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Bob Ouellette, School Board Vice Chairman

Brennan Peaslee, School Board Member

Robert DeColfinacker, School Board Member

Carlene Stewart

Carlene Stewart, Treasurer

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WAKEFIELD SCHOOL DISTRICT - SCHOOL BOARD AND SUPERINTENDENT APPROVALS

Mary Collins, School Board Chairman

Bob Ouellette, School Board Vice Chairman

Sandrea Taliaferro, School Board Member

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Mary Collins, School Board Chairman

Bob Ouellette

Bob Ouellette, School Board Vice Chairman

Sandrea Taliaferro, School Board Member

Brennan Peaslee, School Board Member

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Carlene Stewart

Carlene Stewart, Treasurer

Anne Kebler, CEO

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### 2/21/2024 11:30:55AM

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> WAKEFIELD SCHOOL DISTRICT - SCHOOL BOARD AND SUPERINTENDENT APPROVALS

Mary Collins, School Board Chairman

Bob Ouellette, School Board Vice Chairman

Saudrea Taliaferro

Sandrea Taliaferro, School Board Member

Brennan Peaslee, School Board Member

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Carlene Stewart

Carlene Stewart, Treasurer

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2/21/2024 11:30:SSAM

Page 2 of 2

### Wakefield School Board Public Minutes



### February 20, 2024 Held in Paul School Library Draft

BOARD MEMBERS		ADMINISTRATORS	
Mary Collins, Chair	<b>✓</b>	Anne Kebler, Superintendent	1
Bob Ouellette, Vice Chair	<b>/</b>	Frank Markiewicz, Business Administrator Via Zoom	1
Brennan Peaslee		Sarah Howard, Special Ed Director	1
Sandrea Taliaferro	<b>V</b>	Norma DiRocco, Principal	1
Robert DeColfmacker	<b>✓</b>	Ivy Levitt-Carlson, Assistant Principal	

Those Present: Michele Lambert, Nicole Dolaher, Katie Howard, Elizabeth Howard, and Max Gearing from Clearview TV

Mrs. Collins led those present in the salute to the flag at 6:30.

### Agenda Review

Add the president of the PTA to the top of the agenda. Add Mrs. Taliaferro to speak about NH Hunger Solutions Add holiday schedule. Add state Testing – Mr. Ouellette

### Presentation

Nichole Dolaher, President of the PTA, told the Board about all that the PTA does for the children of Paul School for the last three years. She said she needs some help. She gets no help from the town. This year their events are not well attended. The officers and their children are the only ones that show up to them. She said having to move all the PTA supplies to the shed outdoors was not optimal. She said she can't keep doing this without help. They are in need of volunteers, monetary and food donations. She said they need backing from the town, school and board. They discussed the fact that Parks and Rec have first refusal after the school to use the Multipurpose room. It was suggested by Mr. Ouellette that she talk to Dino Scala about using the Town Hall Opera House for events. Mr. Markiewicz offered to have a conversation with the Rec Department. Mrs. Kebler said the PTA needs a PR Campaign and she'd be happy to talk with her about setting that up. The Board and PTA members had a discussion on how to get a better attendance and volunteers. The PTA will be on the agenda once a month.

### **Public Comment**

None

### Reports

### Facilities Report

Mr. DeColfmacker told the Board that round 3 testing for lead had been completed and out of the forty-two outlets only eight still had lead in them. They all met the Towns requirement for lead. Most were very close to acceptable. Inline lead filters will be the next step for the eight outlets. All sinks say hand wash only and teachers are controlling this well. Right now we're looking at phase 1 of the maintenance building. The cost is \$7,000 for phase one. The building will be around \$23,000, well under the \$60,000 we have for that building in the trust find.

They are trying to decide whether to have public hearings for the entire project or have public hearings for each phase. The facilities manager is looking deeper into replacing the well. He will have costs to have an engineer look at it and assess it. He wants to pull the pump and have it looked at. The well is 1,000 feet deep. The last assessment on the well was over twelve years ago. The Facilities Manager talked about how the sprinkler system for the field could be regulated.

### Principals Report

In the month of February, the Paul School has much to look forward to. We celebrated the 100th day of school on February 12th and in the same week enjoyed Valentine's Day. As a school we are focusing on Work Hard in our PAWS statements during the month of February. The goal of this month is for students or staff to identify when others are working hard. When they see that 1n action they will fill out a heart and add it to our school bulletin board.

The eighth grade completed their coin drive and raised \$316.87 for their end of the year trip. Mr. Gillikin's homeroom came in first with well over 3,000 points. The eighth grade has been working on a variety of fundraisers including selling subs and hat day Friday's. All proceeds from the eighth grade fundraisers support their end of the year Boston trip.

Our club paperwork just went out for clubs to start after February break. We are excited to see how many more clubs will be offered to students in this round. Our spring sports are also gearing up for the season. Mr. Balser just met with his spring coaches to begin the conversation about softball and baseball season. While we are getting excited about spring, it is still important to note that our fields are covered with snow. Students are still in need of all their winter gear to access our playground. Families, please be mindful to send in all snow gear with your child daily.

Many different grades have been going on field trips. Our eighth graders visited the CTE program at Spaulding. Our fourth graders are going to the planetarium and the statehouse. Our younger grades are planning their spring trips. It is exciting to see our students benefit from these experiences and we look forward to continuing to offer more opportunities for students.

NWEA has been completed and attached to this report you will find graphs of our data. As a school we have identified areas of need through our PLC meetings and are determining next steps of how to support instructional practices. The leadership team coupled with the curriculum committee is working to identify curriculum and instructional resources that will benefit the

trajectory of our school proficiencies. We will be looking for community and board support as we make decisions about how to better identify where and how to gain access to materials.

The drama club will be performing some of their skits this Friday. Mrs. DiRocco said they started their spelling bee today and there were still thirteen students standing at the end of an hour. The semi-finals will be held on Thursday and be ready for the final five on Friday. The eighth graders went to Spaulding to see the CTE program. The fourth graders went to the planetarium and the State House and they got to meet Governor Sununu.

She also included in her report NWEA test results for the whole school, grades 3-8 in reading and math. She and the vice principal have been looking into the data for each grade. They will be doing NWEA testing again in the spring. In math they are at 32 and the goal is to get to the 50 percentile. From looking at three year data we are moving in the right direction. The Curriculum Committee is looking for resources to benefit the students in this upward trend. Mrs. DiRocco said the state test is only one snapshot of our students. There are other measurements we utilize. Mrs. DiRocco said if any Board member has a specific interest in one grade she can get that information.

Mr. DeColfmacker gave a shout out to Kim Hurley's fifth grade class for The Hearts Across the World from all over the world. Mrs. Taliaferro asked to see all of the NEWA test results by grade. Mr. Ouellette asked about any student opting out of testing will receive a zero and that will be added in to the results. That includes homeschooled children. Mrs. DiRocco will look at her notes so that she can give Mr. Ouellette an accurate answer. Mrs. Taliaferro asked if there was a contact person at the state to make sure we're imputing the information correctly. Mrs. Collins said she was told they didn't count zeros. It only based on students that took the test.

### Finance

Mr. Markiewicz presented the Board with the financial report. He said this is kind of the midway point of the school year. At the top of the summary report under crossover in appropriations it says we have a total appropriation balance of \$14,000 which peaked his attention level. He said there were some areas that were over encumbered, one being Regular Education Tuition Public was over encumbered by a half a million dollars. If you look at the balance after making some adjustments today with Michele we have an appropriation balance of about \$391,000. He likes to see that number be about 3% which would be \$353,000.

He said we have a number of expenses that we have charged to the general fund. Making expenditures before the grant is in the accounting system doesn't always work that way all the time. Mrs. Lambert has done a great job of keeping track of those funds the money that will be transferred to the appropriate grant. This will increase the balance of the general fund. Up until today people could put in a purchase order and if there wasn't enough money in the line it would allow you to continue with the purchase. Now if you put a purchase order into the system and there is not enough money in that line there's a roadblock. The person would have to come to him or the Superintendent and have a conversation. This is a way to keep lines from being over expended. He said the district financially is in a good place.

Mrs. Taliaferro asked if we had a lot less high school students. Mr. Markiewicz said it was just a miscalculation. She said everyone should have a purchase request form and everything is ordered after July 1<sup>st</sup>. She asked if that was being done for supplies. Mrs. Lambert said that all the teachers give their lists for next year and they are sent in July. Mrs. Taliferro asked if it was the supply lines that were over encumbered. Mr. Markiewicz replied it was mainly the Public High School Tuition line. He said you're always going to see lines that are over budget. She wants to know which lines were getting overspent. Mr. Markiewicz pointed out that information is in the packet in the report. He also said that the detail of what was to be purchased and what was purchased he wouldn't have.

Mr. Markiewicz said in the SAU they have gone way over in the supply line and background checks because the Board voted to pay for volunteers. Mrs. Kebler said we have unanticipated out of district placements. She and Mr. Markiewicz have had a conversation about using the Special Ed Trust Fund if necessary. Mrs. Taliaferro asked what items were paid for out of the general fund that will come out of grants. They don't have that available tonight. Mr. Markiewicz will see that the Board gets a list of budget transfers.

