

THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS

SUPERIOR COURT

Town of Sandown
P.O. Box 1756, 320 Main Street
Sandown, New Hampshire 03873

And

Town of Danville
210 Main Street
Danville, New Hampshire 03819

v.

Timberlane Regional School District
30 Greenough Road
Plaistow, New Hampshire 03865

**VERIFIED PETITION FOR TEMPORARY RESTRAINING ORDER, PRELIMINARY
AND PERMANENT INJUNCTIVE RELIEF, RELIEF PURSUANT TO
RSA 91-A AND DECLARATORY JUDGMENT**

NOW COME the Towns of Sandown and Danville, by their respective Boards of Selectmen, and through their attorneys, Wadleigh, Starr & Peters, PLLC, and respectfully petition this Honorable Court for preliminary and permanent injunctive relief, relief pursuant to NH RSA 91-A and a declaratory judgment, saying as follows:

OVERVIEW

1. The Towns of Sandown and Danville (“Petitioners”) request a Temporary Restraining Order, preliminary injunction, permanent injunction, a declaratory judgment, and relief pursuant to RSA 91-A against Respondent Timberlane Regional School District (“Respondent” or “District”). The Timberlane Regional School District is a Cooperative School District comprised of the Towns of Atkinson, Danville, Plaistow, and Sandown. Each town has its own elementary school or schools, and there is one regional middle school and one regional

high school in the District. The District's School Board is comprised of 9 members: 3 from Plaistow and 2 from each of the remaining three towns.

2. The District's March 2015 warrant included two special warrant articles seeking to raise and appropriate funds to operate the Sandown Central School. Both of these articles failed; as a result, in accord with RSA 32:10, I(e), the District is prohibited from operating Sandown Central School during the 2015-16 school year. Despite this clear statutory prohibition, on June 18, 2015, the District's School Board voted to utilize Sandown Central School for a preschool, elementary school program (grade K, only) and its District-wide specialized pre-school program (Timberlane Learning Center) during the 2015-16 school year.

3. The March 2015 warrant also included a warrant article that sought to appropriate \$90,000.00 to construct playground space at the Sandown North Elementary School; this article was defeated. On June 18, 2015, and without any contractual obligation in place, the Board voted to encumber the funds from the 2014-15 fund balance and issued bid solicitations for the same project. At the time of drafting this Petition, the Superintendent has indicated this project will not go forward, but the Board has not yet reversed the encumbrance. Further, upon information and belief and despite the Superintendent's indications, a site walk was performed on the premises on July 6, 2015 in preparation for accepting bids.

4. Finally, the Board, acting through its Superintendent, convened a study committee to study the consolidation of the Sandown Central and Sandown North Schools. Both the Board and the Superintendent took the position that the committee's activities were not subject to NH RSA 91-A.

5. These actions are in direct contravention of the decision of the voters in March 2015, violating RSA 32:8, RSA 32:10, I(e), and in the latter case, NH RSA 91-A. As a result, Petitioners seek preliminary and permanent injunctive relief, prohibiting the District from acting

in a manner contrary to the March 2015 vote, and NH RSA 91-A. A copy of the proposed Temporary Restraining Order is attached as Exhibit A in accordance with Civil Rule 48(d). The proposed injunction is specific in its terms and describes, in reasonable detail, the act or acts sought to be restrained. Petitioners certify that they have provided Respondent written notice of the relief they seek.

6. Respondent has acted unlawfully in disregarding its voters' rejection of certain appropriations and actions, including unlawfully transferring funds to establish a preschool, special education pre-school, and kindergarten at Sandown Central School, after the voters rejected the warrant article(s) seeking to fund the operation of Sandown Central School, and approved the general operating budget article that had "zeroed out" the line items pertaining to funding staff necessary for the operation of Sandown Central School, as well as attempting to encumber funds that were unexpended from the 2014-15 fiscal year in an unlawful manner. Additionally, Respondent has held unlawful nonpublic committee meetings and has refused to keep minutes of said meetings, in violation of New Hampshire's Right to Know Law. There is no plain, adequate, or complete remedy at law for Respondent's unlawful acts and therefore injunctive relief and a declaratory judgment are the only outlets available to Petitioners.

Jurisdiction and Venue

7. This Court has jurisdiction pursuant to RSA 491:22, RSA 498:1, and RSA 91-A:7.

8. Venue is proper in this Court pursuant to RSA 507:9, because Petitioners, as well as Respondent, are located in Rockingham county.

Legal Standard

9. A temporary restraining order is a form of preliminary injunction. It may be issued when it “clearly appears to the court” that Petitioners will succeed on the merits of their request for a preliminary and permanent injunction. Civil Rule 48(a)(1).

10. “A preliminary injunction is a provisional remedy that preserves the status quo pending a final determination of the case on the merits.” N.H. Dep’t of Env’tl. Servs. v. Mottolo, 155 N.H. 57, 63 (2007) (citation omitted). To obtain a preliminary injunction, petitioners typically must demonstrate a likelihood of success on the merits, “an immediate danger of irreparable harm..., and [t]hat there is no adequate remedy at law.” Id.

11. “Any person claiming a present legal or equitable right or title may maintain a petition against any person claiming adversely to such right or title to determine the question as between the parties, and the court’s judgment or decree thereon shall be conclusive.” RSA 491:22.

Factual Background

I. Voters’ Rejection of Warrant Articles 4, 5, and 11

12. During the March 2015 Official Ballot Law session, Timberlane Regional School District Warrant Articles 4, 5, and 11 were put to a vote.

13. Article 4 sought to raise and appropriate \$1,160,544, with \$744,299 to be used for the operation costs of Sandown Central Elementary School and \$416,245 to be used to renovate the kitchen at Sandown Central Elementary School, with the \$416,245 being withdrawn from the existing School Building Construction, Reconstruction, Capital Improvements and Land Purchase Capital Reserve Fund. See Warrant Articles 4, 5, and 11, attached hereto as Exhibit B. In addition, the proposed General Operating Budget (Article 2) “zeroed out” the custodial,

nursing and administrative costs of operating the Sandown Central School. See 2015-2016 Budget, attached hereto as Exhibit I.

14. While typically a school's operating costs are treated as a line item in the general operating budget warrant article, the Board presented Sandown Central's operating budget as a separate article and tied its operation to a major capital improvement. This approach was not done as to any other school in the District.

15. Article 5 sought to raise and appropriate up to \$90,000 for the expansion and upgrade of the Sandown North Elementary School Playground. See id.

