

SOMERSWORTH SCHOOL BOARD MEETING

October 11, 2022,

City Hall Chambers

7: 00PM

1. CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE: Larson called the meeting to order at 7:00 PM. Upon call of the roll, the following members were present: Maggie Larson, Todd Marsh, Kari Clark, Mark Richardson, Susan Tierney, Barbara Wentworth, Gerri Cannon, Marcia Brown and Mandy Demers.
2. **COMMENTS BY VISITORS:** Isis Orchard stated as stated by the Trevor Project transgender youth reported significantly higher rates of depression and suicidality compared to their cisgender peers. Notably in the past year one in three transgender youth reported attempting suicide, almost one third reported being a victim of sexual violence and more than half reported a two-week period of depression. Fewer than one and three transgender or non-binary youth found their home to be gender affirming. 91% of transgender or non-binary youth said that they have worried about transgender people being denied access to the bathroom due to state and local laws. 83% of transgender and non-binary youth said that they have worried about transgender people being denied to play sports due to state and local laws. 37% of transgender and non-binary youth reported that they have been threatened or physically harmed due to their gender identity. 71% of transgender and non-binary youth reported that they have experienced discrimination based on their gender identity. More than one in five transgender and non-binary youth have reported being threatened with or subjected to conversion therapy. 20% of transgender and non-binary youth who live in a not gender affirming home attempted suicide. 21% of transgender and non-binary youth who attended a non-gender affirming school attempted suicide. 38% of transgender girls and women reported experiencing homelessness or housing instability. 39% of transgender boys and men reported experiencing homelessness or housing instability. 35% of non-binary youth reported experiencing homelessness or housing instability. As cited by gender spectrum, only 9% of trans youth reported their communities are very accepting. 89% of transgender students reported that they would avoid bathrooms because they felt unsafe or uncomfortable. 64% of transgender students avoided gym class because they felt unsafe or uncomfortable. 59% of transgender students had been required to use a bathroom that did not match their gender that they live every day. Only 12% of trans youth say that their school district has policies that support trans students. As cited by GLSEN, 75% of transgender youth feel unsafe at school and those that are able to persevere had significantly lower GPA's or more likely to miss school due to concerns about their safety and were less likely to plan on continuing their education. As cited by the CDC, 27% of transgender students feel unsafe going to or from school. 35% of transgender students are bullied at school. 35% of transgender students attempt suicide. As cited by the National Library of Medicine, 82% of transgender individuals consider killing themselves. 56% of trans youth reported a previous suicide attempt. 86% of transgender youth reported suicidality. The premise of parental rights that this policy was adopted on is not a new talking point we are hearing especially in NH. This past spring, we had an anti-trans bill that died in the state house, the bill was a priority for many republicans, and it included a clause that could have required schools to out LGBTQ youth students to their parents without the students' consent. It failed when some house members of the GOP broke ranks and voted with democrats citing warnings from the attorney general that the bill could violate anti-discrimination laws protecting LGBTQ students. As cited by the National Education Association from their legal guidance on transgender students rights, students have the right not to be compelled to provide personal and medical information to school officials and school officials must not disclose personal information about a transgender student including information about the students sex assigned at birth, medical history, gender identity or gender transition without the students consent. Additionally, the ACLU has echoed this sentiment reminding people that it is against the law for school officials to disclose a student's sexual orientation or gender identity to parents or other school staff even if the student is open about their sexual orientation or gender identity with friends at school. School officials may think that they are doing the right thing but revealing a student's sexual orientation or gender identity to their parents not only violates the student's privacy rights but can open an LGBT student hostility, rejection and even violence from their parents. At the end of the day, since JBAB requires parental permission for the student to be fully out in our schools, the policy is built around outing students. At the last meeting it was stated that our board reps are here to represent differing opinions in our community, while in many cases this is beneficial, in this one it is a detriment. There are two sides to this discussion, two sides that you are effectively representing, one advocating for the body autonomy and

privacy of our trans and gender non-conforming students and one that believes a student should be outed to express their identity fully in our schools. Don't let our students become a part of these statistics, vote against this policy. Their livelihoods for the duration of their lives in the school system are in your hands and they won't forget who voted to jeopardized that for them, they won't forget how an entire board heard horrifying struggles that trans and gender non-conforming youth go through and decided to look the other way. You no longer have the benefit of the doubt, you are aware of the dire situation that trans youth are in currently, its up to you if you want to give them a safe haven in our town.