### Consent Agenda

Mr. Ouellette made a motion, seconded by Mr. DeColfmacker, to approve the consent agenda. (Vote 3-1)

### **Meeting Minutes**

Mr. DeColfmacker made a motion, seconded by Mrs. Collins, to approve the non public minutes of 2-6-24. (Vote 4-0)

Mr. DeColfmacker made a motion, seconded by Mrs. Collins to approve the public minutes of 2-6-24. Mrs. Taliaferro questioned the wording on s paragraph about delayed openings. Mrs. Colbath will watch the video. Mrs. Kebler stated that the buses do pick high school students for delayed openings. (Vote 4-0)

### Old Business

### **New Business**

Wakefield School Board Scholarship Question

### Job Descriptions

Mr. DeColfmacker made a motion, seconded by Mr. Ouellette to approve for the Regular Ed Classroom Paraprofessional Job Description. (Vote 4-0)

Mr. DeColfmacker made a motion, seconded by Mr. Ouellette to approve the Special Education Paraprofessional Job for Description. (Vote 4-0)

### **Budget Transfer Request**

Mr. DeColfmacker made a motion, seconded by Mr. Ouellette to approve transfering the money from the Tech Salary line to the Contracted Services line in the amount of \$36,650. (Vote 4-0)

### Committee Update

### Wellness Committee

### **AREA Agreement Committee**

Mr. DeColfmacker said they have changed the name of the committee to an exploratory committee as the AREA Agreement Committee has members from both schools with terms and it's very structured. This committee will be looking at Barrington's AREA agreement. They have a long time agreement with Dover but can send kids to other schools too. We need an anchor school. You can't do anything without an anchor school. Mrs. Kebler said the DOE found an agreement that goes back to 2005. Mrs. Taliaferro said the Middleton Agreement is recent and might be more relevant.

### Curriculum Committee

The Committee is still looking at standards and vocabulary and definitions to make it clear as possible for all to easily understand. Mrs. Kebler told the Board that they will be identifying the resources we have in the building that are resource and evidence based to use with the standards used in the literacy block. It will be a very helpful tool. When it's completed it will be nonnegotiable. These are the resources everyone will be using. Mrs. Collins said it will flow. They won't be repeating what was learned in a prior grade. Mrs. Taliaferro would like to see more time spent on cursive writing. Mrs. Kebler said they will be using Handwriting Without Tears and that is in that literacy block

### **Tech Committee**

Mr. DeColfmacker said we seem to be having an issue with WIFI throughout the building. We have Chrome Books needing screens replaced. They are working on a proposal to get rid of Macs. The last IT Director started but didn't finish things. Mrs. Kebler said we are still looking for a full time person. Mrs. Taliaferro asked how many computers and how many loaners do we have. Mr. DeColfmacker said we don't have that number.

By consensus, the Board will keep the same question for their scholarship the same as they had last year.

### **NH** Hunger Solutions

Mrs. Taliaferro said she had talked to Brody and Jessica. She listed the different programs they offer like grants and how to be eligible for free lunches for all students. They can find out online how many people would qualify for free lunches. You may be able to combine schools. They would like to put together a presentation. Brody will be sending that to Mrs. Taliferro for her to determine if it's good information for Paul School. She suggested the March 19<sup>th</sup> School Board

meeting for the presentation. There are others she'd like to invite to the School Board meeting with the people from NH Hunger Solutions. She said they felt it would be nice if the Wellness Committee came and State Rep. Avellani, their food committee, Fresh Picks, our BA and Spaulding School Board members. Mrs. Collins will reach out to Spaulding. Mrs. Taliferro will reach out to Mr. Avellani. Mrs. Kebler will reach out to the Wellness Committee and Mrs. Collins to Brianna.

### Follow Up

The SAU has a record of 76 homeschool students but feel there are more than that.

### Nominations/Resignations/Hires

### Non Public

Mr. DeColfmacker made a motion, seconded by Mr. Ouellette, to enter non public session under 91-A:3, 11 (c) at 8:15. Roll call vote: Collins aye, DeColfmacker aye, Ouellette aye, Taliaferro aye. (Vote 4-0)

The Board returned to Public Session at 8:51.

### Adjournment

Mr. Ouellette made a motion, seconded by Mrs. Collins, to adjourn the meeting at 8:52. (Vote 4-0)

Respectfully submitted for approval at the next School Board meeting,

Priscilla Colbath
School Board Secretary

### ADMINISTRATION GOALS

Proper administration of the schools is vital to a successful educational program. The general purpose of the Administration is to coordinate and supervise, under the policies of the School Administrative Unit and each Board, the creation and operation of an environment that promotes effective student learning. The Board will rely on the Superintendent to provide the professional administrative leadership necessary.

The Superintendent, each principal, and all other administrators will have the authority and responsibility necessary for his/her specific administrative assignment. Each administrator will be accountable for the effectiveness with which his/her administrative assignment is carried out. The Board will be responsible for specifying requirements and expectations of the Superintendent, then holding the Superintendent accountable by evaluating how well those requirements and expectations have been met. In turn, the Superintendent will be responsible for clearly specifying requirements and expectations for all other administrators, then for holding each accountable by evaluating how well requirements and expectations have been met.

### Major goals of administration are:

- 1. To manage the District's various departments, units, budgets and programs effectively.
- 2. To provide professional advice and counsel to the Board and its advisory committees. Where feasible, this will be done through reviewing alternatives, analyzing the advantages and disadvantages of each, and recommending appropriate action from among the alternatives.
- 3. To implement and manage functions that assure the best and most effective learning programs, through achieving such goals as: (a) providing leadership in keeping abreast of current educational developments; (b) arranging for the staff development necessary in order to establish and provide learning programs that better meet learner needs; (c) coordinating cooperative efforts to improve learning programs, facilities, equipment, and materials; (d) encouraging improvement ideas and decision-making among staff, students, parents, and others; and (e) implementing procedures to ensure that the differing needs and talents of students are fully considered when planning educational programs.

### Legal References:

N.H. Code of Administrative Rules Section Ed 302, Duties of School Superintendents

N.H. Code of Administrative Rules Section Ed 303, Duties of School Boards

N.H. Code of Administrative Rules Section Ed 304, Duties of School Principal

### Statutory Reference:

RSA 197:26 RSA 671:33

Mrs. Priscilla Colbath, Chairperson

Mrs. Judith Nason Mrs. J. Lizbeth Olimpio Mrs. Vivian Macedo Mr. Stephen Brown Adopted by the Board: 6 December 2000 Reaffirmed by the Board: 6 May 2002 Revised by the Board: 20 June 2012

### SCHOOL SUPERINTENDENT

The duties of the Superintendent are defined in his/her contract of employment, individual board policies, SAU policies, state statutes, and New Hampshire Department of Education Rules.

The Superintendent, as the chief executive officer, is responsible for:

- 1. The execution of board policies
- 2. The management of the work of all school departments, the duties of which, apart from those required by law, the Superintendent shall assign
- 3. The observance of all board policies by all those persons employed by the district
- 4. The enforcement of all provisions of the law relating to the operation of the schools or other educational, social and recreational agencies, or activities under the charge of the board.

### Regulatory Reference:

N.H. Code of Administrative Rules, Section Ed. 302.02, Substantive Duties of Superintendents

### Appendix CB-R

Mrs. Norma Joy, Chairperson Mr. Stephen Brown Mrs. Bonnie Cyr Mr. Robert Ouellette Mrs. Beth Seldin

Adopted by the Board: 8 April 1996
Reaffirmed by the Board: 10 July 1998
Revised by the Board: 6 December 2000
Reaffirmed by the Board: 6 May 2002
Revised by the Board: 20 June 2012
Revised by the Board: 17 May 2017

### **DUTIES OF THE SUPERINTENDENT**

The authority and responsibility of the superintendent are derived from RSA 186:8 and parts 302.01 and 302.02 of the New Hampshire Administrative Rules.

### STATUTORY AUTHORITY: RSA 186:8, ED PART 302.01

The superintendent shall serve as the executive head of the public schools:

- 1. He/She shall be responsible for planning and administering their affairs subject to statutory requirements, the regulations of the State Board of Education and the policies of the local district.
- The position shall develop and maintain a system of public schools, capably staffed to provide quality education and supportive services.
- 3. He/She shall provide, develop and implement the procedures to achieve educational objectives within his/her administrative unit.
- 4. In performance of those duties he/she shall be directly responsible to the State Board of Education through its commissioner and the board or board of the school administrative unit.
- 5. One or more assistants such as assistant superintendents, business administrators and teacher consultants may support the superintendent. He/She shall delegate such of his/her duties as is necessary and desirable for the efficient completion of the requirements of the position.