16. Article 11, a Petitioned Warrant article, sought to raise and appropriate up to \$602,528 for the continuing operation of Sandown Central as an elementary school. Article 11 noted that it would be void if Article 4 passed. See id. This Petitioned article gave the District's legislative body another opportunity to vote to operate Sandown Central School, without tying its continued operation to the capital improvements set forth in Article 4.

17. Although the general operating budget passed, all three of the Special Warrant Articles failed.

18. Respondent has nonetheless made efforts to unlawfully execute the actions contemplated in Articles 4 and 11 to continue to operate elementary school programming in the Sandown Central facilities, in spite of the fact that there is no operating budget for the school. In addition, on June 18, 2015, Respondent voted to encumber funds for playground renovations at Sandown North Elementary School, but did not have a contract or other legally enforceable obligation in place by June 30. See RSA 32:7, I. To date, the Board has not taken steps to reverse this encumbrance.

19. It is also important to note that Petitioned Article 19 passed, which pursuant to NH RSA 195:25, authorized a statutory committee to study the feasibility of the Town of

Sandown withdrawing from the Cooperative School District. Petitioner Town of Sandown has begun studying the process of withdrawing from the District, through the creation of a minority committee.

20. In the event of its withdrawal, the Sandown Central facilities in which Respondent is attempting to establish and operate its consolidated school would lawfully be the property of Petitioner Town of Sandown. See RSA 195:28 (“If a pre-existing school district withdraws from the cooperative school district, the cooperative school district shall transfer and convey title to any school building and land located in the withdrawing district to the withdrawing district.”)

21. Therefore, the Town of Sandown, as the equitable, and potential owner of the Sandown Central facilities, in the form of the Sandown School District, may seek declaratory judgment from this Court. See RSA 491:22.

II. Intentional Refusal to Comply with RSA 91-A, New Hampshire’s Right to Know Law

22. Among other actions, Respondent has convened, through its Superintendent Dr. Earl F. Metzler II, the Sandown Elementary Schools Consolidation Committee (“Committee”) to study the “impact of consolidating the Sandown North and Sandown Central Elementary Schools.” See Timberlane Regional School District Sandown Elementary Schools Consolidation Report and Recommendations (May 19, 2015), attached hereto as Exhibit C. During the winter of 2015, the District’s School Board discussed, over several meetings, the possibility of consolidating the Sandown Central and Sandown North Elementary Schools. The Committee was convened on March 18, 2015.

23. The Committee was comprised of a Sandown School Board Member, a Sandown Selectman, Sandown residents and parents, a Budget Committee Member, a teacher, principals, and District administrators. See Exhibit C.

24. Upon requesting further information regarding this Committee so that she may either access the minutes or attend the meetings herself, Ms. Cathleen Gorman, a Sandown resident, was told that the meetings were nonpublic and that she therefore could not attend. See Email from Nancy Steenson, Timberlane RSD Board Chair to Cathleen Gorman (March 24, 2015 at 8:54 PM), attached herein as Exhibit D.

25. The Superintendent, apparently engaging in legal analysis, also took the position that the Study Committee was not subject to the Right-to-Know Law, even seeking to distinguish the case of Bradbury v. Shaw on the basis of the fact that he was not a publicly elected official. See Email from Superintendent Earl Metzler to Cindy Bucu (May 6, 2015 at 10:34 PM), attached hereto as Exhibit E; see Bradbury v. Shaw, 116 N.H. 388 (1976).

26. The Superintendent was acting as an agent of the School Board in establishing the Committee. The Respondent is required to provide superintendent services as required by RSA 194-C:4, but it is not “required to have a superintendent and may assign these services to one or more administrative personnel working full or part-time.” See RSA 194-C:5, II(a). Respondent has elected to hire an individual to provide its statutorily required superintendent services, and the superintendent serves as the agent of the School Board. In creating this committee, the Superintendent was responding to several months of discussion and Board votes pertaining to the status of Sandown Central School. The Committee was charged with making recommendations “to support and facilitate the effective consolidation of the two Sandown schools,” which is precisely what the Board had been discussing and debating since at least January 2015. See Exhibit C.

27. This Committee, although technically created by the Superintendent, as agent of the Board, was performing an activity for the School Board itself (i.e., to study consolidation of the schools). Therefore, these advisory committee meetings were subject to New Hampshire's Right to Know Law, codified at RSA 91-A. See RSA 91-A:1-a, I (defining "advisory committee" as "any committee, council, commission, or other like body whose primary purpose is to consider an issue or issues designated by the appointing authority so as to provide such authority with advice or recommendations concerning the formulation of any public policy or legislation that may be promoted, modified, or opposed by such authority"). Allowing the School Board to circumvent RSA 91-A by characterizing the Committee as by and for the Superintendent would be contrary to the stated purpose of RSA 91-A, which is "to ensure both the greatest possible public access to the actions, discussions and records of all public bodies, and their accountability to the people." RSA 91-A:1. It is the activity itself and its ultimate purpose that should determine whether it falls under RSA 91-A's ambit, not by whom it was technically created.

28. The Committee reported to the School Board during the May 21, 2015 Regular Meeting. The Committee recommended consolidation and the School Board, relying on the Committee's recommendations, voted to consolidate. See Timberlane Regional School Board Meeting Minutes (May 21, 2015), attached hereto as Exhibit F.

29. Relying on the Committee's recommendations, Respondent has stated its intent to use the Sandown Central facilities for preschool, special education preschool, and kindergarten classes. Respondent believes that this is acceptable because, in its view, the voters' rejection of Warrant Articles 4 and 11 only prevents it from operating Sandown Central as an elementary school. Respondent believes that the rejection does not prevent it from transferring or expending funds to operate preschool, special education preschool, and kindergarten in the Sandown

Central building. However, as set forth below, the voters' rejection of warrant articles 4 and 11, and their approval of the operating budget, which appropriated \$0 for various line items necessary to operate the Sandown Central School facility, prohibits the District from operating the Sandown Central School during the 2015-16 school year.

30. Therefore, not only did the Committee perform an activity for the School Board itself (as opposed to solely for the Superintendent), but the Board expressly relied upon the findings and recommendations of the Committee in voting to consolidate the schools in the Sandown Central building despite the fact that the voters failed to appropriate any funds to operate the Sandown Central School building. As a result, the action of the Respondent's Board should be invalidated and the Committee should be ordered to reconvene with meetings held in accord with the requirements of RSA 91-A.¹ RSA 91-A:8, III.