3. CONSENT CALENDAR:

Removal of items from the Consent Calendar

Approval of Consent Calendar: A motion made by Cannon seconded by Wentworth to approve the consent calendar as presented. VOTE: motion passed unanimously. Approved were:

- 3.1 Somersworth School Bord Meeting Minutes September 27, 2022
- 3.2 Somersworth School Board Nonpublic Meeting Minutes September 27, 2022
- 3.3 Somersworth School Board Budget and Revenue Committee Meeting Minutes September 20, 2022
- 3.4 Somersworth School Board Building Grounds and Transportation Committee Minutes September 29, 2022
- 3.5 Somersworth School Board Policy Committee Minutes October 3, 2022
- 3.6 Somersworth School Board Ed Programs and Community Outreach Meeting Minutes October 4, 2022
- 3.7 Student Enrollment

4. ANNOUNCEMENTS:

4.1 **Superintendent's Update:** Supt. Lane stated that COVID is still with us, but it is nice to see that it is not exploding. We have had sporadic cases and we are hopeful the CDC at some point will relax the quarantine period. She stated that we have had some other bad colds, so COVID isn't the only thing that we are dealing with. She reminded everyone of the lights on for learning on October 20 at Idlehurst at 6pm. She stated that there will be a presentation by the Somersworth Police Department on safety response protocols, so she encouraged parents to come and listen to the presentation. She stated that she wanted to let everyone know that we received an email from Jersey Mike's who is opening a restaurant in the Somersworth Plaza, and they will be opening on October 26th and are going to donate 100% of the proceeds of that day to the Somersworth School District.

5. COMMITTEE REPORTS:

5.1 Standing Committees:

- **Budget & Revenue Committee:** Marsh stated that they will be meeting on October 18th at 5:00pm at City Hall.
- **Buildings, Grounds and Transportation Committee:** Richardson stated that they met on September 29th and discussed the \$262,000 in unanticipated revenue that will be used for school security for the high school and sau office. He stated that we also discussed the middle and high school roofs, and they would like to get started soon and then complete them next year. He stated that the money is set in stone, so we don't have to worry about any increases in materials and they are getting them ahead of time and storing them on site. He states that we expected the weight room to be completed but we are waiting on some equipment that was back ordered and it is supposed to arrive next week and then the weight room will be up and running. He stated that we also discussed the windows at the middle school, they are hoping to get done this fall with the least amount of disturbance.
- **Educational Programs & Community Outreach Committee:** Wentworth stated that they had a meeting scheduled for the 4th, but they didn't have a quorum and the next meeting is scheduled for November 1st at 5:30pm in the SAU office.
- **Policy Committee:** Tierney stated that they met on October 3rd and discussed policy EEA on student transportation services. She stated that this will be one large comprehensive policy so we are recommending to withdraw policies EEAE, EEAB and EEAEC and they will all be included in

policy EEA. She stated that they talked about the bus behavior matrix, and it defines specific student behavior and is really well thought out. She stated that we also have policy EEAEA Mandatory drug and alcohol testing for school bus drivers and contracted carriers for first reading tonight. The next meeting is scheduled for tomorrow at 5:45 at the SAU office.

5.2 Reports of Ad Hoc Committees:

5.2 Somersworth Mental Health and Wellness Commission: Marsh stated the next meeting is on the 19th in the high school library.

5.3 City Council update: Austin stated that they met on October 3rd and had the first reading on ordinance 6-23 for the supplemental appropriation. We will have a public hearing and second reading on October 17th and expect to vote after it is introduced.

5.4 NHSBA Delegate Assembly Report: Wentworth stated that this was interesting to be a part of and there were a lot of different things presented there versus having the language in the pdf form and there were lively discussion about the amendments. She stated that NHSBA has decided to support diversity, inclusion in all of our schools. It also supports an amendment to RSA 91-A to allow for remote participants in official meetings and it also supports amending to support committee meetings without having a quorum physically so perfect example on 10/4 we could have had a meeting if some members could have remotored in. She stated that they are also going to support that the state and local government seek and provide viable and substantial permanent funding to provide a school breakfast and lunch at no cost to students, COVID certainly provided all the evidence to support that when you attach any kind of outing or form that a student has to fill out provides stigma to that and hopefully that is not going to be any longer. She stated that they also support public school approval standards that encompass the holistic and comprehensive of academic subject areas including all the arts and awesome stuff and they will advocate for legislative action that ensures that local school boards comply with federal firearm laws and policy so that it is not up to certain school boards or districts to say whether our teachers should carry weapons or not.

6. NEW BUSINESS

6.1 Policy for First Reading: A motion made by Clark seconded by Brown to read the policies by title only. VOTE: motion passed, unanimously.

- **EEA Student Transportation Services**
- **EEAEA Mandatory Drug & Alcohol Testing- School Bus Drivers and Contracted Carriers**
- **EEAE School Bus Safety Program (To Withdraw)**
- **EEAEC Student Conduct on School Bus (To Withdraw)**

6.2 Student Enrollment Discussion: Supt. Lane stated that typically in your packet you get a breakdown of enrollment by school and grade. The challenge is that it doesn't show the change month to month, this month we included information on the change from September to October. She stated that we can continue to include this so you can see the fluctuation. She stated that from September to October it is not uncommon to see a lot of fluctuation which is why we don't use September 1st for state reporting, and we use October 1st. She stated that we also added a sheet this evening to add even more clarity on where the students went. She stated that this is one of the board's goals and we weren't sure what you wanted for information, so if this isn't helpful, what information are you looking for. Wentworth stated that she personally thinks this is exactly what she was looking for, but she doesn't know if it needs to be done monthly. Demers asked about where it says moved to a NH town or city if that included private schools. Supt. Lane stated that would be under homeschooled. Tierney asked if they have looked year to year. Supt. Lane stated that she didn't go that far but we can look back, but the last few years have been a little crazy due to COVID. Tierney stated that monthly tracking could be interesting. Larson stated that it would be helpful to see trends.