### SUBSTANTIVE DUTIES, ED PART 302.01 The Superintendent shall:

- 1. Nominate all professional central office personnel.
- 2. Direct and supervise the work of all employees of the district and shall have all powers necessary to make such direction effective. While the superintendent has ultimate responsibility, he/she may delegate powers and duties to other personnel.
- 3. Nominate all certified staff and appoint other employees in accordance with the laws, regulations of the state board and school board policies.
- 4. Be responsible for the selection and purchase of textbooks and all other scholastic apparatus and supplies in accordance with the regulations of the school board and the state board and see that the same are suitably distributed to the school, accurately accounted for and economically used.
- 5. Be responsible for developing and recommending to the school board the annual budget for the support of the educational program and for the operation and maintenance of school in accordance with school board policy.
- 6. Be responsible for an accounting system and financial reporting procedure in order that all funds will be accounted for in accordance with local school board policy and local and state laws.
- 7. Be responsible for the development of an educational plan for the district or districts and for recommending a program of studies suitable to the needs of the pupils and the community in accordance with the local school board policies, state statutes and state board regulations.
- 8. Remove a teacher or other employee of the district in accordance with RSA189:31

Mrs. Connie Twombley, Chairperson Ms. Sarah Haves

Mrs. Ann Glidden Mr. Joseph Fleck

Mrs. Peggy Richards

Adopted by the Board: 6 December 2000

Revised by the Board: Reaffirmed by the Board:

### **DUTIES OF THE SUPERINTENDENT**

(Continued)

- Recommend the dismissal of certified staff to the board, recognizing its authority to discuss according to the statutes.
- 10. Provide for temporary vacancies and shall have the authority to secure supplies immediately needed for the operation of the schools.
- 11. Be responsible for maintaining records and making reports as required by the state board of education and local school boards.
- 12. Admit pupils to school attendance in accordance with the laws of the state and the regulations of the state board and policies of the local board. He/She shall assign them to such classes and grades as he finds their needs warrant.
- 13. Provide for the alleviation of hazardous conditions of an emergency nature that affects the health and welfare of pupils.
- 14. Be responsible for the evaluation of personnel and programs in accordance with local school board policies.
- 15. Be responsible, after notice, for implementation of policies and regulations of the state board of education. He/She is expected to participate in the development and evaluation of said policies and regulations as requested by the commissioner of education.

Mrs. Connie Twombley, Chairperson Ms. Sarah Hayes Mrs. Ann Glidden Mr. Joseph Fleck Mrs. Peggy Richards Adopted by the Board: 6 December 2000 Revised by the Board: Reaffirmed by the Board:

### **BOARD MEMBER AUTHORITY**

The authority of individual board members is limited to participating in actions taken by the board as a whole when legally in session. Board members shall not assume responsibilities of administrators or other staff members. The board or staff shall not be bound in any way by any action taken or statement made by any individual board member except when such statement or action is pursuant to specific instructions and official action taken by the board.

Each board member shall review the agenda and any study materials distributed prior to the meeting and be prepared to participate in the discussion and decision-making for each agenda item. Each agenda will provide an opportunity for board members to comment on district activities and/or educational issues. These comments may become topics for future board discussions.

Board members may occasionally serve on committees or organizations for the purpose of reciprocal communication and reporting back to the board. The board will nominate and vote on all committee assignments.

Each member is obligated to attend board meetings regularly. Whenever possible, each board member shall give advance notice to the chairperson or superintendent of his/her inability to attend a board meeting.

### Legal references:

RSA <u>91</u>-A:2, Meetings Open to Public RSA <u>91</u>-A:2-a, Communication Outside Meetings N.H. Code of Administrative Rules-Section Ed. <u>303.01</u>, Substantive Duties of School Boards

Appendix: BBA-R

Mrs. Priscilla Colbath, Chairperson

Mrs. Judith Nason Mrs. J. Lisbeth Olimpio Mrs. Vivian Macedo Mr. Stephen Brown Adopted by the Board: 16 October 1991 Reaffirmed by the Board: 6 May 2002 Revised by the Board: 20 July 2011 Revised by the Board: 19 September 2012

### SCHOOL BOARD MEMBER ETHICS

Each board member shall comply with the following ethical provisions:

- 1. Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning issues to be considered at those meetings.
- 2. Make decisions only after full discussion at public Board meetings; render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups.
- 3. Seek systematic communications with students, staff, and members of the community.
- 4. Work respectfully with other Board members to achieve the educational goals of the school district by encouraging the free expression of opinions by all Board members.
- 5. Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs.
- 6. Be informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school board associations.
- 7. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.
- 8. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or executive session.
- 9. Recognize that no individual member has authority to speak or act for the entire Board, except as specifically designated to do so by Board action.
- 10. Recognize that final Board actions will be supported by all members of the Board; take no private action that will compromise the Board or administration; and refrain from private actions which undermine or compromise official Board action.
- 11. Display and demonstrate courtesy and decorum toward fellow Board members at all public meetings and in all public statements.

Mrs. Priscilla Colbath, Chairperson

Mrs. Judith Nason Mrs. J. Lisbeth Olimpio Mrs. Vivian Macedo

Mr. Stephen Brown

Adopted by the Board: 6 April 2011
Reaffirmed by the Board: 5 September 2012

### **NHSBA**

### Role of a School Board Member

Even for those new board members who have studied the role of the board and attended numerous board meetings before they ran for election, the reality of school board service can be very different from what they imagined. Like any challenging leadership position, school board service is a learning experience that will stretch and grow one's leadership skills.

Schools exist to provide appropriate educational opportunities for our children. With this in mind it is vital to maintain the principle that all board decisions and actions of individual board members should be prioritized by what is best for students and what enhances student achievement. This can often be difficult as different constituents ask for different actions and different decisions on topics that vary greatly.

A fundamental rule, often misunderstood by new board members and sometimes not followed by experienced board members, is that individual board members have no individual authority to act on behalf of the school board or the district. School board action and authority can only be exercised by the school board as one whole, single entity. When the meeting is called to order, each board member is empowered with the right to discuss and vote on each issue. Only a majority of the board has the ability to set policy, establish the school district budget, negotiate contracts or make requests of the superintendent. The only employee of the board is the superintendent and the superintendent is the only school district employee the board may make requests of. By a vote of the majority, the board may empower, the chair or subcommittee to take action outside of the board meeting. But such power is only given by the full board, following discussion and a vote at a duly called and legally held meeting. In most matters school boards are legislative bodies, meaning they set and adopt policy. The exception to this rule is when a board serves as a judicial body conducting staff or student hearings.

The board and superintendent form the school district leadership team. The effective functioning of this team requires mutual trust and a clear understanding as to the school board's role in governance and the superintendent's roles in administering the daily functions of the district. This does not mean everyone

agrees on the issues or the best way to address challenges. Indeed, healthy debate is vital for prudent school board decision-making. A well-functioning team with a high-level trust will have vigorous and impassioned discussions over those issues they care greatly about. Trust also means that all board members will support board decisions. Respecting that majority rules is a key component to effective school board governance. To do otherwise reduces team effectiveness and tends to diminish respect for the board from the staff and community.

Last, school board leadership should be focused on end results. The board should ask questions of what, why, how much and how well? Board action should be focused on mission statements, goals-based outcomes, local board policies, academic standards, and sufficient communication with the community.

### SCHOOL BOARD ELECTIONS

The School Board shall consist of an odd number of members elected by the qualified voters of the District at the annual District elections.

The term of office of each member of the School Board shall be for a period of three (3) years. Vacancies that occur before the expiration of a member's term shall be filled pursuant to Board policy BBBC. A member appointed to fill a vacancy shall serve only until the next annual election, at which point the seat will be open for election to serve the remainder of the original term.

Mrs. Mary Collins, Chairman Mr. Bob Ouellette, Vice Chair Mr. Robert Decolfmacker Mrs. Brennan Peaslee Mrs. Sandrea Taliaferro Adopted by the Board: 6 December 2000 Reaffirmed by the Board: 6 May 2002 Revised by the Board: 17 October 2007 Revised by the Board: 19 September 2012

## SCHOOL BOARD ELECTIONS

The school board shall consist of an odd number of members elected by the qualified voters of the district at the annual district elections held in March.

The term of office of each member of the school board shall be for a period of three (3) years.

## Legal References:

RSA 195:19-b, Reapportionment

RSA 671: 4, School District Elections: Board

RSA 671:22, School District Election at Town Meeting

Mrs. Priscilla Colbath, Chairperson

Mrs. Judith Nason Mrs. J. Lisbeth Olimpio Mrs. Vivian Macedo Mr. Stephen Brown Adopted by the Board: 6 December 2000 Reaffirmed by the Board: 6 May 2002 Reaffirmed by the Board: 17 October 2007 Revised by the Board: 19 September 2012

# NHSBA Sample Policy Manual NHSBA Policy Management Console

Policy BBB: School Board Elections	Status: ADOPTED
Original Adopted Date: 07/01/1998   Last Revised Date: 08/01/2022   Last Reviewed Date: 08/0	1/2022
Category: Optional	
ADOPTION/REVISION NOTES –  Text between the highlighted lines "", and highlights in this sample should be repolicy committee and/or board should review before removal.	moved prior to FINAL adoption, but
a. USER SUGGESTION – Because of ADA compliance requirements, and other tech formatting does not appear on sample policies available through the NHSBA man Word versions of the samples (after 2008), we recommend accessing samples the link on the bottom of the NHSBA policy homepage. The password is the same as	in policy database page. For MS rough the "Previous Policy Updates"
<ul> <li>General – As with all sample policies/procedures, NHSBA recommends that each prior to adoption/revision to assure suitability with the district's own specific circ current policies, and organizational structures.</li> </ul>	
<ul> <li>General – Highlighted language or blank, underscored spaces indicate specific and change or complete to reflect local personnel titles, internal/external policy refer</li> </ul>	
<ul> <li>d. General – {**} indicates a reference to another NHSBA sample policy. A district s and codes to assure internal consistency.</li> </ul>	hould check its own current policies
<ul> <li>General – Withdrawn &amp; earlier versions of revised policies should be maintained services of the District.</li> </ul>	separately as part of the permanent
Ch. 195) amendment to RSA 189:1-c, which previously permitted boards to have a requires Boards have a student board member from each District high school. Septinclude a statement regarding filling a term prematurely vacated by a sitting member passage of HB409 (amending RSA 671:33). Additional revisions to sample BBB inclinaternal reference to sample BBBC.	ember 2021, BBB is updated to er, a point clarified by the 2021
The School Board shall consist of an odd number of members elected by the qualificannual District elections.	ed voters of the District at the
The term of office of each member of the School Board shall be for a period of thre generally have different terms]. Vacancies that occur before the expiration of a mer pursuant to Board policy (**) BBBC. A member appointed to fill a vacancy shall serv election, at which point the seat will be open for election to serve the remainder of [FOR DISTRICTS WITH HIGH SCHOOLS ONLY] Additionally, pursuant to RSA 189: one or more non-voting student member(s) from 1 high school [{or - for districts with from each District high school.] Elections for such student board member shall be he and with the provisions of Board policy (**) BBBF.	nber's term shall be filled e only until the next annual the original term. 1-c, the School Board shall have h more than one high school} –
<sup>1</sup> [Delete fn.] Name of high school if desired.	
District Policy History:  First reading: Second reading/adopted:	

### BOARD MEMBER OR DISTRICT OFFICER RESIGNATION

Any citizen who files for and seeks election to the Board or other District office should do so with full knowledge of and appreciation for the investment in time, effort, and dedication expected for District officers and that the citizen's intent is to serve a full term of office.