III. Proposed Unlawful Operation of Sandown Central School Facilities in Derogation of Warrant Article Votes

31. By rejecting Warrant Articles 4 and 11, the voters appropriated zero dollars in funding for any elementary school in the Sandown Central facilities. See RSA 32:8, 32:10, I(e).

32. In addition, by approving a general operating budget with the "zeroed out" line items for Sandown Central School operations, the citizens voted not to operate any programs at the school during the 2015-16 school year.

33. Respondent has attempted to negate these actions by claiming that using the Sandown Central facilities as a preschool, special education preschool, and kindergarten is not within the purposes proscribed by the failure of Warrant Articles 4 and 11. This limited interpretation ignores the fact that the Board elected to "zero out" the line items pertaining to the

¹ In requesting that the Committee be required to reconvene, the Petitioners acknowledge that the Committee's recommendations may not change; however, the Committee's meetings should be open to the public in accord with RSA 91-A.

operating of the Sandown Central School in the general operating budget article, which was approved by the voters. As is explained more thoroughly in Petitioners' enclosed Memorandum of Law, this is an unlawful activity based on an inaccurate interpretation of RSA 32:10.

34. Despite Respondent's belief, kindergarten falls under the statutory definition of "elementary school." RSA 189:25. Respondent also seems to disregard the fact that, during the January 15, 2015 Public Hearing on the 2015-2016 Proposed Budget, Superintendent Metzler represented the opinion of Respondent's own counsel to voters that if both Articles 4 and 11 were defeated, then the School Board would be unable to expend funds to keep Sandown Central Elementary School open per RSA 32:10. See Meeting Minutes from January 15, 2015 Public Hearing, attached herein as Exhibit G ("Dr. Metzler stated he recently found out from the School District attorney, if both articles regarding the operating costs for Sandown Central fail to pass, then the School Board is not legally allowed to spend any funds to keep Sandown Central open in 2015-2016"); see also 2015 Deliberative Session Presentation at 46, attached herein as Exhibit H (the intent of Article 4 is "[t]o raise funds to keep Sandown Central School open for the next school year, consisting of \$416,245 for the renovation of the school kitchen and \$744,299 for operational costs").

35. Therefore, if the Respondent is permitted to proceed with its consolidation efforts, it will do so in direct contradiction of the voters' decision not to raise and appropriate funds to operate Sandown Central School and, therefore, in violation of RSA 32:10, I(e) and RSA 32:8.

IV. Respondent is Unlawfully Attempting to Encumber Unexpended Funds from the 2014-2015 Year for the Unlawful Purpose of Upgrading the Sandown North Elementary School Playground

36. Additionally, Respondent has voted to encumber surplus funds from the 2014-2015 fiscal year for the purpose of upgrading the Sandown North Elementary School

playground, under the guise of renovating “field and greenspace.” This action is an unlawful use of unexpended funds as contemplated by RSA 32:7. RSA 32:7, I-VI. It is also an effort to circumvent the voters’ rejection of Warrant Article 5.

37. The only enumerated exception to RSA 32:7 that could possibly apply here is RSA 32:7, I. This section mandates that Respondent may only encumber unexpended funds from the previous year if the amount has “become encumbered by a legally-enforceable obligation, created by contract or otherwise, to any person for the expenditure of that amount.” RSA 32:7, I. Respondent has no such legally-enforceable obligation and therefore may not legally encumber the unexpended funds to upgrade the Sandown North Elementary School Playground.

38. Nonetheless, Respondent has made representations that it intends to begin accepting bids from contractors for the playground upgrades on July 13, 2015. Although the Superintendent represented on July 1, 2015 that this project would not move forward, the Board has not taken steps to reverse the encumbrance. Further, upon information and belief, the Board has performed a site visit in preparation for accepting bids. Therefore, it is of the utmost importance that this Court schedule a hearing on the requested preliminary injunctive relief as soon as its docket permits to prevent Respondent from taking any further unlawful action.

Argument

39. Under New Hampshire law, injunctive relief will be granted only where a petitioner proves (1) that the petitioner is likely to succeed on the merits; (2) that the petitioner has no adequate remedy at law; (3) that it will suffer immediate irreparable harm if the injunctive relief is not granted; (4) that there will be no hardship to the respondent if the injunctive relief is granted, or the hardship to the petitioner if the injunctive relief is not granted is greater; and (5) that the public interest will not be adversely affected if the injunction is granted. Unifirst Corp.

v. City of Nashua, 130 N.H. 11, 13-15 (1987); Murphy v. McQuade Realty, 122 N.H. 314, 316 (1982); Meredith Hardware, Inv. v. Belknap Realty Trust, et al., 117 N.H. 22, 26 (1977); Timberlane Regional School District v. Timberlane Regional Ed. Association, 114 N.H. 245, 250 (1974).

40. Although injunctive relief is normally only appropriate when warranted by imminent danger of great and irreparable damage, where “clear violations” of law are involved, the irreparable harm requirement is considerably relaxed. New Hampshire Donuts, Inc. v. Skipitaris, 129 N.H. 774, 779 (1987) (involving “clear violations of restrictive covenants”).

41. “Indeed, the injunction in this class of cases is granted almost as a matter of course upon [the party’s breach or clearly unlawful conduct].” Id. (quotations omitted).

42. Further, “[i]t is not for the court, but the plaintiffs, to estimate the amount of damages that arises from the injury inflicted upon them” as a result of a party’s clear breach or unlawful conduct. Id. at 780.

43. Because Respondent’s conduct here is clearly unlawful, the irreparable harm requirement should be considerably relaxed.

44. Even using the more stringent standard, however, Petitioners would still be entitled to injunctive relief. Allowing Respondent to continue its actions would result in irreparable harm to Petitioners. Respondent will soon be starting the process of moving its preschool, special education preschool, and kindergarten classes to the Petitioners’ Sandown Central facilities, and may be accepting bids for an unlawful encumbrance. Once Respondent has begun these actions, it will likely argue that reversing them would result in inequitable harm. Moreover, expending any funds to operate Sandown Central School is contrary to the March 2015 vote and contravening the voters’ rejection would cause irreparable harm.

45. Further, at this juncture, bids have not been opened, schools have not been moved, and therefore granting of the requested relief preserves the status quo.

46. Moreover, the public interest will be benefitted by granting the requested relief because such an outcome would adhere to the public directive as shown by the voters' rejection of the Warrant Articles.

47. Petitioners are also entitled to injunctive relief under RSA 91-A.

48. "Any person aggrieved by a violation of [RSA 91-A] may petition the superior court for injunctive relief. In order to satisfy the purposes of [RSA 91-A], the courts shall give proceedings under [RSA 91-A] high priority on the court calendar." RSA 91-A:7.