7. OLD BUSINESS/ACTION ITEM

7.1 Policies for Second Reading:

- **JBAB Transgender and Gender Non-Conforming Students**

A motion made by Tierney seconded by Richardson to adopt policy JBAB as presented. Brown stated that she doesn't think that she has seen JBAB and asked what the difference is between JBAB and JBAB-R. Larson stated that JBAB is the policy and JBAB-R is the procedure. Supt. Lane stated that they are both in your packet because it is for second reading. Tierney stated that JBAB really is about the specificity about the students that we are referring to and the particular types of accommodations that would be made and all the detail, but JBAB-R stemmed from the discussion of, so a student approaches a staff member and expresses a desire to have this identity change, then what. What is going to happen at that point because there was a lot of discussion about what happens at this point. Does that help. Brown stated yes it does, I thought I had a complete agenda packet, but I guess I do not so thank you for describing it for me. Marsh asked if we are voting on the policy as presented because the board already approved the policy or are we voting on the amendment. Larson stated that we opened this up fully, so we are voting on the entire policy. She stated that because it was already adopted, we had to open it up fully again. Clark stated that she is unclear why Board member Brown didn't get a full packet. Supt. Lane stated that that packet was emailed to all of you, I assumed you received it as well. Brown stated that I just realized that it was there, but I didn't have it physically printed so that is my error. Tierney stated that the reason that this is on the table again for a revote was because it was already adopted but then we have made changes to it. Larson stated that we reopened it in September to review again and we had a first and second reading, so it isn't an amendment because it was already adopted. Marsh stated that he just wanted to clarify some language and I understand that the superintendent doesn't create policy, but the superintendent and the administration will be interpreting the policy. Under purpose in paragraph three, it states this policy does not anticipate every situation that might occur with respect to transgender or gender non-conforming students, and the needs of each transgender or gender non-conforming student must be assessed on a case-by-case basis, including students 18 years of age and above. He asked if this doesn't include permissions and approvals correct, or would you interpret that to include that and why. Supt. Lane stated that as we have discussed prior, students that are at the age of 18 are treated as an adult, they can sign forms, they can sign IEPs, so no. The policy committee wanted to make clear that everything in this policy doesn't just go out the window when you turn 18. Larson stated that this policy was created with the intention to be a collaborative support plan when a student chooses to change their name and gender in the school information system. Students can always speak to school staff in confidence and express themselves openly, nothing in this policy negates that. Knowing well that research clearly shows that transgender youth fare much better when they're in a supportive environment however even in the most supportive environments students are still at risk for self-harm and mental health concerns. The guidance from GLSN and I quote, schools should assess your needs on an individual basis and you, and your schools should create a plan that works for you. In all cases your schools should be there to ensure your safety and support your emotional wellbeing so that you can learn and achieve your full potential. They can do this by acting to prevent harassment or bullying, make accommodations with respect to bathrooms and lockers and protect your privacy by not revealing that you are transgender to others unless you have given them permission to do so. Your schools should not be outing you to anyone. The family rights and education act (FERPA), this is the educational law that your records must be kept private, if your official transcript lists your legal name when you use a chosen name or your gender is different than what is listed on your official record, the school can't release your information to anyone except your parent or guardian if you are under 18. Working collaboratively and creating a support plan such as this with affirming and supportive people in school that can educate and engage families is vital. How incredibly important it is to get resources in hand and express how acceptance and support can save lives. A key determinant of LGBTQ student health is parental acceptance and family support. Student support teams, guidance staff and community partners provide resources to help families and help students locate counseling information and support services. Administrators and guidance are familiar with the practices of notifying parents when a

