

**CITY OF PORTSMOUTH  
LEGAL DEPARTMENT  
MEMORANDUM**

**DATE: SEPTEMBER 19, 2016**

**TO: PORTSMOUTH SCHOOL BOARD**

**FROM: POLICY COMMITTEE**

**RE: SEPTEMBER 19, 2016 MEETING MINUTES**

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

**Others Present:** Paulette Rouse

**Non-Policy Item Considered:**

**Technology**

Steve mentioned that, at some point, George Shea will be doing a presentation regarding 1 to 1 learning opportunities via technology and the challenge this can present for some students. Many students do not have access to either devices and/or internet. He reported that many teachers are using Google Classroom. He and Paulette checked NHSBA model policies and did not find anything on point. They also looked at the Maine Learning Technology Initiative, which is extensive. It is also based upon a different funding model. Paulette shared that her previous district in New Hampshire leased a large quantities of Chrome books that were, in turn, lease out to students.

Kathleen shared that she is aware that some students at the High School do not have access to internet at home and actually do homework on their I-phones. Leslie said that Comcast/Xfinity offers low cost internet for people who qualify and that families already on free and reduce lunch and/or public housing probably would qualify.

The Committee recommended follow up with Xfinity and contacting Ed McDonough on how he handled this issue at his District in Maine. At some point, the impact of this issue will have to be reviewed in existing policies and consideration of whether or not a new policy would be needed.

## **Policies Considered:**

### **Gifts and Donations (KCD)**

This policy had been on the September 13 School Board agenda and had been tabled from revision and re-approval due to the number of revisions. Kathleen explained that the additional language added was taken from the NHSBA model policy and the name had been changed at the recommendation of the Committee. KCD will be put back on the School Board agenda for a two reading process for approval.

### **First Aid and Emergency Medical Care (EBBC)**

This policy was reviewed for inclusion of the availability of Narcan and Opioid Antagonists. There was also a general discussion regarding whether all staff should be required to understand the procedures associated with getting and administering emergency medical care. Leslie inquired whether staff receives periodic training regarding emergency medical care and Steve reported that there is.

There was additional discussion regarding the wording in the policy requiring the School Department to make available private, low cost accident insurance. The concern surrounding the issue that the companies writing the policies were for-profit entities, not associated with the School Department. Paulette indicated that the resource is posted on the School Department's website. It was recommended to eliminate this reference in the policy.

It was also recommended that the policy, with changes, be sent to Barbara Pamboukas for review by the nursing staff.

No Board action recommended at this time.

### **Revenues from Local Tax Resources (DEA)**

The Committee reviewed the NHSBA model policy. Steve indicated that having a policy that addresses this matter is helpful, and often necessary for some grant applications. The model policy code is in conflict with local policy on Tuition Fees. The Committee will re-code that policy.

### **Outside Funding (DO)**

In light of the recommendation to adopt the new policy DEA, it was recommended by the Committee that this policy be deleted as it is covered in policy DEA.

## **Tuition Fees (DEAA)**

This policy was very old, last reviewed in 2001. Kathleen explained that some of the language is inaccurate regarding the language in the policy vs. the formula required by the AREA agreement for calculating tuition for SAU 50 students. Additionally, in some instances, non-resident students do attend on a tuition basis and they are charged the cost per pupil as set by the School Board each fall. The policy will be revised to delete the inaccurate references.

## **Local Purchasing (DJF)**

There was a general discussion regarding the use of local vendors when making purchases and whether or not it should be mandated, when possible. The model policy was reviewed in conjunction with the existing School Department policy. The Committee was in agreement that the factors to be considered when making purchasing decisions in the existing policy are appropriate. The Committee recommended some minor wording changes and that it go to the Board for revision and re-approval.

## **Background Investigation and Criminal History Records Check (GBCD)**

Steve explained that there was a recent change in the state law regarding background checks. It now limits the reporting by the State Police regarding the results of criminal background checks to the Superintendent of School only. It also was expanded to report out whether or not a person has any misdemeanors on their record or other criminal convictions that are not automatic disqualifiers under the statute. The detail of these other convictions are not provided. The result is that there needs to be additional follow-up with the potential employee about the details. Steve explained that this has been a problem for most superintendents.

Kathleen explained that School Boards are permitted to expand the list of disqualifying conviction beyond those enumerated in the statute. However, she also explained that, in recent litigation, the School Department was able to argue successfully it had fully complied with the statute and was not responsible for not finding other convictions of an employee. She said that the City and School have several different employment applications and different language regarding disclosure of criminal convictions. She has discussed this with Dianna Fogarty and will be working to have uniformity. She also recommended that applications for employment include requiring disclosure of all criminal convictions and failure to do so a ground for dismissal for failure to disclose.

This policy will be revised and brought to the Board in November.

## **Transportation/Purposes (EEA)**

Kathleen shared that transportation of students is a constant challenge, from field trips to students studying offsite and to outside activities. There are insurance

considerations and liability issues. Steve recommended that Steve Bartlett be invited to the next meeting to discuss this issue.

**Recommended Board Actions:** (Two readings)

**Approval**

Gifts and Donations (KCD)  
Revenue from Local Tax Resources (DEA)

**Revise and Reapprove:** (Single reading)

Tuition Fees (DEAA)  
Local Purchasing (DJF)

**Delete:**

Outside Funding (DO)

**Policies for Review at Next Meeting:**

Transportation (EEA)  
First Aid and Emergency Medical Care (EBBC)  
Sale and Disposal of Books, Equipment and Supplies (DN)  
Background Investigation and Criminal History Records Check (GBCD)

**Next Policy Committee meeting: Tuesday, October 18, 2016 9:00 a.m. Central Office**