49. "The petition shall be deemed sufficient if it states facts constituting a violation of this chapter." Id.

50. Finally, "[i]f any public body or public agency or officer, employee, or other official thereof, violates any provisions of [RSA 91-A], such public body or public agency shall be liable for reasonable attorney's fees and costs incurred in a lawsuit under [RSA 91-A], provided that the court finds that such lawsuit was necessary in order to enforce compliance with the provisions of [RSA 91-A] or to address a purposeful violation of [RSA 91-A]." RSA 91-A:8.

51. Fees shall only be awarded when the court finds that the Respondent knew or should have known that the conduct engaged in was in violation of RSA 91-A. Id.

52. Here, Respondent knowingly and willfully created a Consolidation Committee which met in private and refused to keep minutes. Respondent attempted to circumvent its responsibilities under the Right to Know Law by representing that the Committee was formed on behalf of the Superintendent and therefore not covered by RSA 91-A, but the purpose of and matters contemplated by the Committee indicate that it was acting on behalf of the School Board.

53. Per RSA 91-A, advisory committee means “any committee, council, commission, or other like body whose primary purpose is to consider an issue or issues designated by the appointing authority so as to provide such authority with advice or recommendations concerning the formulation of any public policy or legislation that may be promoted, modified, or opposed by such authority.” RSA 91-A:1-a, I.

54. For purposes of RSA 91-A, advisory committees to public bodies are considered public bodies themselves. See RSA 91-A:1-a, VI.

55. Therefore, because the Committee was acting on behalf of the School Board, it constitutes a public body for purposes of RSA 91-A and by not opening the meetings to the public and not keeping minutes, the Committee clearly and intentionally violated RSA 91-A.

56. Petitioners are therefore entitled to injunctive relief and reasonable attorneys’ fees and costs as allowed by RSA 91-A.

57. Finally, Petitioners are entitled to a declaratory judgment regarding the Respondent’s unlawful use of the Sandown Central facilities, which, upon its withdrawal, will lawfully be owned by Petitioner, Town of Sandown. See RSA 195:28.

58. Petitioners are likely to succeed on the merits of their claims. Further support for Petitioners’ positions has been filed herewith in the form of a Memorandum of Law, the contents of which are incorporated by reference as if fully set forth herein.

59. Petitioners have no plain, adequate or complete remedy at law.

60. Therefore, the Court should grant the injunctive relief requested herein.

WHEREFORE, the Town of Sandown and the Town of Danville respectfully pray that this Honorable Court:

A. Schedule an expedited hearing on the Petitioners’ request for preliminary injunctive relief as soon as the Court’s docket permits;

- B. Upon a review of the pleadings or preliminary hearing, issue a Temporary Restraining Order, enjoining the Timberlane Regional School District from performing any actions that will allow the continued operation of the Sandown Central School for the 2015-2016 school year, or from encumbering, spending, or using in any way funds from the 2014-2015 operating budgets as a means to circumvent the actions of the district voters;
- C. Upon a preliminary hearing, preliminarily enjoin the Timberlane Regional School District from performing any actions that will allow the continued operation of the Sandown Central School for the 2015-2016 fiscal year, or from encumbering, spending, or using in any way funds from the 2014-2015 operating budgets as a means to circumvent the actions of the district voters;
- D. Upon a hearing on the merits, permanently enjoin the Timberlane Regional School District from performing any actions that will allow the continued operation of the Sandown Central School for the 2015-2016 fiscal year, or from encumbering, spending, or using in any way funds from the 2014-2015 operating budgets as a means to circumvent the actions of the district voters;
- E. Issue a declaratory judgment in favor of Petitioners with regard to the dispute over the operation of the Sandown Central facilities;
- F. Invalidate Respondent's actions taken as a result of its Right to Know violations pursuant to RSA 91-A:8, III and order that the Committee reconvene, with meetings held in accord with RSA 91-A;
- G. Award Petitioners their reasonable attorneys' fees and costs, pursuant to RSA 91-A:8, II ; and
- H. Grant such other and further relief as may be deemed just and equitable.

Respectfully submitted,

TOWN OF SANDOWN and
TOWN OF DANVILLE

By their attorneys,

WADLEIGH, STARR & PETERS,
P..L.L.C.

Date: _____, 2015

By: _____
Dean B. Eggert, No. 742
Christopher P. McGown, No. 266162
95 Market Street
Manchester, NH 03101
(603) 669-4140

VERIFICATION

I hereby certify that the facts asserted in this Petition are true and correct to the best of my knowledge and belief.

Cindy Buco, duly authorized

THE STATE OF NEW HAMPSHIRE
HILLSBOROUGH, SS.

Personally appeared the above named Cindy Buco of the Town of Sandown, being authorized so to do, and made oath that the facts contained in the foregoing are true to the best of her knowledge and belief.

Before me,

Notary Public/Justice of the Peace

VERIFICATION

I hereby certify that the facts asserted in this Petition are true and correct to the best of my knowledge and belief.

Kim Farah, duly authorized

THE STATE OF NEW HAMPSHIRE
HILLSBOROUGH, SS.

Personally appeared the above named Kim Farah of the Town of Danville, being authorized so to do, and made oath that the facts contained in the foregoing are true to the best of her knowledge and belief.

Before me,

Notary Public/Justice of the Peace

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EXHIBIT A

THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS

SUPERIOR COURT

Town of Sandown

and

Town of Danville

v.

Timberlane Regional School District

Proposed Temporary Restraining Order

The following temporary restraining order is issued:

In order to preserve the status quo, pending a hearing, I find that there is clear evidence that the Petitioners have demonstrated that they are entitled to temporary injunctive relief. Petitioners have demonstrated that Respondent has acted unlawfully in disregarding its voters' rejection of appropriations pertaining to the operation of the Sandown Central School. Respondent has acted unlawfully by expending funds to operate an elementary school and preschool programs in the Sandown Central facilities, despite the voters' express rejection of such actions. Further, absent injunctive relief, Petitioners do not have a plain, adequate, or complete remedy at law for Respondent's unlawful acts. Petitioners have also demonstrated that Respondent has knowingly and intentionally violated RSA 91-A by failing to require that an advisory committee, formed to fulfill a public purpose on behalf of the School Board, comply with the public meeting requirements of RSA 91-A. Petitioners are therefore entitled to temporary injunctive relief.