student has been bullied for any reason including gender identity, typically this is an appropriate parental notification process for these types of situations but how can this be done if they are not brought into the conversation. We owe more to our school community than to compel staff to conceal or reveal information related to such personal and sensitive student situations. We as a school board are supportive of our student's identity, privacy and expression and the right to be free from discrimination and shame. Shaming creates barriers not policy, lets work collaboratively and be solutions driven including open civil dialogue in our community. Tierney stated that the intent of policy JBAB was to define the school's role in regard to transgender and gender non-conforming students and to what extent the parents need to be involved in the process of the school recognizing a preferred gender identification. This is not an easy topic by any means, we're talking about children struggling with the fundamental identity of who they are. We approached this discussion first and foremost with the student's well-being in mind and considered many sides of the situation. Let me start by saying that I truly believe people on both sides of this issue, people in support of and those against this policy want to protect these kids. We may not agree on what this looks like but let us set aside differences and come together in the spirit of wanting to help and uphold the dignity of every child. The discussions and the varied community input leave me with questions. Are schools required to support these students both legally and morally? Absolutely no question. Are schools in a position to diagnose what a student might be struggling with? No. Specifically, are schools in a position to diagnose if a student is experiencing gender dysphoria and therefore know specifically what that individual student needs? No. If this policy were to not require parental notification our schools may be putting students further at risk by making assumptions about what a student needs and by acting accordingly. Perhaps. Now, I have heard from those in the community about the studies regarding these particular students being at risk. I visited the website for the Trevor project survey on LGBTQ youth mental health 2021, specifically focused on 2020, the COVID year. There were 35,000 respondents to this survey ages 13-24 and I want to share two pieces of data with you. In this survey 48% of respondents reported that they wanted mental health care but didn't receive it. Also, 42% of LGBTQ youth seriously attempted suicide in that year, including more than half of transgender and non-binary youth. So I ask you, what better way to get mental health counselors involved and to support students with suicidal ideations regardless of the reason than to widen the support network beyond peers and teachers, would we not want to encourage these students to talk it through with someone. Policy JBAB recognizes the need and importance of support for these vulnerable students. It allows students the right to privately talk to school counselors and then provides assurances that should the school counselor feel there is a need, additional support may be brought in. In contrast, having a policy that allows the school to act separately from the family, by default makes the school solely responsible for these kids. God forbid a struggling child harm themselves while the school is concealing the student's situation and the school never told the parents what was going on. In that scenario, tell me who is going to most devastated by what happened to that child, as a parent myself I can guarantee you that it is not going to be the school. My heart goes out to any student who lives in fear outside of school and I can understand the desire, the need for love, acceptance and community somewhere if you can't get that at home. If the student says that they are afraid of what might happen should their parents find out, then the school can start a more specific conversation with the student and can suggest resources for support and help. This policy lets students make the decision on when to involve parents. The school can't do any of this on its own, but neither can the child, the committee's goal with this policy was to find some common ground. I hope the result can be recognized for that good faith effort that it was. Marsh stated that just some more clarification. If a minor student inquiries about potential accommodations but does not make a formal ask, are parents automatically notified. Supt. Lane stated that it would depend on what the ask is. It is a tough question to answer because I don't know what the ask is. She stated that if we use a common discussion like bathroom use, we have all sorts of bathrooms, we have gender specific and we also have a number of unisex bathrooms at every school so that is really not an issue because they are accessible to students. Marsh stated that I will try to narrow it down, how about sports. If a student inquires about accommodations about sports but doesn't necessarily make a formal ask, would parents be notified at that point. Supt. Lane stated that are you saying if they ask to play on a team of a different gender. Marsh stated yes. Supt. Lane stated that would be a bigger conversation and that would be part of the plan. Marsh stated that if it gets to the point where the student is inquiring but not making an ask, I

