SPECIAL MEETING
BOARD OF SCHOOL COMMITTEE
MANCHESTER SCHOOL DISTRICT SAU #37

May 17, 2021 **5:00 p.m.**

Mayor Craig called the meeting to order at 5:00 p.m.

As Mayor of the City of Manchester and Chair of the Board of School Committee, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

2. The Clerk calls the roll.

Present: Committee Members Turner, Kelley Arnold, Soule, Want (late), Dobson, Bergeron, Shea, Dion, Leapley (late), Lachance, O'Connell and Mayor Craig.

Absent: Committee Members Perich, Beaulieu and Thomas.

3. A motion is in order to go into non-public session under the provisions of RSA 91-A:3 II (e, j and ℓ) consideration or negotiations of pending claims or litigation which has been threatened in writing or filed by or against the public body; 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 and RSA 541-A; and consideration of legal advice provided by legal counsel.

*On motion of **Committee Member O'Connell,** duly seconded by **Committee Member Soule,** it was moved to go into non-public session under the provisions of RSA 91-A:3 II (e, j and ℓ) consideration or negotiations of pending claims or litigation which has been threatened in writing or filed by or against the public body; 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 and RSA 541-A; and consideration of legal advice provided by legal counsel.*

Roll Call: Committee Members Turner, Kelley Arnold, Soule, Want, Bergeron, Shea, Dion, Lachance, O'Connell and Mayor Craig voted yay. Committee Member Dobson voted nay. Committee Members Perich, Beaulieu and Thomas were absent. Committee Member Leapley was not present at the time of the vote. Motion passed.

4. A motion is in order to call the meeting back to order.

*On motion of **Committee Member Soule,** duly seconded by **Committee Member Want,** it was moved to return to the regular session of the special meeting and to seal the minutes.*

Roll Call: Committee Members Turner, Kelley Arnold, Soule, Want, Bergeron, Shea, Dion, Leapley, Lachance, O'Connell and Mayor Craig voted yay. Committee Member Dobson voted nay. Committee Members Perich, Beaulieu and Thomas were absent. Motion passed.

5. Consideration of the Manchester School District in joining the ConVal Lawsuit

*On motion of **Committee Member O'Connell,** duly seconded by **Committee Member Shea,** it was moved that the Manchester School District join the ConVal Lawsuit.*

Discussion by the Board included:

1. What are the implications if we lose the lawsuit? Attorney Upton stated that the only implication would be the loss of the money that we paid for legal fees up to that point.
2. Are scare tactics typical for this type of situation? Attorney Upton stated that is a typical strategy. The Attorney General's office is generally understaffed and they don't have the luxury of dropping everything for the next six months to go to trial and so they may bring in outside counsel, which they have done for other complex cases. This is not unusual.
3. The Concord Monitor recently reported that the state has already spent $2.4 million.
4. This is a case of David versus Goliath. The state is fighting its own school districts regarding providing funding for our students.
5. It is important that the State properly funds education in the state.
6. The Board indicated they believe this is a winnable case and stated the benefits in the long term with far outweigh the costs upfront. This is a relatively low risk for a high return.
7. It was asked if public comment was submitted and it was answer that no public comment was received.
8. Committee Members mentioned that if the State is willing to spend millions of dollars in legal fees and lawyers instead of on education and that is unfortunate that we have to litigate in order to have the State properly fund student's education. The numbers that were

discussed make sense putting the weight of the Manchester School District behind this lawsuit knowing that we have been underfunded.

9. The Manchester School District and the rest of the State districts stand to benefit immensely once education is property funded in New Hampshire.
10. New Hampshire has the lowest contribution of State money and the highest contribution of local money going to fund public education and this is not fair to the students or the local taxpayers. This is the opportunity to make the necessary changes.
11. The local taxpayers should not be shouldering the burden for most of the education costs and we can do something about that by joining the lawsuit and getting more state funding for our schools, our students and taking some of the burden off the local taxpayers.
12. It was stated that some years ago a school in Berlin had to shut its doors due to the lack of funding. Berlin officials were boisterous in Concord after this shut down regarding state funding of education and we don't want our students to know that we are also concerned.

Roll Call: Committee Members Turner, Kelley Arnold, Soule, Want, Dobson, Bergeron, Shea, Dion, Leapley, Lachance, O'Connell and Mayor Craig voted yay. Committee Members Perich, Beaulieu and Thomas were absent. Motion passed.

6. This being a special meeting of the board, no further business can be presented unless by 2/3 majority and a motion is in order to adjourn.

This being a special meeting, no further business was discussed. On motion of ***Committee Member Dobson,*** *duly seconded by* ***Committee Member Leapley,*** *it was moved to return to adjourn.*

Roll Call: Committee Members Turner, Kelley Arnold, Soule, Want, Dobson, Bergeron, Shea, Dion, Leapley, Lachance, O'Connell and Mayor Craig voted yay. Committee Members Perich, Beaulieu and Thomas were absent at the time of this vote. Motion passed. Meeting adjourned at 5:33 p.m.

Respectfully Submitted,

Angela M Carey

Clerk of Committee