However, if, for reasons of health, change in domicile, or any other compelling reason a Board member or other officer does decide to terminate service, the Board requests earliest possible notification of intent to resign so that the Board may plan appropriately for filling the vacancy per Board policy BBBE (relative to filling vacancies).

- A. <u>Tender of Resignation</u>. Ideally, a board member intending to resign will provide a written letter of resignation to the School District Clerk, c/o the Superintendent<sup>1</sup>, with a copy to the School Board Chair (or Vice Chair if the Chair is the one submitting the resignation). Alternatively, a board member may submit a letter of resignation at a meeting of the Board. In the event that a board member tenders a resignation orally, outside of a public meeting, the Board member will be requested to confirm the resignation in writing, and submit the same as stated above.
- B. <u>Board Acknowledgement</u>. Whether submitted in writing or not, the Board shall address the tendered resignation either at the meeting at which the tender is received or at the next public meeting of the Board. There is no need for the Board to formally "approve" the resignation, as a Board may not compel a member to serve a full term by way of a negative vote on a motion to "accept". However, the Board, through the Chair or presiding officer, should acknowledge the tendered resignation at the meeting and assure that the same is reflected in the minutes.
- C. <u>Effective Date</u>. The letter/statement of resignation should indicate when the resignation will be effective. If the tendered resignation does not state a date, then the letter shall be deemed to express an intent that the resignation take immediate effect. Also, pursuant to RSA 652:12, some vacancies (e.g., moving out the district, conviction of a felony while in office, etc.) arise by operation of law upon a specific occurrence, and therefore are effective upon the occasion of that occurrence.
- D. <u>Withdrawal of a Resignation</u>. A tendered resignation, whether made in writing or orally, may not be withdrawn after the Board's acknowledgement without the consent of a majority of remaining Board members upon vote taken in a public meeting prior to a successor being

Mrs. Mary Collins, Chairman Mr. Bob Ouellette, Vice Chairman Mr. Robert Decolfmacker Mrs. Brennan Peaslee Mrs. Sandrea Taliaferro Adopted by the Board: 19 November 1991 Reaffirmed by the Board: 2 August 1995 Reaffirmed by the Board: 10 July 1998 Reaffirmed by the Board: 6 December 2000 Reaffirmed by the Board: 6 May 2002 Revised by the Board: 5 September 2012 Page 1 of 1

## Wakefield School Board

**BBBC** 

appointed.

- E. <u>Copies to District Clerk</u>. The Superintendent shall as soon as practicable assure that the District Clerk is provided with a copy of any letter of resignation and/or of the minutes of the meeting at which the resignation is acknowledged by the Board.
- F. <u>Filling of Vacancy Upon Resignation</u>. Board member vacancies shall be filled in accordance with Board policy BBBE and applicable law.

Mrs. Mary Collins, Chairman Mr. Bob Ouellette, Vice Chairman

Mr. Robert Decolfmacker Mrs. Brennan Peaslee Mrs. Sandrea Taliaferro Adopted by the Board: 19 November 1991
Reaffirmed by the Board: 2 August 1995
Reaffirmed by the Board: 10 July 1998
Reaffirmed by the Board: 6 December 2000
Reaffirmed by the Board: 6 May 2002
Revised by the Board: 5 September 2012

#### BOARD MEMBER OR DISTRICT OFFICER RESIGNATION

Any citizen who files for and seeks election to the Board should do so with full knowledge of and appreciation for the investment in time, effort, and dedication expected of all Board members and that the citizen's intent is to serve a full term of office.

However, if, for reasons of health, change in domicile, or any other compelling reason a member does decide to terminate service, the Board requests earliest possible notification of intent to resign so that the Board may plan appropriately for a replacement. A letter of resignation should be sent to the chairman with a copy to the district clerk.

Vacancies shall be filled in accordance with RSA 197:26 and RSA 671:33.

Legal References:

RSA 197:26, School Meetings & Officers: Vacancies RSA 671:33, School District Elections: Vacancies

Mrs. Priscilla Colbath, Chairperson

Mrs. Judith Nason Mrs. J. Lisbeth Olimpio Mrs. Vivian Macedo Mr. Stephen Brown Adopted by the Board: 19 November 1991
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Revised by the Board: 5 September 2012
Page 1 of 1

#### NHSBA Sample Policy Manual NHSBA Policy Management Console

Status: ADOPTED

Policy BBBC: Board Member or District Officer Resignation

Original Adopted Date: 07/01/1998 | Last Revised Date: 08/01/2021 | Last Reviewed Date: 08/01/2021


ADOPTION/REVISION NOTES -

Category: Optional

Text between the highlighted lines " $\frac{\sim \sim \sim \sim}{\sim}$ ", and highlights in this sample should be removed prior to adoption.

- a. Much of this policy is intended to assist boards with how to process resignations. RSA 652:12 states that a vacancy in an office is created by, among other things, resignation. The statute, however, does not define how or when a resignation is "official". NHSBA receives many inquiries each year about various issues relating to resignations. The revisions to BBBC are intended to provide boards with a practical guide to resolving many of those issues.
- b. General As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district's own specific circumstances, internal coding system, current policies, and organizational structures.
- c. Highlighted language or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/external policy references, duty assignments etc.
- d. {\*\*} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- e. Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.

NHSBA history: Revised – August 2021, November 1999, July 1998 NHSBA revision notes, August 2021, policy was substantially revised to offer a more detailed process for boards when faced with a resignation.

Any citizen who files for and seeks election to the Board or other District office should do so with full knowledge of and appreciation for the investment in time, effort, and dedication expected for District officers and that the citizen's intent is to serve a full term of office.

However, if, for reasons of health, change in domicile, or any other compelling reason a Board member or other officer does decide to terminate service, the Board requests earliest possible notification of intent to resign so that the Board may plan appropriately for filling the vacancy per Board policy (\*\*)BBBE (relative to filling vacancies).

- A. <u>Tender of Resignation</u>. Ideally, a board member intending to resign will provide a written letter of resignation to the School District Clerk, c/o the Superintendent<sup>1</sup>, with a copy to the School Board Chair (or Vice Chair if the Chair is the one submitting the resignation). Alternatively, a board member may submit a letter of resignation at a meeting of the Board. In the event that a board member tenders a resignation orally, outside of a public meeting, the Board member will be requested to confirm the resignation in writing, and submit the same as stated above.
- B. <u>Board Acknowledgement</u>. Whether submitted in writing or not, the Board shall address the tendered resignation either at the meeting at which the tender is received or at the next public meeting of the Board. There is no need for the Board to formally "approve" the resignation, as a Board may not compel a member to serve a full term by way of a negative vote on a motion to "accept". However, the Board, through the Chair or presiding officer, should acknowledge the tendered resignation at the meeting and assure that the same is reflected in the minutes.
- C. <u>Effective Date</u>. The letter/statement of resignation should indicate when the resignation will be effective. If the tendered resignation does not state a date, then the letter shall be deemed to express an intent that the resignation take immediate effect. Also, pursuant to RSA 652:12, some vacancies (e.g., moving out the district, conviction of a felony while in office, etc.) arise by operation of law upon a specific occurrence, and therefore are effective upon the occasion of that occurrence.
- D. Withdrawal of a Resignation. A tendered resignation, whether made in writing or orally, may not be

withdrawn after the Board's acknowledgement without the consent of a majority of remaining Board members upon vote taken in a public meeting prior to a successor being appointed.