Therefore, Respondent Timberlane Regional School District is temporarily enjoined from performing any actions that will allow the continued operation of Sandown Central School for the 2015-2016 fiscal year, including relocation of educational programs into the building, which will require continued operation of the facility. Respondent is also temporarily enjoined from unlawfully encumbering funds from the 2014-2015 operating budget. Respondent is advised specifically that it is enjoined from expending funds in any manner that would negate the wishes of the voters as expressed by their rejection of 2015 Warrant Articles 4, 5, and 11. This includes, but is not limited to, using the Sandown Central facilities for any purpose, as well as unlawfully encumbering funds from the 2014-2015 operating budgets to renovate playgrounds, fields, greenspace, or any other project that would contravene the voters' intentions in rejecting Article 5, at Sandown North Elementary School, including soliciting and accepting bids for such purpose.

The clerk shall schedule a hearing on Petitioners' application for a preliminary injunction as soon as this Court's docket permits. So ordered.

EXHIBIT B

2015 Timberlane Regional School District Warrant

State of New Hampshire

To the inhabitants of the School District of the Towns of Atkinson, Danville, Plaistow, and Sandown, New Hampshire, qualified to vote in District affairs:

First Session of Annual Meeting (Deliberative)

You are hereby notified to meet at the Timberlane High School, 36 Greenough Road, Plaistow, New Hampshire, on Thursday, the 5th day of February 2015, at 7:00 p.m. This session shall consist of explanation, discussion, and debate of warrant articles number 2 through number 12. Warrant articles may be amended subject to the following limitations: (a) warrant articles whose wording is prescribed by law shall not be amended, (b) warrant articles that are amended shall be placed on the official ballot for a final vote on the main motion, as amended, and (c) no warrant article shall be amended to eliminate the subject matter of the article.

Second Session of Annual Meeting (Voting)

Voting on warrant articles number 1 through number 12 will be conducted by official ballot to be held in conjunction with town meeting voting to be held on Tuesday, the 10th day of March, 2015, at the Town election polls in Atkinson, Danville, Plaistow, and Sandown, New Hampshire.

Atkinson	Voting will be conducted at the Atkinson Community Center from 7am-8pm
Danville	Voting will be conducted at the Danville Community Center from 8am-7pm
Plaistow	Voting will be conducted at Pollard School from 7am-8pm
Sandown	Voting will be conducted at the Sandown Town Hall from 8am-8pm

Article 1 - Election of Officers

To choose the following school district officers:

Atkinson Voters	School Board Member	2-year Term
Atkinson Voters	School Board Member	3-Year Term
Plaistow Voters	School Board Member	3-year Term
Sandown Voters	School Board Member	3-Year Term
Atkinson Voters	Budget Committee Member	3-Year Term
Danville Voters	Budget Committee Member	2-Year Term
Plaistow Voters	Budget Committee Member	2-Year Term
Plaistow Voters	Budget Committee Member	3-Year Term
Sandown Voters	Budget Committee Member	3-Year Term

Article 2 - Operating Budget

Shall the voters of the Timberlane Regional School District raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling **\$67,723,927**? Should this article be defeated, the operating budget shall be **\$68,160,616** which is the same as last year, with certain adjustments required by previous action of the Timberlane Regional School District or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. Note: Warrant Article 2 (the operating budget) does not include appropriations proposed under any other warrant articles. (MAJORITY VOTE REQUIRED)

2015 TIMBERLANE REGIONAL SCHOOL DISTRICT WARRANT

Recommended by the School Board 7-0-1
Recommended by the Budget Committee 8-0-2

Article 3 – Capital Reserve Fund

Shall the voters of the Timberlane Regional School District raise and appropriate up to **\$250,000** to be placed in the School Building Construction, Reconstruction, Capital Improvement and Land Purchase Capital Reserve Fund established in 1996, with such amount to be transferred from the June 30, 2015 unassigned fund balance (surplus) available for transfer on July 1 of this year? This sum to come from fund balance (2014-15 budget surplus) and no amount to be raised by taxation. (MAJORITY VOTE REQUIRED)

Recommended by the School Board 7-1
Recommended by the Budget Committee 9-1

Article 4 – Sandown Central Elementary School Kitchen Renovation and Operational Costs

Shall the voters of the Timberlane Regional School District raise and appropriate up to **\$1,160,544**, with \$744,299 to be used for the operational costs of Sandown Central Elementary School and \$416,245 to renovate the kitchen at Sandown Central Elementary School and to further authorize the District to withdraw the said **\$416,245** from the existing School Building Construction, Reconstruction, Capital Improvements and Land Purchase Capital Reserve Fund? (*Only \$744,299 shall be raised by taxation.*) (MAJORITY VOTE REQUIRED)

Not recommended by the School Board 6-2
Not recommended by the Budget Committee 10-0

Article 5 – Sandown North Elementary School Playground

Shall the voters of the Timberlane Regional School District raise and appropriate up to **\$90,000** for the expansion and upgrade to the Sandown North Elementary School playground? (MAJORITY VOTE REQUIRED)

Recommended by the School Board 7-0-1
Not recommended by the Budget Committee 8-1-1

Article 6 – Two Year Collective Bargaining Agreement (Timberlane Support Staff Union)

Shall the voters of the Timberlane Regional School District approve the cost items included in the collective bargaining agreement reached between the Timberlane Support Staff Union and the Timberlane Regional School Board, which calls for the following increases in salaries and benefits at the current staffing levels over the amount paid in the prior fiscal year:

Cost Distribution	2015-16	2016-17
Salaries	\$82,518	\$83,212
FICA	6,313	6,366
New Hampshire State Retirement	8,952	9,095
TOTAL	\$97,783	\$98,673

and further to raise and appropriate the sum of **\$97,783** for the 2015-16 fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at the current staffing levels? (MAJORITY VOTE REQUIRED)

Recommended by the School Board 8-0

Recommended by the Budget Committee 10-0

Article 7 - Authorization for Special Meeting on Cost Items

Shall the voters of the Timberlane Regional School District, if Article 6 is defeated, authorize the Timberlane Regional School Board to call one special meeting, at its option, to address Article 6 cost items only? *(Without this Article the District would have to petition Superior Court for a Special School District Meeting. This saves the District the expense of attorney fees and court costs).* (MAJORITY VOTE REQUIRED)

Recommended by the School Board 8-0

Recommended by the Budget Committee 10-0

Article 8 - General Acceptance of Reports

Shall the voters of the Timberlane Regional School District accept reports of agents, auditors, and committees as written in the 2014 Annual Report? (MAJORITY VOTE REQUIRED)