would like to do this would a parent or guardian be notified. Supt. Lane stated that there is no “outing” as we have heard, in the conversation you are talking about, no that would not happen. Marsh stated that if a student makes an ask will it be at that point. Supt. Lane stated yes. Cannon stated that one of the challenges is we are investigating all the options and they are all over the place. The challenge especially for a transgender student who is in the process of coming out is where is that boundary between where I am today and where I want to be in the future and how do I get to the future. If a child is looking to move forward as far as their transition goes, let’s say they want to be on a sports team, part of that discussion is that this is going to require some support from families to be able to do this because as soon as you start playing a sport, all of a sudden you are going to be out so you better have support inside and outside of the school because the press is going to have a field day with it as it has been shown in the past. This policy will protect the child within the confines of the school, and it protects also those who have not come out. It’s their decision to not come out but they still need to be advised by someone in the school that if you want to move forward you are going to need parental support. I think this policy supports those children that can work directly with their parents and get that approval, but it also can work in that process and the tool is there for a child to utilize and be supported by the school but it does involve some approval from the guardian because the school, community and the state have a responsibility to adhere to the law and help the child within the guidance of that law. Do we need to improve that law, possibly. I don’t think that this is the purview of this committee, we have to find a way to support our children in school and there is some flexibility to support a child in process but there are boundaries in that process that people need to be aware of. I struggled supporting this policy but it’s the right thing to do. Clark stated that she feels like we are close with this policy, but she doesn’t feel like it is ready yet. I feel like we have great discussions. I have asked a lot of people in our community about this policy and I have given them the policy and said read this and tell me what you think, people that have children who are transitioning, people who have children that are not transitioning and people who live in the community but don’t have children in this school district and I have asked them to give me their thoughts and all of them say this doesn’t sit well. So, when that happens, I don’t get defensive, I say what I am I missing if all these people say the same thing, I say pump the brakes and what am I missing. So, for me, I feel like we are super close, but I don’t think that it is ready yet. Larson stated that the policy that is in place now has no procedure and the policy that we have now is the one that has been reacted to and is stricter so understand that is what we will have if you vote no. She stated that if the board votes no on this, then you won’t have JBAB-R either. Clark stated that for clarity JBAB-R goes away completely, so what comes back. Larson stated JBAB that we approved in the Spring. Richardson stated that one fact sticks out notably to me and those are the cases where parental permission is required. In New Hampshire and with FERPA laws minors are still minors and parents are their parents and legally responsible to make decisions for their children and people may not like that but that is the law. In New Hampshire nobody can just change their name legally without going through probate court, and if you’re a minor you’re your parent has to file to go through probate court to change a name, that is the law. New Hampshire recognizes strong parental rights and, in this community, and in this room, we have heard people talk about lawsuits, to me not only are we listening to various people in the community of input on this, it’s also the responsibility of this board and other boards to uphold the law. I would rather be sued on the basis of upholding the law than not upholding the law. Recognizing parental rights and decisions over what their children are doing is a matter of law and I don’t think that we have a say in that. We can ignore it and take a risk of being sued and I think that the Manchester case is an example of that. It’s part of this policy that to me is important to be there, if anything happened to a child and we didn’t notify the parents you better believe that they would be suing the district. To be on the side of the law is more protective of this community than not being on this side of the law. As elective representatives in this community we have an obligation to protect the community. Wentworth stated that she is not really clear on how this got unrolled to the schools but there is some misinformation out there dangling around that teachers can’t call kids by the names that they want. I think that we all are incredibly supportive of trans youth, I think that trans youth is an important part of our community and school. I think that this policy does provide a safe haven for them at school. It is not just one conversation, and we immediately call the parents, that’s not happening. But I can tell you what is in there that my daughter can’t just go and talk to her English teacher and the two of them just have a relationship and the

two of them talk about this, there has to be supports for all children whether they are trans or not but certainly if there is a child that is trans and they are wanting to change their name in the school system the parents have to be involved and so if there is an issue with name change or gender change informing the family then that law needs to be looked at but that is certainly not our responsibility on the school board. Sitting up here week after week being told some really horrible, awful things that are against who I am as a human being. I can appreciate all the different sides, every different view, I think 100% of the facts that have been given are correct and these trans youth have to be supported and I believe that is what JBAB-R is for. I am not sure how the optics got out there, I am not sitting up here wearing a Maga hat and waving a confederate flag, which is not who I am and that is not where I am coming from. Its really hard to sit up here and have people misunderstand and I don't know what is being read and not read but I have the policy in front of me and I believe that the specific language for accommodation or support for the transgender and gender non-conforming students is true for not only the student and also their family and if their family is not supportive than even more important that they have the support of the school behind them and that is why I support this. Brown stated that she appreciates that there is an area of issues that the school can operate within and I also recognize that state law needs to be complied with but to the extent that the school can be supportive of transgender and gender non-conforming students, I think the school should be given some policy approval in going forward to doing that. I just wanted to clarify my earlier impression to folks that I may not have read this, I have read this, and I have seen it before, and I support this policy and the definitions within, and it is a very good start. Demers stated that she has been listening about how this is going, and I have a little bit of a higher tolerance on what you have to notify parents about. As some of you know, I am a licensed clinician and I have to tell parents things legally and clinically all the time that I wish I did not. I know my perspective on this is a little one sided because it's an expectation that the counselors in our building have and that I have in my job. What I think that we really struggled with in the Spring and again we weren't part of the roll out and what I am going to get at the end of this is I think it is important for us to get that feedback as it happens. Knowing how hard it is for me as a trained clinician to disclose things to parents when it is a struggle, god forbid it is a non-supportive hostile environment. The wording in here does not say if you tell a teacher this that they are going to pick up the phone and call the parent, the procedure part needed to happen because there was some glaring misinformation put out there that was the expectation. That would be inappropriate and if the procedure gets followed, if a teacher is having these conversations, it loops in a professional who then can decide how to go about those conversations, which may not be easy. Moving forward, I hope that the way the policy is implemented follows the actual wording which does not say thou shall not call people trans or otherwise by their nickname or anything else, like the second you hear this nobody has nicknames and nobody has pronouns and this is the information that got spun out of the Spring one and I hope that the procedure revision can kind of quell some of that and slow walk the discussion through the clinical staff in our buildings cause they exist there and you just walk it down to that path. Just like if I get two F's and you have to send my report card home and my parents are going to abuse me, a teacher is not handling that, the clinical staff is, the staff that are trained to make the calls and to work with the right resources to deal with hostile or abusive parents. The best we can do short of breaking the law, at no point can I based on the conversations I have had with community members, everyone wants to be supportive. There is no anti trans sentiment conveyed to me as a board member, the final line to me is thou shall not lie to me about my kid, that is all that it comes down to. If the standoff is always going to be that you can't notify a parent, then I am going to be on the wrong side of this every time because I can't support putting a policy in place that breaks the law when a parent legally has to be notified about something. I hope that the progress made can be recognized and I appreciate everyone's hard work. Clark stated that she wanted to clarify that if we vote no tonight then JBAB-R goes away, and we are left with JBAB by itself. Larson stated that is correct. Wentworth stated this is for the entire SAU. Larson stated yes prek-12. VOTE: Upon roll call vote, the motion passed unanimously.