E. Copies to District Clerk. The Superintendent shall as soon as practicable assure that the District Clerk is provided with a copy of any letter of resignation and/or of the minutes of the meeting at which the resignation

	is acknowledged by the Board.
F.	<u>Filling of Vacancy Upon Resignation</u> . Board member vacancies shall be filled in accordance with Board policy {**}BBBE and applicable law.
Supe	elete footnote] Paragraph A directs that resignation letters be provided to the District Clerk c/o the rintendent, as (a) the Superintendent is legally designated custodian of district records, and (b) district clerks, e town clerks, lack hours of operation, or public offices/hours of operation other than during election cycles.
Distri	ict Policy History: First reading: Second reading/adopted:
	District revision history:

#### UNEXPIRED TERM FULFILLMENT

A. <u>Definition and Occurrence of a Vacancy</u>. A vacancy on the School Board or other District office is defined in RSA 652:12, and occurs when subsequent to election but prior to the expiration of that person's term, the office holder/office holder elect, either:

- i. Resigns (see Board policy BBBC for resignation process);
- ii. Dies;
- iii. Ceases to have domicile in the district or town from which he/she was elected;
- iv. Is determined by a court to be mentally incompetent;
- v. Is/has been convicted which disqualifies him/her holding office (e.g., bribery, willful violation of election laws) or sentenced while in office after conviction for a felony;
- vi. Has the election voided by a court or the ballot law commission; or
- vii. Fails to take the oath of office within 30 days of the election, or fails to give/renew a bond required by law

Although a formal resignation best serves the district when possible, many of the reasons cause a vacancy to occur by operation of law (e.g., death or relocation). In circumstances that are unclear (e.g., relocation out of district), the Superintendent and/or Board Chair should consult with counsel.

A temporary absence does not constitute a vacancy.

## B. Authority to Fill Vacancy.

- 1. <u>Vacancy other than Moderator [and Budget Committee Member]</u> The Board shall fill a vacancy occurring (1) on the board, (2) in any position generally appointed by the Board, or (3) in any other elected district office with the exception of moderator and budget committee member. If the remaining members refuse or are unable to agree upon a replacement, or in the event there are no remaining school board members, then the Select Board may make the appointment. See RSA 671:33 and RSA 197:26.
- 2. <u>Moderator Vacancy</u>. Vacancies in the office of moderator shall be filled by vote at a school meeting or election, provided that, until a replacement is chosen, the school District Clerk shall serve as moderator or shall appoint a moderator pro tempore. See RSA 671:33, III and RSA 197:20.
- 3. [IF APPLICABLE] Budget Committee Vacancy. A vacancy on a municipal budget committee is filled by the town moderator or budget committee in accordance with RSA 32:15, VII.

Mrs. Mary Collins, Chairman Mr. Bob Ouellette, Vice Chairman

Mr. Robert Decolfmacker Mrs. Brennan Peaslee Mrs. Sandrea Taliaferro Adopted by the Board: 6 December 2000 Reaffirmed by the Board: 6 May 2002 Revised by the Board: 5 September 2012

## [OPTIONS 2-LANGUAGE FOR COOPERATIVE DISTRICT]

- 1. Vacancy on School Board. In the event of a vacancy on the school board the remaining school board members representing the same town or towns as the departed member shall fill the vacancy, provided that there are at least 2 such members. At large seats and members are considered to be "representative(s) of the same town or towns." If there are less than 2 remaining members on the cooperative school board representing the same town or towns as the departed member, or if the remaining members are unable, by majority vote, to agree upon an appointment, then the Select Board or Select Boards representing the same town/towns as the departed member may make the appointment, failing which the District Moderator will make the appointment. RSA 671:33, II(b).
- 2. <u>Vacancy of Any Office Other than School Board, [{IF APPLICABLE3} Budget Committee] or Moderator.</u> The entire school board shall fill vacancies occurring in other district offices, except that of [{IF APPLICABLE4} budget committee member, and] moderator, until the next annual meeting of the district. RSA 671:33, II(a) and RSA 197:26.
- 3. <u>Moderator Vacancy</u>. Vacancies in the office of moderator shall be filled by vote at a school meeting or election, provided that, until a replacement is chosen, the school District Clerk shall serve as moderator or shall appoint a moderator pro tempore. See RSA 671:33, III and RSA 197:20.
- 4. <u>Budget Committee Vacancy</u>. In the event of a vacancy on the cooperative budget committee, the remaining budget committee members representing the same town or towns as the departed member shall fill the vacancy, provided that there are at least 2 such remaining members. At large seats and members are considered to be "representative(s) of the same town or towns." If there are less than 2 remaining members on the cooperative school board representing the same town or towns as the departed member, or if the remaining members are unable, by majority vote, to agree upon an appointment, then the Select Board or Select Boards representing the same town/towns as the departed member may make the appoint ment, failing which the District Moderator will make the appointment. RSA 671:33, IV.
- C. <u>Duration of Appointment</u>. For positions normally elected by the voters, a person appointed to fill a vacancy will serve only until the next election, at which point the voters will vote for a replacement to serve for the remainder of the original holder's term. For non-elected positions (i.e., those ordinarily appointed by the board), the person appointed to fill the vacancy will serve until the expiration of the original holder's term. See RSA 671:33.
- **D.** <u>Vacancy Arising During Filing Period</u>. Other than a seat that is already open (for election or re-election) as of the beginning of the filing period, a vacancy which occurs between the beginning of the filing period and the district election shall be filled by appointment. See RSA 671:33, V.
- E. Process to Fill Vacancies by the Board. The Board will generally employ the following

Mrs. Mary Collins, Chairman

Mr. Bob Ouellette, Vice Chairman

Mr. Robert Decolfmacker

Mrs. Brennan Peaslee

Mrs. Sandrea Taliaferro

Adopted by the Board: 6 December 2000 Reaffirmed by the Board: 6 May 2002 Revised by the Board: 5 September 2012

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## Wakefield School Board

**BBBE** 

process when there is a vacancy on the Board, or in other office for which the Board has authority to fill the vacancy. Except as required by RSA 91-A:2 and 3, the Board reserves the right to waive, supplement or otherwise amend any part of the process.

Discussion by the Board of the process to be used to fill a vacancy, and the appointment process itself, including candidate interviews, shall occur in public session during a duly noticed meeting. The only possible exception could be a limited discussion regarding a potential candidate wherein that part of the discussion is <u>likely</u> to adversely affect the reputation of a person other than a board member. See RSA 91-A:3, II(c).

Once the Board has confirmed or acknowledged the vacancy, the Board will advertise/post notice of the vacancy on the District web-site and in such other manner as the Board deems appropriate. Among other things, the notice shall invite interested persons to submit a letter of interest to the Board Chair, with a copy to the Superintendent. All such letters shall be included in the public meeting materials for the meeting at which the appointment is to be considered.

Interviews of candidates for vacant positions will take place in a meeting open to the public.

After motion and second, vote shall occur by voice or hand in public session (secret ballots are not allowed under RSA 91-A:2, II).

Legal Reference:

RSA 197:26, School Meetings & Officers: Vacancies RSA 671:33, School District Elections: Vacancies

Mrs. Mary Collins, Chairman Mr. Bob Ouellette, Vice Chairman Mr. Robert Decolfmacker Mrs. Brennan Peaslee

Mrs. Sandrea Taliaferro

Adopted by the Board: 6 December 2000 Reaffirmed by the Board: 6 May 2002 Revised by the Board: 5 September 2012

## UNEXPIRED TERM FULFILLMENT

The Board shall fill vacancies occurring on the School Board. Appointees of the Board shall serve until the next district election when the voters of the district shall elect a replacement for the unexpired term.

## Legal Reference:

RSA 197:26, School Meetings & Officers: Vacancies RSA 671:33, School District Elections: Vacancies

Mrs. Priscilla Colbath, Chairperson

Mrs. Judith Nason Mrs. J. Lisbeth Olimpio Mrs. Vivian Macedo Mr. Stephen Brown Adopted by the Board: 6 December 2000 Reaffirmed by the Board: 6 May 2002 Revised by the Board: 5 September 2012

## NHSBA Sample Policy Manual NHSBA Policy Management Console

Policy BBBE: Vacancies and Unexpired Term Fulfillment

Status: ADOPTED

Original Adopted Date: 07/01/1998 | Last Revised Date: 09/01/2021 | Last Reviewed Date: 09/01/2021

Category: Optional

#### ADOPTION/REVISION NOTES -

Text between the highlighted lines " $\sim \sim \sim \sim$ ", and highlights in this sample should be removed prior to adoption.

- a. This revised sample has provisions that MUST be modified to reflect (a) whether the district is a single town district or a cooperative, and (b) whether the district has an "official" rather than an advisory budget committee. See footnote 1 for distinction between "official" and "advisory" budget committees.
- b. Note that there are alternative provisions in Section B, pertaining to whether the District is a single "town" district or a cooperative.
- c. General As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district's own specific circumstances, internal coding system, current policies, and organizational structures.
- d. Highlighted language or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.
- e. {\*\*} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- f. Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.

NHSBA history: Revised - Sept. 2021, Nov. 1999, and July 1998

NHSBA revision notes, September 2021, Sample policy BBBC was substantially revised to: (a) include the statutory provisions and reference for the definition of a vacancy; (b) include 2021 amendments to RSA 671:33 (see, HB409 regarding determination of term fulfillment, and HB2 (2021 Session Laws Chapter 91 Section 318), regarding the manner in which at-large seats in cooperative districts are filled); (c) add "Vacancies" to the title; and (d) clarify that the statute applicable for most school board/officer vacancies is RSA 671:33, and not RSA 197:26). As a general statement, the comprehensive revisions also reflect that each year NHSBA receives many inquiries regarding some of the more nuanced or hard-to-find legal requirements pertaining to vacancies. September 2012, revisions reflected amendment RSA 671:33 which changed the manner in which vacancies on cooperative school boards are filled.