Recommended by the School Board 8-0

Recommended by the Budget Committee 7-0-3

Article 9 - Expand Kindergarten to Non-Tuition, Full Day Program on Warrant Petition by Brian Stack et al

Shall the Timberlane Regional School District expand the current kindergarten program to a non-tuition, full day kindergarten program in each elementary school with the increase in necessary funding coming from the operating budget? (ADVISORY ONLY)(MAJORITY VOTE REQUIRED)

Not recommended by the School Board 8-0

Not recommended by the Budget Committee 7-0-3

Article 10 - Amend Articles of Agreement on Warrant Petition by Shawn O'Neil et al

To see if the Timberlane Regional School District shall replace Article #5 and Article #6 from the April 30, 1964 agreement to read:

5. The operating and capital expenses of the Timberlane Regional School District payable in each fiscal year shall be apportioned at a rate so each pre-existing district pays the same local school rate of taxation based upon the equalized valuation as most currently available as determined by the State Tax Commission. All forms of aid and local school impact fees from each pre-existing district will be applied to reduce the operating and capital expense before apportionment.

6. Repealed

(2/3 MAJORITY VOTE REQUIRED)

Not recommended by the School Board 8-0

Not recommended by the Budget Committee 7-0-3

Article 11 - Continue Operation of Sandown Central on Warrant Petition by Shawn Freligh et al

Shall the voters of the Timberlane Regional School District raise and appropriate up to \$602,528 for the continuing operation of Sandown Elementary School as an elementary school? This warrant will be void if warrant article "Sandown Central Elementary School Operational Costs and Kitchen Renovation" passes. (MAJORITY VOTE REQUIRED)

Not recommended by the School Board 7-1

Not recommended by the Budget Committee 5-0-5

**Article 12 - Conduct Impact and Consolidation Plan on Warrant
Petition by Shawn Freligh et al**

Shall the voters of the Timberlane Regional School District require that before any District school is closed or consolidated the District School Board must conduct a complete impact and consolidation plan to determine feasibility of closing a school? The details of the study and consolidation plan will be presented to District voters at a public hearing a minimum of two-months before voting. The decision to close any district school must be placed in the school district ballot for voting. In the event the District School Board votes to close any District school for the 2015/2016 school year, that vote will be reversed and authority revoked by the voters of the District per passage of this Warrant. (ADVISORY ONLY)(MAJORITY VOTE REQUIRED)

Not recommended by the School Board 7-1

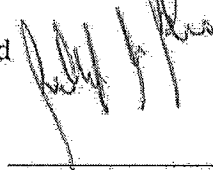
Not recommended by the Budget Committee 5-1-4

2015 TIMBERLANE REGIONAL SCHOOL DISTRICT WARRANT

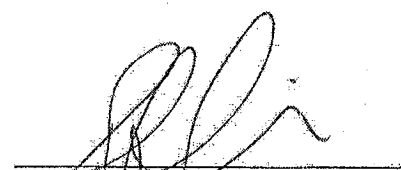
Given under our hands this 15th day of January 2015.

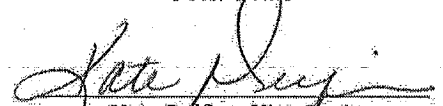
Timberlane Regional School Board


Peter Bealo

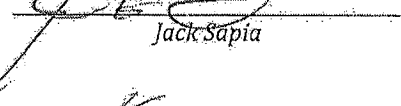


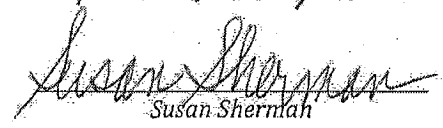
Richard Blair


Robert Collins

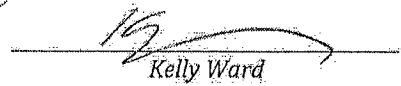

Kate Delfino, Vice Chair

Donna Green


Jack Sapia

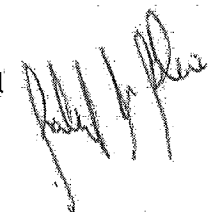

Susan Sherman

Nancy Steenson, Chair



Kelly Ward

A true copy of Warrant - Attest
Timberlane Regional School Board


Peter Bealo

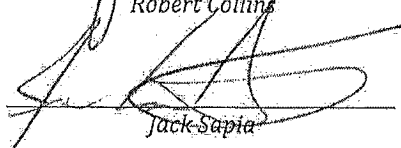


Richard Blair


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Kate Delfino, Vice Chair

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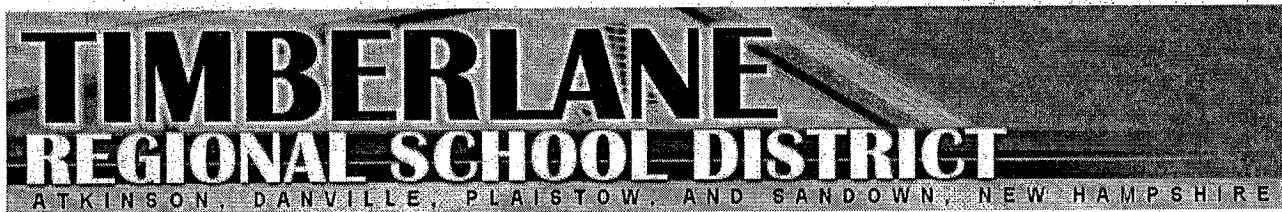

Susan Sherman

Nancy Steenson, Chair


Kelly Ward

2015 TIMBERLANE REGIONAL SCHOOL DISTRICT WARRANT

EXHIBIT C



Sandown Elementary Schools Consolidation Report and Recommendations

Submitted May 19th, 2015

Document History

Version	Date	Author(s)	Comments
.9	4/5/2015	D. Armfield	Initial Draft
.91	4/14/2015	Breakout Committee Teams	Consolidation of individual team contributions
.92	4/18/2015	Committee Review	Draft 2
.93	4/19/2015	B. Rincon	From L. Dube submission
.94	4/23/2015	B. Rincon Edits	Grammar and formatting edits
.95	5/15/2015	S. Freligh	Document Assembly
.96	5/17/2015	Committee Reviewed	Final Draft Review
1.0	5/19/2015	Committee	Final Submission to Superintendent

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Sandown Consolidation Report
TIMBERLANE REGIONAL SCHOOL DISTRICT