- **JBAB-R Transgender and Gender Non-Conforming Student Support Procedure**

Tierney stated that I think that you all received the information from Board member Brown who put forth great clerical clarifications for us and some suggested edits and I would love for her to walk us through that. Just to

bring up now, we thought in number two to specify school days and it should be 10 school days to be contacted. A motion made by Tierney seconded by Wentworth to make amendments to policy JBAB-R. VOTE: Motion passed, unanimously. Brown stated that in paragraph one, treat students as a proper noun and capitalize student so that you have transgender and gender non-conforming students as the definition of the student carried forward because later in the policy you have transgender and gender non-conforming repeated in other paragraphs, so if you just use the proper noun students you eliminate those words in other paragraphs. The second edit is changing and/or to individually or with so I suggest that language. I recommend parent or guardian be lumped into a proper noun of family member. The next edit is to start paragraph one with to commence this procedure. Carrying on to paragraph two, under the administrative procedures act which applies to state agencies, and borrowing in a concept that you have to act in a timely manner, there was no within a certain number of days offered in paragraph two, I am recommending that it start out with and I don't care how many days is reasonable, I am looking for input on the number of days. I recommend within 10 days of being contacted and then I added the school counselor or building administrator as the one being contacted because it looked like that was the policy intent to have those people as the contact, shall schedule a meeting with the student or family member. Larson asked if we would like to insert school days to make it clear. Brown stated that she wasn't sure how many days, but 10 school days sounds sufficient. Continuing with the edits in paragraph three we should replicate school counselor or building administrator in this paragraph as they are the contact so that the school plan will be created by the school counselor or building administrator, so that it is clear who in the school is developing the plan. In the second paragraph in the paragraph numbered three, there is a list of elements that the plan could include, and I recommend to use include but not limited to, to continue to affirm that there are many subjects that the school is supported in addressing. In paragraph four, there was a comment at our last meeting that the policy comply with applicable state and federal laws concerning privacy of medical records so I added that to the paragraph number four. On the second page under privacy, concerning the last sentence in the last paragraph which read, disclosures to others should only be with appropriate authorization from the administrator or parent or guardian. I think it would be tighter to draw everything back to the plan because the plan is going to act as a mechanism of what is the issue and what is the action plan, I propose that that sentence read instead, disclosures to others should only be made pursuant to the plan. In paragraph nine, it stated school staff are expected to comply with any plan developed for transgender student and to notify the building administrator or other designated support person for the student identified in the plan. I think if we are going to talk about other support persons that that should be included in the plan and so that is why I am suggesting the support persons designated in the plan, I think that was the intent of the wording when it was other support persons but I wanted to clarify that the designated person is included in the plan. Then the last paragraph didn't have a number on it, so I put a 10. Tierney stated thank you, these are great. She stated that she had a question for the group, in paragraph two on the first page, is it appropriate in this particular case to refer to a meeting, in this case we are looking to schedule a meeting to discuss a student's particular circumstances and needs and then following on consenting to developing a plan for the student. I am feeling like isn't it getting away from the intent of this if we are saying the student or family member, do we envision that the student by themselves may start to develop this plan and then the parent comes in. Clark state that she thinks that this may be where it starts, that they go talk to a teacher or counselor. Tierney stated that we already said to commence this procedure, so that is where it starts, the student contacts the school counselor or administrator, that is where it starts. What I am asking is, would the student be developing the plan on their own. Larson referred back to the JBAB policy and read an excerpt. Marsh stated that in JBAB-R, there is the inquiry stage and there would not be an automatic communication with the family member, and then there is the ask for the flexibility or the accommodation and with that ask at that point the student is informed in order to move forward there needs to be communication with family members so we wouldn't want these students to be blindsided. He stated that I am partially saying this to get it on the record as well. In this paragraph here there is the inquiry which mentions the student or family member, the ask would be more the family member and the student. Richardson stated that he is not sure with the 10 school days, five school days should be sufficient. Demers asked what the language is for say a bullying investigation, isn't 10 days pretty standard for these administrative processes. I don't want to rush anything, but we could standardize to

