

**CITY OF PORTSMOUTH  
LEGAL DEPARTMENT  
MEMORANDUM**

**DATE:** OCTOBER 5, 2015  
**TO:** PORTSMOUTH SCHOOL BOARD  
**FROM:** POLICY COMMITTEE  
**RE:** OCTOBER 5, 2015 MEETING MINUTES

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**Members Present:** Leslie Stevens, Ann Walker, Steve Zadavec and Kathleen Dwyer

**Others Present:** Paulette Rouse

**Policies Considered:**

Leslie shared information from the NH School Boards Association regarding changes to recent laws requiring adjustments to policies.

**Transgender and Gender Non-Conforming**

The Committee had both the NHSBA model policy and the recent policy adopted by Oyster River. Leslie asked if there are issues within the District regarding this issue. Kathleen explained that we do have transgender students and that, generally, there aren't problems. There were minor issues over the years such as how to maintain name records on student rosters and bathroom use, all of which have been addressed. She explained that the GLBT Alliance had conducted a workshop for teachers last year at the High School regarding issues for this community and such issues as the use of pronouns. It had been very well received and the staff had ask that it be repeated again this year.

The Committee decided to send both drafts to Mary Lyons and Phil Davis for their review and to invite them to the next meeting to discuss the policies.

**Payroll Procedures**

The Committee reviewed the NHSBA recommended model policy regarding payroll procedures. After review, the Committee determined that current practices of the

School Department are consistent with the law and that it is not necessary for the adoption of this policy.

### **Personnel Records (GBJ)**

Recent changes in the law regarding the disclosure and protection of teacher personally identifiable information required addition of language to this policy to cover this information.

The Committee recommended the addition of the language to the policy and to recommend the Board pass first reading.

### **Video and Audio Surveillance on School Property (EEAA)**

Steve explained that there was a recent change in the law regarding requiring a public hearing prior to placing video surveillance equipment in classrooms. He also explained that superintendents were of differing views on exactly what is required. It seems to be referencing placing of permanent video surveillance equipment in classrooms, while it can also be read to mean the use of any video equipment. The Committee discussed it and concluded that it should be treated on an annual basis with the opportunity for a public hearing should there be placement of surveillance equipment. Parents are given the opportunity, at the beginning of every school year, to opt out of having their children photographed or videoed in the classroom. It was also recommended that best practice would be to always inform parents if this type of activity will be happening in their student's classroom.

The Committee recommended to include new language in the existing policy regarding the public hearing and to recommend first reading by the School Board.

### **Employee Use of Social Networking Websites (GBEBD)**

There was a recent change in the law prohibiting school districts from requiring or requesting that a student provide access to his/her personal social media account or that they be required to access their account in the presence of school personnel. It also prohibits compelling a school district to add anyone to his/her list of contacts associated with a person social media account.

NH School Board Association guidance on this change suggests that the use of social media websites for educational and school-related purpose would likely violate the changed law. There was a discussion regarding teachers who have webpages that are used for communication with parents about classroom activities and the impact the law changes would have on this type of communication. It was decided to have Kathleen contact Barret Christina at the School Board's Association for further clarification and guidance.

## **Change of School Assignment (JCA)**

There were recent changes to the law regarding the procedures for the reassignment of students from their school assignment. There was a discussion about how the district has handled this issue in the past. There has been strict interpretation at one point, no permitting any changes in any discretionary assignments. There has, in recent years, been approval of changes in assignments for a variety of reasons. This can lead to unintended issues when a student moves on to sixth grade and has younger siblings still attending. The changes to this law will require further review prior to the Committee recommending changes to the policy.

### **Other Items Discussed:**

#### **MOU and Information Sharing Protocol**

Kathleen brought the draft that Ed McDonough had been working on a few years ago in an effort to update the 2006 MOU. Steve did report that procedures have been tightened up on the school end regarding limited dissemination of shared information. Kathleen reported that procedures have been tightened on the police end and that information will be given to the principal only.

The Committee decided to have Kathleen get input on the new draft from the police and rework it. It was decided not to move this forward until after the election and a new Commission is in place.

### **Action Items:**

Revisions for first reading **Personnel Records (GBJ)**  
**Video & Audio Surveillance on School Property (EEAA)**

**Next Meeting: Wednesday, October 28, 2015 9:00 a.m.**