Respectfully Submitted by the Sandown Consolidation Committee

Committee Membership

Co-chair: **Shawn Freligh**, Sandown Resident
Co-chair: **Debra Armfield**, Executive Director of Curriculum, Assessment and Professional Learning PK-12

Members:

Dr. Roxanne Wilson, Assistant Superintendent of Schools
George Stokinger, Business Administrator SAU 55
Erich Beyrent, Sandown Resident
Lou Broad, Teacher, TTA President
Kelly Ward, School Board Member and Sandown Resident
Lee Dube, Budget Committee Member
Jon Goldman, Sandown Selectman
Susan Rasicot, Director of Student Services
Beth Rincon, Director of Special Education
Scott Strainge, Director of Alternative/Continuing Education, and Enrichment
Nancy Danahy, Director of Human Resources
Deb Lytle, Sandown Parent
Sheila Lowes, Sandown Parent
John Holland, Director of Technology
Doug Rolph, Principal, Sandown Central
Mary Youngblood, Literacy Specialist, Sandown Central
Jo-Ann Georgian, Principal, Sandown North
Patrice Liff, Assistant Principal/ Curriculum Coordinator, Sandown North

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Executive Summary

The Sandown Consolidation Committee was convened on March 18, 2015 for the purpose of studying the impact of consolidating the Sandown North and Sandown Central Elementary Schools. The group was charged with making recommendations to Superintendent of Schools Dr. Earl Metzler, regarding the logistics of the consolidation. This document, developed by the Committee, offers several recommendations on how to consolidate Sandown North and Sandown Central. Serving the best interests of the students and families in Sandown, as well as meeting the ongoing needs of the District and all of its stakeholders were two key forces driving the recommendations made in this document.

One of the most important recommendations made in this document, directly deals with the repurposing of Sandown Central in a way that aligns with the District's goals and addresses the current population needs of the District. As such, the Committee will recommend that the Sandown Central School remain open in a new capacity as the site for the Timberlane Learning Center (TLC) District Special Education Preschool, and the Sandown Kindergarten program. Special education preschool programs are currently operating at the Pollard, Danville, Atkinson and Sandown North Elementary schools and are approved by the State of New Hampshire.

The Committee also within this document explores openly the need to make facilities adjustments in order to better suit the needs of the students in Sandown. The two facilities in their current capacity serve very different grades and need to have certain adjustments made to meet a wider span of the grades and ages that will be consolidated. As such, issues such as outdoor-field space, classroom sizes, and transportation are all addressed with recommendations to deliver a quality and modern education to the residents of Sandown.

The Committee has completed its work, and hereby issues this consolidation study report, along with all of its discussion, recommendations and suggestions to the Superintendent of Schools.

Respectfully Submitted by the Sandown Consolidation Committee.

Charge of the Committee

The Committee is charged with offering recommendations to the Superintendent to support and facilitate the effective consolidation of the two Sandown schools, with a focus on what is in the best interest of students, communities, the district, and special education programs.

It is not the charge of this Committee to make specific staff recommendations or prepare a fiscal analysis of the options. That responsibility will fall to the Superintendent.

The Committee's report and recommendations will be delivered to the Superintendent by May 20th, 2015.

Mission of the Committee

Mission Statement of the Superintendent's Sandown Consolidation Committee

To create a blueprint for consolidating Sandown's two elementary schools into a unified facility while providing an exceptional education for the enrichment of Sandown's PK-5th grade students. The framework of the report will focus on the following goals and objectives:

- Inform the transition of current 4th grade Sandown Central School students to Sandown North School with minimal disruption.
- Review long-term impacts and provide recommendations for future needs to the Superintendent in order to plan appropriately.
- Create recommendations that consider the health, safety, education, development and success of Sandown elementary students, educators, administrators and parents, while considering the impact on all District stakeholders.
- Recommend options for the utilization of the Sandown Central School facility that are fiscally responsible and meet the current and future needs of the District.

Summary of Recommendations

Classrooms and Programs

- ✓ *Relocate and consolidate the district-wide Timberlane Learning Center Preschool Program and Early Learning Environments to Sandown Central School*
- ✓ *Relocate all Sandown North Kindergarten classes to Sandown Central School*
- ✓ *House Grades 1-5 at Sandown North Elementary School*
- ✓ *Create a Transition Team to Support Consolidation*

Future Facilities Considerations

- ✓ *Evaluate Infrastructure at Sandown North/Central*
- ✓ *Capital Improvement Committee reviews long term plans for both schools*
- ✓ *Install a fire sprinkler system at Sandown North*

Playground and Green space at Sandown North

- ✓ *Construct additional playing fields at Sandown North with the location determined by Director of Facilities and Superintendent*
- ✓ *Minimum of one acre*
- ✓ *Install appropriate fencing around portions of the field*

Bus Transportation for Students

- ✓ *District Transportation Coordinator and Administration will explore most efficient routes in order to reduce travel time for students*
- ✓ *Review traffic flow on Greenough and Danville Rds. to ensure timely arrival of busses to Sandown from TRHS and TRMS.*

Traffic and Parking

- ✓ *District and Town Officials collaborate on opening emergency access road from Sandown North, for busses only*
- ✓ *Evaluate traffic flow patterns to reduce congestion at drop-off and pick-up times*

Technology Readiness

- ✓ *None at this time*

Impact on Professional Staff

- ✓ *The administration and TTA (Timberlane Teachers' Association) should work to ensure, where possible, continuity in building representation from the TTA as well as actively encourage increase in dialog*
- ✓ *TTA Leadership should increase interaction and assistance with building representatives to ensure smooth transition and dialog*
- ✓ *TTA Leadership will consider a temporary special appointment of one additional representative per building to increase representation during transition*
- ✓ *To promote respect and support of the faculty and staff at both schools, full disclosure of this plan should be given to them at the absolute earliest opportunity*

Committee Discussion and Recommendations

Current Facilities and Program Structures

Classrooms and Programs

The Committee determined that the most important considerations involved the appropriate utilization of District facilities and the preservation of current programs, while fostering the most age appropriate learning environments. With that focus, the Committee's mission statement drove each discussion, and all stakeholders had a voice in the development of the recommendations. The committee recognizes that not everyone will agree with the recommendations presented here; however careful consideration was given to all factors before finalizing these recommendations.

The full Committee toured both the Sandown North and Sandown Central schools to gain a better sense of the available space, possible classroom configurations and program requirements. It was determined that maintaining dedicated classrooms for the unified arts (art, music, enrichment and technology) was critical, as they are an important part of developing students into well-rounded and productive members of the community. The Committee felt that these educational opportunities were an integral component of a Timberlane education.