some other policies. Supt. Lane stated that ten days feels comfortable to me because it may take a few days to get a meeting scheduled. Clark stated that it is 10 days to initiate scheduling a meeting, so it is not wrapping up an investigation. During that ten days the student is in turmoil, I assume that the school would act quicker. Larson stated that the student can have access to the school counselor at any time, it is just to schedule the meeting. Marsh stated that thank you for these edits, I see the word contact or contacted multiple times here and asked what contact is, is it a discussion, a counseling session, I am not sure what the interpretation of that is here. Tierney stated that the first contact may be a hey here's what I am thinking and feeling and then the discussion would be you should know that if you continue on this path, here is what has to happen. Brown stated that contact whether oral or written, advocate for if the school is contacting be something documented so you can show you contacted within 10 days. Subject matter wise if a student is approaching a counselor just to talk, that is not the trigger, here it is to commence this procedure so the contact would be that the student wants to move forward with developing a plan. Marsh stated that as the policy members are aware, I did reach out to you regarding 18 plus versus minor and I do recognize that language for the purpose of this policy that the wording doesn't necessarily need to be there and a resident spoke to that at the last meeting, but I believe that it provides some clarifying language and I think that was important to clarify and I do appreciate the policy committee after a couple attempts adopting that, so thank you. The whole policy that this JBAB-R is attached to was adopted in the spring with no input from residents and it is true that it was discussed in committee for a period of time, and it was read word for word which was the right thing to do, so the information was out there but with that said I recognize most people are not tuned in to us and I remember during the school reorganization even though it was discussed in committee or at a meeting, I heard about it either on social media or at the ball field so I tuned in and I remember a board member or two ranting about why are we being approached now and I felt that was inappropriate and insensitive and not recognizing how most people live. I will say that since it was adopted that because of public comment and the insight that was shared, JBAB-R wouldn't have happened if it wasn't for people speaking out, this is an example of the power of people. Tierney stated that clarification, on second page on #3 in policy we have a student will be addressed by the name and gender identity identified in the plan with the implication that they won't be called anything unless it is in the plan, and they don't have a plan unless the student has initiated this. We wanted to avoid this situation where the teachers are put into a position where they have to remember what a student wants to be called or I might call them by the wrong name when I am talking to their parent. Supt. Lane stated that the intent was to identify all the issues in the plan so that once the plan is approved that is what goes forth. Tierney stated that there have been statements made that teachers can call the students what they want to be called without this plan being in place. Demers stated that this is where the narrow interpretation can be harmful because if my real name is Amanda and I want to be called Mandy, I don't have a plan. Tierney stated not nicknames. Demers stated that gives some leeway so to interpret it in such a narrow form loses all the helpfulness that this has created. Clark stated that she just wants to make it clear that we are not saying that no one can call by nicknames, because that was the interpretation that was setting everyone on fire. A motion made by Tierney seconded by Demers to accept policy JBAB-R as amended. VOTE: motion passed, unanimously.

9. FUTURE MEETING DATES/SUGGESTED AGENDA ITEMS

- **October 12, 2022, Somersworth School Board Policy Committee meeting**
- **October 18, 2022, Somersworth Budget and Revenue Committee**
- **October 18, 2022, Joint workshop of the City Council and School Board**
- **October 25, 2022, Somersworth School Board Meeting**
- **October 25, 2022, Somersworth Building Grounds and Transportation Meeting**
- **November 1, 2022, Somersworth Ed Programs Committee Meeting**
- **November 15, 2022, Somersworth School Board Meeting**
- **December 13, 2022, Somersworth School Board Meeting**