A. <u>Definition and Occurrence of a Vacancy</u>. A vacancy on the School Board or other District office is defined in RSA 652:12, and occurs when subsequent to election but prior to the expiration of that person's term, the office holder/office holder elect, either:

- Resigns (see Board policy (\*\*)BBBC for resignation process);
- ii. Dies;
- iii. Ceases to have domicile in the district or town from which he/she was elected;
- iv. Is determined by a court to be mentally incompetent;
- v. Is/has been convicted which disqualifies him/her holding office (e.g., bribery, willful violation of election laws) or sentenced while in office after conviction for a felony;
- vi. Has the election voided by a court or the ballot law commission; or
- vii. Fails to take the oath of office within 30 days of the election, or fails to give/renew a bond required by law

Although a formal resignation best serves the district when possible, many of the reasons cause a vacancy to occur by operation of law (e.g., death or relocation). In circumstances that are unclear (e.g., relocation out of district), the Superintendent and/or Board Chair should consult with counsel.

A temporary absence does not constitute a vacancy.

B. Authority to Fill Vacancy.

[OPTION 1 - LANGUAGE FOR SINGLE TOWN ("Pre-existing") DISTRICT]

- 1. <u>Vacancy other than Moderator [and Budget Committee Member]</u><sup>1</sup>. The Board shall fill a vacancy occurring (1) on the board, (2) in any position generally appointed by the Board, or (3) in any other elected district office with the exception of moderator and budget committee member. If the remaining members refuse or are unable to agree upon a replacement, or in the event there are no remaining school board members, then the Select Board may make the appointment. See RSA 671:33 and RSA 197:26.
- 2. <u>Moderator Vacancy</u>. Vacancies in the office of moderator shall be filled by vote at a school meeting or election, provided that, until a replacement is chosen, the school District Clerk shall serve as moderator or shall appoint a moderator pro tempore. See RSA 671:33, III and RSA 197:20.
- 3. [IF APPLICABLE<sup>2</sup>] Budget Committee Vacancy. A vacancy on a municipal budget committee is filled by the town moderator or budget committee in accordance with RSA 32:15, VII.

#### [OPTION 2 - LANGUAGE FOR COOPERATIVE DISTRICT]

- 1. <u>Vacancy on School Board</u>. In the event of a vacancy on the school board the remaining school board members representing the same town or towns as the departed member shall fill the vacancy, provided that there are at least 2 such members. At-large seats and members are considered to be "representative(s) of the same town or towns." If there are less than 2 remaining members on the cooperative school board representing the same town or towns as the departed member, or if the remaining members are unable, by majority vote, to agree upon an appointment, then the Select Board or Select Boards representing the same town/towns as the departed member may make the appointment, failing which the District Moderator will make the appointment. RSA 671:33, II(b).
- 2. <u>Vacancy of Any Office Other than School Board, [{IF APPLICABLE}^3} Budget Committee] or Moderator</u>. The entire school board shall fill vacancies occurring in other district offices, except that of [{IF APPLICABLE}^4] budget committee member, and] moderator, until the next annual meeting of the district. RSA 671:33, II(a) and RSA 197:26.
- 3. <u>Moderator Vacancy</u>. Vacancies in the office of moderator shall be filled by vote at a school meeting or election, provided that, until a replacement is chosen, the school District Clerk shall serve as moderator or shall appoint a moderator pro tempore. See RSA 671:33, III and RSA 197:20.
- 4. <u>Budget Committee Vacancy</u>. In the event of a vacancy on the cooperative budget committee, the remaining budget committee members representing the same town or towns as the departed member shall fill the vacancy, provided that there are at least 2 such remaining members. At-large seats and members are considered to be "representative(s) of the same town or towns." If there are less than 2 remaining members on the cooperative school board representing the same town or towns as the departed member, or if the remaining members are unable, by majority vote, to agree upon an appointment, then the Select Board or Select Boards representing the same town/towns as the departed member may make the appoint-ment, failing which the District Moderator will make the appointment. RSA 671:33, IV.
- C. <u>Duration of Appointment</u>. For positions normally elected by the voters, a person appointed to fill a vacancy will serve only until the next election, at which point the voters will vote for a replacement to serve for the remainder of the original holder's term. For non-elected positions (i.e., those ordinarily appointed by the board), the person appointed to fill the vacancy will serve until the expiration of the original holder's term. See RSA 671:33.
- D. <u>Vacancy Arising During Filing Period</u>. Other than a seat that is already open (for election or re-election) as of the beginning of the filing period, a vacancy which occurs between the beginning of the filing period and the district election shall be filled by appointment. See RSA 671:33, V.
- E. <u>Process to Fill Vacancies by the Board</u>. The Board will generally employ the following process when there is a vacancy on the Board, or in other office for which the Board has authority to fill the vacancy. Except as required by RSA 91-A:2 and 3, the Board reserves the right to waive, supplement or otherwise amend any part of the process.

Discussion by the Board of the process to be used to fill a vacancy, and the appointment process itself, including candidate interviews, shall occur in public session during a duly noticed meeting. The only possible exception could be a limited discussion regarding a potential candidate wherein that part of the discussion is <u>likely</u> to adversely affect the reputation of a person other than a board member. See RSA 91-A:3, II(c).

Once the Board has confirmed or acknowledged the vacancy, the Board will advertise/post notice of the vacancy on the District web-site and in such other manner as the Board deems appropriate. Among other things, the notice shall invite interested persons to submit a letter of interest to the Board Chair, with a copy to the Superintendent. All such letters shall be included in the public meeting materials for the meeting at which the appointment is to be considered.

Interviews of candidates for vacant positions will take place in a meeting open to the public.

After motion and second, vote shall occur by voice or hand in public session (secret ballots are not allowed under RSA 91-A:2, II).

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<u>District Policy History:</u> First reading:  Second reading/adopted:	
District revision history:	

<sup>&</sup>lt;sup>1</sup> [Delete this and all remaining footnotes.] The exceptions in this policy relative to budget committee members only apply to statutory or "official" municipal budget committees adopted by the voters pursuant to RSA 32:14, or for cooperative districts, pursuant to RSA 195:12-a. Unless adopted by the voters pursuant to one or the other of those statutes, a budget committee is "advisory" only, and its members are appointed by the board in the same manner as other board advisory or appointed committees.

<sup>&</sup>lt;sup>2</sup> See footnote 1 regarding distinction between "official" and "advisory" budget committee.

<sup>&</sup>lt;sup>3</sup> See footnote 1 regarding distinction between "official" and "advisory" budget committee.

<sup>&</sup>lt;sup>4</sup> See footnote 1 regarding distinction between "official" and "advisory" budget committee.

### SCHOOL BOARD MEMBER ETHICS

In order to fulfill its duty under state law to provide education to pupils within the District, the Board adopts the following expectations for each of its members.

AS A MEMBER OF THE SCHOOL BOARD, AND IN ACCORDANCE WITH MY OATH OF OFFICE, I WILL STRIVE TO IMPROVE PUBLIC EDUCATION BY STRIVING TO ADHERE TO THE FOLLOWING EXPECTATIONS:

- 1. Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning issues to be considered at those meetings.
- 2. Understand that the Board, as governing body, does not manage the District, but rather sets the broad goals and standards for the District by way of policies adopted by a quorum of the Board at proper meetings under the Right-to-Know law.
- 3. Be informed about current educational issues by individual study and through information, such as those sponsored by my state and national school board associations.
- 4. Make decisions and take votes based upon the available facts, the full deliberation of the Board, and my independent judgment, and refuse to surrender or subordinate that judgement to any individual or special interest group.
- 5. Work respectfully with other Board members by encouraging the free expression of differing opinions and ideas.
- 6. Seek opportunities for the Board to establish systematic communication channels with students, staff, and members of the community.
- 7. Recognize that as a general principle the District and its students benefit when Board decisions, which have been made following consideration of all sides and vote of a quorum, receive the subsequent support of the whole Board, whenever practicable.
- 8. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or non-public session.

Mrs. Mary Collins, Chairman

Mr. Bob Ouellette, Vice Chairman

Mr. Robert Decolfmacker Mrs. Brennan Peaslee Mrs. Sandrea Taliaferro Adopted by the Board: 6 April 2011

Reaffirmed by the Board: 5 September 2012

## Wakefield School Board

**BCA** 

- 9. Recognize that individual Board members are without authority to act relative to School District business, and that I may not individually commit the Board to any action except as specifically designated to do so by Board action.
- 10. Understand the chain of command and refer problems or complaints to the proper administrative office per applicable School Board policies.
- 11. Work with the other Board members to establish effective Board policies, and foster a relationship with the District administration toward the effective implementation of those policies and management of the District operations, personnel and facilities.
- 12. Communicate to the Superintendent and to the Board (only as consistent with the Right-to-Know law) expressions of public reaction to Board programs, policies and other Board actions.
- 13. Present personal criticisms concerning District operations, staff, etc. to the Superintendent, not to District staff, the public, or unnecessarily at a Board meeting.
- 14. Establish policies and protocols for systematic communications with students, staff, and members of the community. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.

Mrs. Mary Collins, Chairman

Mr. Bob Ouellette, Vice Chairman

Mr. Robert Decolfmacker Mrs. Brennan Peaslee Mrs. Sandrea Taliaferro Adopted by the Board: 6 April 2011

Reaffirmed by the Board: 5 September 2012

#### SCHOOL BOARD MEMBER ETHICS

Each board member shall comply with the following ethical provisions:

- 1. Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning issues to be considered at those meetings.
- 2. Make decisions only after full discussion at public Board meetings; render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups.
- 3. Seek systematic communications with students, staff, and members of the community.
- 4. Work respectfully with other Board members to achieve the educational goals of the school district by encouraging the free expression of opinions by all Board members.
- 5. Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs.
- 6. Be informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school board associations.
- 7. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.
- 8. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or executive session.
- 9. Recognize that no individual member has authority to speak or act for the entire Board, except as specifically designated to do so by Board action.
- 10. Recognize that final Board actions will be supported by all members of the Board; take no private action that will compromise the Board or administration; and refrain from private actions which undermine or compromise official Board action.
- 11. Display and demonstrate courtesy and decorum toward fellow Board members at all public meetings and in all public statements.

