

**HOLLIS SCHOOL BOARD  
JULY 20, 2021  
NON-PUBLIC  
MEETING MINUTES**

A Non-Public meeting of the Hollis School Board was conducted on Tuesday, July 20, 2021, at 8:49 p.m. at the Hollis Upper Elementary School.

Tammy Fareed, Chairman, presided:

Members of the Board Present:           Amy Kellner, Vice Chairman  
  Brooke Arthur, Secretary  
  Robert Mann  
  Carryl Roy

Members of the Board Absent:

Also Participating:                         Andrew Corey, Superintendent  
  Gina Bergskaug, Asst. Superintendent of Curriculum and Instruction

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*Also participating were a parent and student of the district who provided the communication (copy attached) that was the subject of discussion.*

Superintendent Corey addressed the parents' view, regarding the correspondence, with the Board.

A short statement was provided by the parent.

**MOTION BY MEMBER MANN TO ACCEPT THE CORRESPONDENCE, WITH REDACTIONS, WHICH ADDRESSED CONCERNS REGARDING PROTOCOLS DURING THE PANDEMIC  
MOTION SECONDED BY MEMBER ROY**

ON THE QUESTION

Acceptance did not constitute agreement with the document nor did the Board take a position on the document.

**MOTION CARRIED  
5-0-0**

*The parent and student departed the meeting at 9:07 p.m.*

The Board and Superintendent engaged in a discussion of a waiver to policy JFAB – Admission of Tuition and Nonresident Students; tuition request.

**MOTION BY MEMBER MANN TO WAIVE POLICY JFAB FOR NINETY (90) CALENDAR DAYS, AND REQUEST THE FAMILY PROVIDE THE SAU WITH AN UPDATE REGARDING THEIR STATUS**

**MOTION SECONDED BY MEMBER ROY**

**MOTION CARRIED  
5-0-0**

**MOTION BY MEMBER MANN THAT THE BOARD COME OUT OF NON-PUBLIC SESSION AND RETURN TO THE REGULAR MEETING OF THE HOLLIS SCHOOL BOARD  
MOTION SECONDED BY MEMBER ROY**

*A Viva Voce Roll Call was conducted, which resulted as follows:*

Yea: Brooke Arthur, Tammy Fareed, Amy Kellner, Robert Mann, Carryl Roy

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Nay:

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**MOTION CARRIED**

The Board came out of non-public session at 9:13 p.m.

Date \_\_\_\_\_ Signed \_\_\_\_\_

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Hollis School Board  
4 Lund Ln,  
Hollis, NH 03049

Re: SY 21-22 COVID Protocols  
March 11, 2021 Public Concerns Title II Complaint

July, 20 2021

Dear Members of the Hollis School Board:

I am writing in anticipation of the July 20, 2021, board meeting pertaining to Covid Protocols for SY 21-22, American Rescue Plan, "SAU41 Safe Return to In-person Instruction and Continuity of Services," and the March 11, 2021 Public Concerns Complaint.

On March 11, 2021 I filed a Public Concerns Complaint under the district's KED policy regarding the Hollis School District's suspected violations under NH RSA 193:38, regarding equal access to the facility, programs, and peers for distance education students. Then, Asst. Superintendent Bob Thompson, dismissed the complaint citing:

*"This situation is less than ideal for our students but was unavoidable given the remote status of some of our teachers, as well as a Memorandum of Agreement (MOA) with our teachers' associations that place restrictions on in-person and remote learning models."<sup>1</sup>*

During my appeal of Bob's determination to the members of this board, I advised you the MOA was a void contract because it was not maintained and the district's interpretation on NH Back to School Guidance regarding transitioning/mainstreaming identified/unidentified students

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<sup>1</sup> See April 4, 2021 Civil Rights Coordinator Determination Letter

to traditional education from distance education and vice versa. This resulted in students legal rights, duties and/or privileges being threatened district wide under NH RSA 193:38.<sup>2</sup>

Despite this and the district having adapted distance education under NH Admin Code Ed. 306.22(b)<sup>3</sup>, the board determined they did not have legitimate educational interests in:<sup>4</sup>

The approval, coordination, and supervision of distance education courses offered for instructional purposes or high school credit, or both, in the district; and...<sup>5</sup>

Therefore, I should direct my concerns regarding the administration's pandemic practices for Hollis School District's students, through due process under IDEA.

The board's failure to recognize their responsibility under NH Admin. Code Ed. 306.22(b) has created a cascading effect of issues for the Special Education Dept. and Hollis School District. This can potentially compromise state and federal funding if the current practices continue. It is not appropriate for the district to require parents/guardians to transition their students through the school's principal instead of an IEP/504 team and/or without consideration to adaptability deficiencies, or the social/emotional effects of students in isolation for over a year.<sup>6</sup>

Due to the above I would like to request a investigation regarding the districts practices pertaining to the above and the board to consider the following:

1.

Non-public under RSA 91-A: 3II (a) Compensation and/or (c) reputation

<sup>2</sup> See: Objection to Civil Rights Coordinator April, 4, 2021 Decision Regarding Proof of Compliance with Governor Sununu's Emergency Order# 85 ¶16-20 District recording of May 5th hearing.

<sup>3</sup> See also: EO#29 Exhibit P, EO#85, 89, and June 11th lapse of the State of Emergency.

<sup>4</sup> See: 3434 CFR § 99.31(A) release of student records does not require prior consent if the school officials have determined to have legitimate educational interests.

<sup>5</sup> See: NH Admin Code Ed. 306.22(c), Ed.1102.03(o), Ed1105.01 and 34 CFR 300.28.

<sup>6</sup> See: 20 USC §§ 1416 [a] [3]; 1412 [a] [6] [A]; 34 CFR 300.600, East Ramapo Cent. Sch. Dist. v King, 130 AD3d 19, affirmed, Olmstead v. L.C. ex rel. Zimring, 527 U.S. 581, 119 S. Ct. 2176, 144 L. Ed. 2d 540 (1999)

Non-public under RSA 91-A: 3II (a) Compensation and/or (c) reputation

2. Consider offering temporary assistant positions for Special Education Coordinator/Curriculum Administrator so they can delegate tasks when appropriate to assist the administration/board in obtaining the information under NH Admin Code Ed. 306.22.
3. I would like to confirm whether or not the district intends to submit a plan to the commission pertaining to providing distance education for SY 21-22 under NH Admin Code Ed 306.18(a)7.
4. Given the difficulty that our community experienced<sup>8</sup> and the number of phenomenal faculty and staff that left the district during and after SY(s) 19-21, I would like the board to consider providing permanent outdoor classrooms for both schools (with proper covering incase of inclement weather), dedicated to students, staff, faculty, admin, and board members who endured these unprecedented times.

As always, I thank you for your time and consideration. I look forward to a swift reply and appropriate action from the district regarding the above mentioned matters.

Sincerely,

/s/ Katharine Kinnane

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<sup>8</sup> As well as communities around the world.