10. Closing Comments

10.1 Visitors: Isis Orchard stated that if there are any students who are watching who may be negatively

affected by this policy, I want you to know that it is not a reflection of our city. It's hard to hold on to comfort in the times we are in. It's hard not to be scared of the future, when anti trans policies are sweeping our country and coming into our hometown. It's hard not to be discouraged, it's hard not to be afraid. Know that if you are ever thinking of coming to meetings and speaking, you will not be alone. If you don't feel comfortable coming out at school, there are safe places for you in this city. There are safe places for you all over the seacoast. Most of all know that there are people willing to fight for your right for school to be a safe place for you again. I am sorry that your identity, your lives are being debated as if they are just another policy and not the means to the pursuit of happiness. If you are watching and you are an ally or possibly a trans person who is safely in a position to speak out I invite you to join us, not only to speak at school board meetings but to help foster a safe environment for trans youth in our city. A substantial policy change is not going to happen overnight, now more than ever it is crucial that we are creating a safe haven for trans people especially trans students in our city. Speak out, come to meetings, protest, vote, run for office and most of all lean on one another. And to the board, I want to remind you that when I am up here regardless of my personal feelings, my arguments are always about the policy not at you. Many of the arguments on JBAB were of the things I have spoken about already. I am aware of the fact that this is for the entire SAU, now I can only speak for myself, but I will reiterate what I stated only one meeting ago. Our high school students deserve the right to privacy, no one is saying that you have to give pre-k students the same rights and level of privacy that you would give a 17-year-old. Additionally, no one is saying that once a student says that they are trans to a teacher that the parents would be immediately called. Since students are fully aware of the fact that if they want to be fully out in school, they will have to notify their parents that is outing students, or they won't come out at all because they personally don't want to come out to their parents, yet which is the opposite of supporting a trans student. It is pushing them into hiding whether you like how that sounds or not. Additionally it was stated in a policy committee meeting, that it is not just about changing official records, if students officially want to transition with staff it would require notifying parents. It is unsurprising that you voted this policy through, but that doesn't make it any less disappointing. The first time JBAB went through, I wanted to give the board the benefit of the doubt that they were not aware of the struggles that trans youth go through, there is no more benefit of the doubt and frankly there hasn't been for a while. Over the last few months, you have heard how this policy will end with outing a student's identity, you have heard horrifying statistics about the everyday experiences that trans youth go through. As hard as they are to hear, it is not nearly as hard as it is to live those realities and you still voted it through. We may be fortunate where nothing bad happens this year because of this policy, but as long as this policy is in place, the likelihood that one of our students is outed or worse rises so I want to ask you what is your plan when that happens, when you inevitably have a student standing where I am pleading with you, telling you the hurt you have caused in their life because of this policy are you still going to be able to look the other way. I hope that we don't have to get to the point of a student put in a terrible position for you to change your policy. You can still change this policy and make school a safe place trans and gender non-conforming students, I urge you to do so.

10.2 Board Members: Brown stated that it was a pleasure working on this policy with all of you hard working folks. My approach to this policy is informed by my personal experience with family members struggling in schools with this issue and it is not done in a vacuum and I am disheartened that even when we make expressed clarifications to combat the misperceptions of the policy that is out there that we are still hearing public comments reflect the misinterpretation of the hard work and clarifications that we are doing here. It is not going to diminish and dampen my inner persistence to do what is right and also to inform people of what the factual words of the document say. I thank everyone for their work today. Marsh stated that he thanked everyone who has spoken to him and this board about this policy. There are people for and against and he wants people to know that he listened intently and I will never say that I understand because it is not my life experience but I can say that I seek to understand and try to understand better and I think I do understand better than I did prior to shared thoughts of the people who have spoken with such passion. It made my vote more difficult, but I try to look at this from a lot of different angles and I will say that I am a better person for having a better understanding including the risks involved and regardless of how the vote went I thank everyone who have spoken here and to me personally. Richardson stated that he agrees with board members comment about the procedure may not have been something that have happened without input from the public that we heard. Having the procedure in place hopefully it makes things easier for the teachers to understand what is expected of them and when it is expected of them and that there is some uniformity in that. Hopefully we have

some specific training for staff on this procedure and people will act accordingly and it can be predicted that the path for every student will be the same. Cannon stated that I think we did a good thing tonight with the changes that we made to JBAB-R. the second paragraph in number two is really a good thing for students, it says a student can work with a counselor in the school to develop the plan it doesn't say they have to have to do it with a parent or guardian, it says that they have to have a plan and that is a big step for a student to know that there is support in school for them and I applaud that. We can't fight the fact that there are laws in place that protect children and their parents because of that family relationship. There is a challenge with a student who is identifying with a gender identity challenge to find someone to listen and if there is a counselor in the school or they have a friend in the school, there is someone that they can talk to. There is hope here, it is not a shut door, there is a door open to be used and the student can take things on at their own pace and hopefully that will be a starting point of conversations that we have. Clark stated that for myself we worked hard on this, I voted this through because I was fearful of going back to just JBAB and there are so many good procedures in place with JBAB-R. I am hoping that we get some good communication thread on how it is being presented to teachers and not just verbalized, I want clear communication thread that we can track. She stated that she is super proud of all of our students and congratulated them on working together as a team and uplifting the community. Tierney stated that she can't relate to all that struggle with gender identity. I know what it feels like to go through depression and anxiety, I can't even fathom and my heart goes out to people who struggle with that. I hope and pray that all people who struggle with that that they get the help that they need. Demers stated that she wanted to acknowledge what Isis said regarding this policy is appropriate for the entire district, but I also valued her opinion that things are different in a high school setting and there are laws for mental health treatment, medical care that allow for age specific stuff. It is certainly not our job as a school board right now to decide a school approach can be aged but I think that it is a real opportunity in a public law way to address what has limited what people are frustrated about. It is a fight worth fighting for if people think it is worth it but unfortunately it just isn't our fight to take on right now. Larson stated that he appreciates all the hard work because it is needed work and continuing, and it is only mid-October. I ask that if there is a solution to not just have a view of hope is always needed and let's read things and listen and continue the conversations with our community and see what is needed.

12. Non-Public: None

13. Adjournment: Motion made to adjourn made by Wentworth seconded by Richardson. Motion passed unanimously. Meeting adjourned at 9:07pm.

Katie Krauss

Pending Board Approval