Mrs. Priscilla Colbath, Chairperson

Mrs. Judith Nason Mrs. J. Lisbeth Olimpio Mrs. Vivian Macedo Mr. Stephen Brown Adopted by the Board: 6 April 2011
Reaffirmed by the Board: 5 September 2012

Status: ADOPTED

Policy BCA: School Board Member Ethics

Original Adopted Date: 11/01/1999 | Last Revised Date: 05/01/2018 | Last Reviewed Date: 05/01/2018

Category: Recommended

#### ADOPTION/REVISION NOTES -

Text between the highlighted lines " $\sim \sim \sim \sim$ ", and highlights in this sample should be removed prior to adoption.

- a. General As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district's own specific circumstances, internal coding system, current policies, and organizational structures.
- b. Highlighted language or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/ external policy references, duty assignments etc.
- c. {\*\*} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- d. Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.

NHSBA history: Revised: May 2018; May 2006; November 1999 Reviewed: February 2004
NHSBA revision note: May 2018 - This sample policy has been: (a) revised to include language to better reflect that, while school board decisions tend to be more effective and successful when supported by all members (after a majority vote), individual members do not at any time lose their individual right to express dissent; (b) amended to include provisions better identifying the distinction between governance and management; and (c) generally reorganized for better flow.

In order to fulfill its duty under state law to provide education to pupils within the District, the Board adopts the following expectations for each of its members.

AS A MEMBER OF THE SCHOOL BOARD, AND IN ACCORDANCE WITH MY OATH OF OFFICE, I WILL STRIVE TO IMPROVE PUBLIC EDUCATION BY STRIVING TO ADHERE TO THE FOLLOWING EXPECTATIONS:

- 1. Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning issues to be considered at those meetings.
- 2. Understand that the Board, as governing body, does not manage the District, but rather sets the broad goals and standards for the District by way of policies adopted by a quorum of the Board at proper meetings under the Right-to-Know law.
- 3. Be informed about current educational issues by individual study and through information, such as those sponsored by my state and national school board associations.
- 4. Make decisions and take votes based upon the available facts, the full deliberation of the Board, and my independent judgment, and refuse to surrender or subordinate that judgement to any individual or special interest group.
- 5. Work respectfully with other Board members by encouraging the free expression of differing opinions and ideas.
- 6. Seek opportunities for the Board to establish systematic communication channels with students, staff, and members of the community.
- 7. Recognize that as a general principle the District and its students benefit when Board decisions, which have been made following consideration of all sides and vote of a quorum, receive the subsequent support of the whole Board, whenever practicable.
- 8. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or non-public session.

- 9. Recognize that individual Board members are without authority to act relative to School District business, and that I may not individually commit the Board to any action except as specifically designated to do so by Board action.
- 10. Understand the chain of command and refer problems or complaints to the proper administrative office per applicable School Board policies.
- 11. Work with the other Board members to establish effective Board policies, and foster a relationship with the District administration toward the effective implementation of those policies and management of the District operations, personnel and facilities.
- 12. Communicate to the Superintendent and to the Board (only as consistent with the Right-to-Know law) expressions of public reaction to Board programs, policies and other Board actions.
- 13. Present personal criticisms concerning District operations, staff, etc. to the Superintendent, not to District staff, the public, or unnecessarily at a Board meeting.
- 14. Establish policies and protocols for systematic communications with students, staff, and members of the community. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.

<u>District Policy History</u> First reading: Second reading.			
District revision	history:		

## BOARD MEMBER CONFLICT OF INTEREST

As elected officials, school board members owe a duty of loyalty to the general public in protecting the school district's interests. Therefore, the Board declares that a conflict of interest is a personal, pecuniary interest that is immediate, definite, demonstrable, and which is or may be in conflict with the public interest.

A board member who has a personal or private interest in a matter proposed or pending before the Board will disclose such interest to the Board, will not deliberate on the matter, will not vote on the matter, and will not attempt to influence other members of the Board regarding the matter. Additionally, Board members should refrain from engaging in conduct or actions, that give the appearance of a conflict of interest, embarrass the Board, or personally embarrass another Board member.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses with which a Board member is an employee. The policy is designed to prevent placing a Board member in a position where his or her interest in the public schools and his or her interest in his or her place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist. RSA 95:1 requires that "No person holding a public office, as such, in state or any political subdivision governmental service shall, by contract or otherwise, except by open competitive bidding, buy real estate, sell or buy goods, commodities, or other personal property of a value in excess of \$200 at any one sale to or from the state or political subdivision under which he holds his public office." Through the use of open competitive bidding or recusal of any Board member who has a conflict of interest, the Board will seek to obtain the best value for the district while avoiding impropriety or the appearance of impropriety.

#### Nepotism

The Board may employ a teacher or other employee if that teacher or other employee is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of the Superintendent or any member of the Board. This paragraph shall also apply to any other person who shares the expenses of daily living with the Superintendent or any member of the Board. Such a relationship will not automatically disqualify a job applicant from employment with the school district.

However, the Board member shall declare his/her relationship with the job applicant and will refrain from debating, discussing, or voting on a nomination or other issue. In the case where the relationship is with the Superintendent, the Superintendent shall disclose the relationship to the Board as early as possible in the recruitment/selection process for the open position or in the case of someone currently employed by the district, before recommending any job related action

Mrs. Mary Collins, Chairman

Mr. Bob Ouellette, Vice Chairman

Mr. Robert Decolfmacker Mrs. Brennan Peaslee Mrs. Sandrea Taliaferro Adopted by the Board: 14 March 2001 Revised by the Board: 4 June 2002

Reaffirmed by the Board: 1 November 2006 Revised by the Board: 5 September 2012

## Wakefield School Board

**BCB** 

pertaining to the individual. The Board shall determine whether, were the candidate selected, the supervisor - subordinate relationship between the Superintendent and the prospective employee will be sufficiently indirect, to not disqualify the candidate. If not disqualified, and prior to candidates for the position being screened and a nominee being selected, or the Board approving any job related action, the Superintendent and the Board shall agree on a mechanism to address the conflict of interest. Where practical, the Board may designate another district staff member to fulfill the role of the Superintendent for the selection of a nominee for the position or take appropriate alternative steps. The job applicant is expected to declare his/her relationship with the Board member or Superintendent as well.

This shall not apply to any person within such relationship or relationships who has been regularly employed by the Board prior to the inception of the relationship, the adoption of this policy, or a Board member's election.

Legal References: Marsh v. Hanover, 113 NH 667 (1973) and Atherton v. Concord, 109 NH 164 (1968)

Mrs. Mary Collins, Chairman Mr. Bob Ouellette, Vice Chairman

Mr. Robert Decolfmacker Mrs. Brennan Peaslee Mrs. Sandrea Taliaferro Adopted by the Board: 14 March 2001 Revised by the Board: 4 June 2002

Reaffirmed by the Board: 1 November 2006 Revised by the Board: 5 September 2012

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## BOARD MEMBER CONFLICT OF INTEREST

As elected officials, school board members owe a duty of loyalty to the general public in protecting the school district's interests. Therefore, the Board declares that a conflict of interest is a personal, pecuniary interest that is immediate, definite, and demonstrable and which is or may be in conflict with the public interest.

A board member who has a personal or private interest in a matter proposed or pending before the Board will disclose such interest to the Board, will not deliberate on the matter, will not vote on the matter, and will not attempt to influence other members of the Board regarding the matter. Additionally, Board members should refrain from engaging in conduct or actions, that give the appearance of a conflict of interest, embarrass the Board, or personally embarrass another Board member.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses with which a Board member is an employee. The policy is designed to prevent placing a Board member in a position where his interest in the public schools and his interest in his place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist.

## Nepotism

The Board may employ a teacher or other employee if that teacher or other employee is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of the Superintendent or any member of the Board. Such a relationship will not automatically disqualify a job applicant from employment with the school district.

However, the Board member shall declare his/her relationship with the job applicant and will refrain from debating, discussing, or voting on a nomination or other issue. The job applicant is expected to declare his/her relationship with the Board member as well.

This shall not apply to any person within such relationship or relationships who has been regularly employed by the Board prior to the inception of the relationship, the adoption of this policy, or a Board member's election.

Legal References:

Marsh v. Hanover, 113 NH 667 (1973) and Atherton v. Concord, 109 NH 164 (1968)

Mrs. Priscilla Colbath, Chairperson

Mrs. Judith Nason Mrs. J. Lisbeth Olimpio Mrs. Vivian Macedo Mr. Stephen Brown Adopted by the Board: 14 March 2001 Revised by the Board: 4 June 2002

Reaffirmed by the Board: 1 November 2006 Revised by the Board: 5 September 2012

Status: ADOPTED

Policy BCB: Board Member Conflict of Interest

Original Adopted Date: 07/01/1998 | Last Revised Date: 05/01/2017 | Last Reviewed Date: 05/01/2017

Category: Recommended

#### ADOPTION/REVISION NOTES -

Text between the highlighted lines " $\sim \sim \sim \sim$ ", and highlights in this sample should be removed prior to adoption.

