

## **POLICY BHC Board/Staff Communications**

**History of this policy: First reading of this policy was the evening of March 11,2013 when I objected to the rewording and motioned that it be tabled for the following major reasons:**

**My belief is and was that the changes to this policy is discriminatory and a blatant attempt to prevent any of us or future Board member from questioning the Superintendent or staff to better understand the issues confronting our District.**

**The Policy allows the Supt., our only employee, to take issue with any Board member publicly (but we are not allowed to question the Superintendent.. When and where does any employee have the opportunity to openly and publicly take issue with the employer. The full context of my objection may be seen on the video tape of March 13, 2013 on the City Web Site**

- 1. Meeting first posted for January 29, 2012 postponed until Feb 4,2013**
- 2. This meeting was posted on the City Web site as: A: Personnel The non-public meeting is not open to the Public per RSA 91A:3 11a (for the meeting of Jan. 29 and again for the postponed meeting**
- 3. on Feb.4January 28,2013 9:28 A.M. e-mail to Jean Briggs Badger asking for the general area of personnel to be discussed at the 6:00 meeting**
- 4. Reply on same date Jan. 28 10:39 A.M. from the Supt. states" Tonight's non-public discussion will center on Board/personnel communications and relations (and relations now added to the meeting abenda )**
- 5. Snowstorm-meeting cancelled**
- 6. January 30,2013 3:41 P.M. to Supt. AND cHAIR asking if the non-public mentioned as personnel the same as explained for the 29<sup>th</sup> or different. Could they clue me in asking if the discussion was about you(Supt. or me)**
- 7. Reply from Supt.: 3:41 quote"Adding one more personnel item to the discussion concerning the spec. Ed Director opening (However not posted this way on the City Web for Public to see.**

8. Thursday, January 31 4:10 P.M. Asking again of the Supt. the detail of personnel
- 9.
- 10.Supt. reply February 01,2013 11:30 A.M. states quote: It will be about me(Supt.)
- 11.February 01 an e-mail to the Supt 3;21 P.M. asking her .: Is this an issue of discussion that is initiated by you or members of the Board?
- 12.February 01 4:15 P.M.. to the Chair I Forwarded to the Chair the questions I posted to the Supt.
13. Feb. 01 I sent another e-mail to the chair 5:59 P.M. questioning the legality of the meeting and asked if we were breaking State Law
- 14.Feb 01 6:11 P.M. reply from the Chair stating he understood my concerns but wanted to make sure we were all on board and would not be discussing budget in non-public
- 15.Feb. 02 1:48 P.M. E-Mail to Chair Asking for explanation for "all on board" and his reply was that he wanted to make sure we all understood the process same day 2:40
16. Meeting held on February 4, 2013-missed the meeting because of all of the confusion and not being able to get the proper information and could not be prepared for confrontation at that point.
17. I asked the Supt. for a summarization of the meeting of February 4 and her reply was that she would have to consult City attorney
18. The City Attorney denied me knowledge of the minutes of this one meeting as I was not present and they were sealed.
- 19.However According to the N.H. Town and City Article Index dealing with sealed meetings, it states " Withholding sealed minutes from the public does not require the minutes to be withheld from public officials on the board There should be a schedule to review the sealed minutes periodically
- 20.Policy BHC Board Staff Communications under Policy changes-- my communication can be found on the video of this meeting and successfully had it tabled Has not come back until this evening

21. Prior to the evening of March 11 I sent an e-mail to Supt. 8:45A.m. asking who made the changes to the policy (as I had never seen it) and further added the question: Who drafted the underlined portion?
22. Monday March 11, 2013 8:51 A.M. Badger to School Board all quote :Matt Upton wrote the changes at the request of the Board It was discussed in non-public on one or two occasions I believe"
23. March 11 9:01 An e-mail to Supt. asking how could it be discussed in closed session as it was NOT personnel related.
24. March 13, 2013 Regular meeting 6:29 A.M. sent an e-mail to Chair asking if he was able to find out who wrote the changes to the policy (not #22 above)
25. Reply from the Chair at 7:59 quote" I do not and have not tried to look back. The policy was not really discussed as much as we asked advice At the meeting Monday night was the first time we discussed.
26. March 13, 2013, 11:34 A.M. Supt. Admin Assistant: by e-mail to me Policy BHC was on the following Nonpublic SB Meeting agendas January 28 Cancelled Feb 4, 2013 and Feb. 11, 2013
27. Wednesday March 13, 2:12 P.M. My e-mail to Ashmanl "Would you send the City Web Cite agendas as published. Was it published as personnel or was it listed as discussion of Policy BHC. Would the City Clerk Have These?"
28. E-mail return from Ashman March 13, 2013 2:27 P.M. " It would be listed only as personnel
- 29 Checked with other Board member and agreement that there was no discussion
30. March 13, 2013 2:53 E-Mail to Business Manager asking for the cost from Atty Upton to make the changes He forwarded my e-mail to the Supt.

**31. March 15, e-mail 9:43 A.M. from the Supt. quote” I checked with Atty Upton and the cost was “117.50 for drafting the new language to BHC,..... Lastly, according to our current policy BHC, it does clearly state that a school Board Member should not direct, order or make a request of any employee of the School District in any work related matter. I respectfully remind you to please send your questions DIRECTLY to me.”**

**32. On the evening of April 19, 2013, when the City Attorney came to our meeting to unseal some meeting notes, I was able to find out exactly what was discussed on this policy. We were presented with a folder of the unsealed meetings at which time, I and other members of this Board, reviewed minutes of the meetings that were in question. that we had voted on to accept in public session but had NEVER seen the notes of the evening. I have in my hand, on this one policy alone several different minute and agendas that were issued. First the City Web posting of Personnel alone.**

**Then the draft that we accepted at the next regular meeting-then the copy of the accepted minutes (all indicating personnel) and then a copy of the minutes presented to us to be unsealed that had never been read to us. At this meeting the City Attorney brought in a secretary to record minutes, indicating the minutes be read to us BEFORE sealing. Two-thirds of the body must accept the minutes, and then seal. Process now being followed now. As of April 19,2013 My belief is that we broke the Right To Know Law several times in this one single issue of a policy that I believe was written to put a muzzle on certain Board members and take away Freedom of Speech of an elected official**

**Question: Did we have a set of accepted minutes for that evening?**