- a. General As with all sample policies, NHSBA recommends that each district carefully review this sample prior to adoption/revision to assure suitability with the district's own specific circumstances, internal coding system, current policies, and organizational structures.
- b. Highlighted language or blank, underscored spaces indicate areas which Boards should review, change or complete to reflect local personnel titles, internal/external policy references, duty assignments etc.
- c. (\*\*) indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- d. Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.

#### NHSBA history:

Revised: May 2017 Revised: May 2007

Revised: July 1998, November 1999, February 2004, May 2006

NHSBA, Note: This policy is revised to incorporate the restrictions imposed by RSA 95:1. The policy recognizes the potential of a conflict of interest involving the Superintendent, this revision also adds a mechanism for addressing a conflict of interest between the Superintendent and a prospective district employee.

As elected officials, school board members owe a duty of loyalty to the general public in protecting the school district's interests. Therefore, the Board declares that a conflict of interest is a personal, pecuniary interest that is immediate, definite, demonstrable, and which is or may be in conflict with the public interest.

A board member who has a personal or private interest in a matter proposed or pending before the Board will disclose such interest to the Board, will not deliberate on the matter, will not vote on the matter, and will not attempt to influence other members of the Board regarding the matter. Additionally, Board members should refrain from engaging in conduct or actions, that give the appearance of a conflict of interest, embarrass the Board, or personally embarrass another Board member.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses with which a Board member is an employee. The policy is designed to prevent placing a Board member in a position where his or her interest in the public schools and his or her interest in his or her place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist. RSA 95:1 requires that "No person holding a public office, as such, in state or any political subdivision governmental service shall, by contract or otherwise, except by open competitive bidding, buy real estate, sell or buy goods, commodities, or other personal property of a value in excess of \$200 at any one sale to or from the state or political subdivision under which he holds his public office." Through the use of open competitive bidding or recusal of any Board member who has a conflict of interest, the Board will seek to obtain the best value for the district while avoiding impropriety or the appearance of impropriety.

#### Nepotism

The Board may employ a teacher or other employee if that teacher or other employee is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of the Superintendent or any member of the Board. This paragraph shall also apply to any other person who shares the expenses of daily living with the Superintendent or any member of the Board. Such a relationship will not automatically disqualify a job applicant from employment with the school district.

However, the Board member shall declare his/her relationship with the job applicant and will refrain from debating, discussing, or voting on a nomination or other issue. In the case where the relationship is with the Superintendent,

the Superintendent shall disclose the relationship to the Board as early as possible in the recruitment/selection process for the open position or in the case of someone currently employed by the district, before recommending any job related action pertaining to the individual. The Board shall determine whether, were the candidate selected, the supervisor - subordinate relationship between the Superintendent and the prospective employee will be sufficiently indirect, to not disqualify the candidate. If not disqualified, and prior to candidates for the position being screened and a nominee being selected, or the Board approving any job related action, the Superintendent and the Board shall agree on a mechanism to address the conflict of interest. Where practical, the Board may designate another district staff member to fulfill the role of the Superintendent for the selection of a nominee for the position or take appropriate alternative steps. The job applicant is expected to declare his/her relationship with the Board member or Superintendent as well.

This shall not apply to any person within such relationship or relationships who has been regularly employed by the Board prior to the inception of the relationship, the adoption of this policy, or a Board member's election.

District Policy History: First reading: Second reading/adopted:	<u> </u>		
District revision history:			

### **BOARD OFFICERS**

Board officers will include a chairperson, vice-chairperson and secretary. Officers will be elected at the board's re-organizational meeting following the school district annual meeting. Board officers will serve a one-year term, concluding at the re-organizational meeting the following year, at which time a new election of officers will occur. Officers will remain in their respective offices until new successors are elected.

If the chairperson resigns from the school board or resigns from the office of chair, the vice-chairperson will become chair of the board. If the chairperson loses his/her election or does not run for re-election, the vice-chair shall serve as chair during the organizational meeting. If the vice-chairperson or secretary resigns from the school board or from the respective office, the board will hold new elections for those offices.

The Superintendent is an ex-officio, non-voting member of the Board.

## Chairperson:

The chairperson shall preside at all meetings. The chairperson will have the right to vote on all matters before the Board. The chairperson will consult with the Superintendent on the preparation of the agenda for each meeting, 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.

Additionally roles and duties of the chairperson are found in Board Policy BBAB.

### Vice-chairperson:

The Vice-Chairperson will have the powers and duties of the Chairperson in his/her absence or for the duration of the disability, and such other powers and duties as the Board may from time to time determine.

### Secretary:

The Secretary shall be responsible for Board correspondence when directed by the Chairperson.

## Statutory Reference:

RSA 197:26 RSA 671:33

Mrs. Mary Collins, Chairman Mr. Bob Ouellette, Vice Chairman

Mr. Robert Decolfmacker Mrs. Brennan Peaslee Mrs. Sandrea Taliaferro Adopted by the Board: 16 October 1991
Reaffirmed by the Board: 2 August 1995
Reaffirmed by the Board: 10 July 1998
Reaffirmed by the Board: 6 December 2000
Revised by the Board: 6 May 2002

Revised by the Board: 0 May 2002

Revised by the Board: 19 September 2012

#### **BOARD OFFICERS**

The officers of the school board shall be a chairperson and a vice-chairperson. The chairperson and vice-chairperson shall be elected at the annual organization meeting to serve until the next annual organization meeting, or until successor is elected. Any vacancy in either of such offices may be filled at any meeting of the board provided that all members of the board have been notified prior to the meeting that the vacancy will be filled at such meeting.

#### CHAIRPERSON:

The chairperson shall preside at all meetings and shall be able to originate or second motions; and the chairperson shall have the right to vote on all matters before the board. The chairperson shall consult with the superintendent on the preparation of the agenda for each meeting, will sign contracts and other instruments as approved by the board in its name and on its behalf, and shall have such duties as the board may from time to time determine.

## VICE-CHAIRPERSON:

The vice-chairperson shall have such duties of the chairperson in his/her absence or during his/her disability, and such other powers and duties as the school board may from time to time determine.

### Statutory Reference:

RSA 197:26 RSA 671:33

Mrs. Priscilla Colbath, Chairperson

Mrs. Judith Nason Mrs. J. Lisbeth Olimpio Mrs. Vivian Macedo Mr. Stephen Brown Adopted by the Board: 16 October 1991 Reaffirmed by the Board: 2 August 1995 Reaffirmed by the Board: 10 July 1998 Reaffirmed by the Board: 6 December 2000

Revised by the Board: 6 May 2002 Revised by the Board: 19 September 2012 Page 1 of 1

## NHSBA Sample Policy Manual NHSBA Policy Management Console

Policy BDB: Board Officers

Status: ADOPTED

Original Adopted Date: 07/01/1998 | Last Revised Date: 04/01/2016 | Last Reviewed Date: 04/01/2016

Category: Recommended

#### ADOPTION/REVISION NOTES -

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- c. {\*\*} indicates a reference to another NHSBA sample policy. A district should check its own current policies and codes to assure internal consistency.
- d. Withdrawn & earlier versions of revised policies should be maintained separately as part of the permanent records of the District.

#### NHSBA history:

Revised: April 2016

Revised: July 1998, June 2013

NHSBA Note, April 2016: New sentence added to first paragraph to clarify that board officers remain in their respective office until new officers are elected. This clarifies situations in which the election of a new officer ends in a tie vote. New sentence added in second paragraph to clarify who serves as chair at the organization meeting in the event the past chair was either defeated or did not run for re-election.

Board officers will include a chairperson, vice-chairperson and secretary. Officers will be elected at the board's reorganizational meeting following the school district annual meeting. Board officers will serve a one-year term, concluding at the re-organizational meeting the following year, at which time a new election of officers will occur. Officers will remain in their respective offices until new successors are elected.

If the chairperson resigns from the school board or resigns from the office of chair, the vice-chairperson will become chair of the board. If the chairperson loses his/her election or does not run for re-election, the vice-chair shall serve as chair during the organizational meeting. If the vice-chairperson or secretary resigns from the school board or from the respective office, the board will hold new elections for those offices.

The Superintendent is an ex-officio, non-voting member of the Board.

#### Chairperson:

The chairperson shall preside at all meetings. The chairperson will have the right to vote on all matters before the Board. The chairperson will consult with the Superintendent on the preparation of the agenda for each meeting, 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.

Additionally roles and duties of the chairperson are found in Board Policy BBAB.

#### Vice-chairperson:

The Vice-Chairperson will have the powers and duties of the Chairperson in his/her absence or for the duration of the disability, and such other powers and duties as the Board may from time to time determine.

#### Secretary:

The Secretary shall be responsible for Board correspondence when directed by the Chairperson.

# RECOGNITION OF ORGANIZATION AND OPERATION OF THE SCHOOL ADMINISTRATIVE UNIT (SAU) BOARD

The Wakefield School Board recognizes the SAU Board as a joint governing body. Information relating to the SAU Board can be found in Appendix BBBH-R.

Statutory Reference:

RSA 194-C

Mrs. Mary Collins, Chairman Mr. Bob Ouellette, Vice Chairman Mr. Robert Decolfmacker Mrs. Brennan Peaslee Mrs. Sandrea Taliaferro Adopted by the Board: 6 December 2000 Reaffirmed by the Board: 6 May 2002 Reaffirmed by the Board: 5 September 2012