The Committee also focused on ensuring that the current Sandown North facilities, such as the cafeteria, were sufficient for the increased enrollment. Currently, cafeteria space is designed to accommodate up to 144 students at a time. This allows for the efficient management of three lunches, with the option to add a fourth lunch period if necessary. The Committee determined that Sandown North's library has adequate space to house all of the literacy materials from both schools and to serve as an instructional space. Technology programs would also continue to be fluid and operational, meeting the needs of the combined school. The Committee believed it critical to maintain a professional learning center, extended library space, small group meeting space, and conference rooms in addition to as many as seventeen classrooms. This included technology, music, art and special education classrooms.

It became evident during the tour that, although the space exists to consolidate the schools and create a PK-5 elementary, there would be inherent challenges. The Committee considered creating multi-age classrooms, moving therapy areas, replacing staff professional learning spaces with classrooms and possibly moving special education district programs to other

schools. It was determined that these measures would not meet the objectives of a 21st century education, and would further disrupt other schools in the district.

The Committee took special care to ensure that some of our youngest and most vulnerable students were not being negatively impacted in this consolidation. It was important to provide adequate space for the delivery of special education, specialized instruction, and related services. Currently, 78% of students enrolled in the District's preschool program are identified for special education. New Hampshire and federal law govern the provision that special education services are provided for identified students by the age of three. Families of the remaining "typical" preschool students pay tuition to attend the program, which provides revenue to the district.

The opportunity to expand the District preschool program, while gaining efficiencies of resources, made a District-wide consolidated preschool at Sandown Central School seems well worth exploring.

With due consideration, the Committee makes the following recommendations:

RECOMMENDATION:

- ✓ ***Relocate and consolidate the district-wide Timberlane Learning Center Preschool Program and Early Learning Environments to Sandown Central School***

The Committee recommends consolidating all current Timberlane Learning Center (TLC) preschool district programs into the Sandown Central School. This will maximize our current preschool resources, allow for more efficient use of staff, and result in a model preschool program that is dedicated to meeting the unique needs of our youngest citizens while providing both special education programs and early learning environments, as required by state and federal law.

The Committee recognizes that this recommendation may not be viewed favorably among the other towns in the District. However, after weighing all factors the Committee believes the District could leverage significant cost savings and efficiencies by operating one preschool program that serves the entire district, versus individual programs at each elementary school. Currently the TLC preschool has early learning environments at Sandown North, Danville, and Atkinson, with the District special education preschool programs for Autism, Intensive Needs and Emotional Disturbance at the Pollard School. Preschool enrollments by town fluctuate widely from year to year, and it has become more difficult to operate a cohesive preschool program with appropriate professional development, communication, and the sharing of

resources in separate locations. The preschool coordinator currently travels to each school in order to meet with preschool staff and ensure that they are meeting all reporting requirements as mandated by law.

The TLC preschool program at Pollard School has reached maximum capacity and is taxing the School's resources. There is ample space at Sandown Central to accommodate current enrollments and to expand as enrollments increase. The additional space will increase room for tuition-based typical students, thereby alleviating some of the costs associated with keeping the Sandown Central building open.

Because preschool enrollments typically double during the school year, as a result of three-year old referrals and identification via Early Intervention Services, providing appropriate services, such as speech, occupational therapy and physical therapy is challenging during the last quarter of the year. Past practice has been to contract with outside vendors at additional cost in order to provide services while critical staff complete mandatory evaluations. Having staff commute between schools to provide services creates inefficiency and disrupts students in other schools.

Looking to the future, there would be an opportunity for the high school to develop an Early Childhood Education Program in conjunction with the TLC Program at Sandown Central. Students seeking to pursue a major in this field at the college level and currently attending the Salem Vocational Center, would have an opportunity to gain experience in their own district. Proximity to the town library and town offices would allow these young students opportunities to explore the community with out the need of bussing.

Preschool programs are half day, in either the morning or afternoon, with no lunch service. This would eliminate the need for a kitchen renovation at Sandown Central School.

The Committee recommends that the preschool program have more than one administrator on site to help manage the program, oversee and evaluate staff, and attend the large number of team meetings and screenings required.

Advantages

Students:

- Ability to host family transition meetings for children turning three years old as required by the Memorandum of Agreement between the district and Early Support Services
- Provide a range of learning environments to give students access to a least restrictive environment with less dependency on private preschool /community placements
- Program consistency district-wide

Staff:

- Maximize the use of resources to meet the needs of all children
- Increased ability to utilize all staff to meet the needs of students as enrollment increases during the school year
- Shared ownership for case management and therapeutic services
- Ongoing professional development/targeted trainings for all staff to meet the needs of the diverse population of young learners
- Opportunity for professional dialogues regarding classroom instruction, therapy services and intervention strategies

Increase Parent Involvement Opportunities:

- Room to house a district-wide parent resource center
- Parent volunteers to engage students in language based learning activities (building postal system, library use, etc.)
- Parent trainings to support therapies and development of academic skills at home
- Partnership with CLM (Center for Life Management) to provide additional parent trainings
- A targeted parent support group
- Opportunity to develop partnership with the Parent Information Center and the Department of Education
- PTA – Timberlane Early Learning Center will work with parents to establish a PTA that is specific to this school

Facility/Campus:

- School/District recognition as a SEE-Change¹ State implementation and demonstration site for early learners

¹ *SEE-Change: Through an application and selection process, the TLC/Pollard Preschool site was recently chosen to participate in the SEE-Change state initiative for early childhood. SEE-Change is a NH initiative in partnership with the Early Childhood Technical Assistance Center (ECTA) dedicated to improving the outcomes for young children with or at risk for delays or disabilities and their families through wide spread use of evidence based

- Community partnerships with police, fire, library, and local businesses (field trip opportunities)
- Room to expand district Pre-K and Kindergarten programs
- Space to offer site-based Professional Learning to all district early childhood educators
- Demonstration site with feedback loop between Pre-K and Kindergarten teachers
- Space allows for expansion of tuition-based program for students from all district towns

Collaborative Opportunities:

- To enhance positive behavior management system from preschool to systems existing in other buildings
- To establish or enhance integrated teams (target, intensive and universal) for the purpose the providing interventions or referrals to special education
- To establish a community and culture that mirrors positive behavior philosophy.
- To share leadership between Principal and Preschool Coordinator

Challenges

- Increasing “typical” enrollments from within district and from surrounding towns.
- Establishing before and after school care through private providers
- Helping the public to understand the benefit of an early learning center
- Addressing parents’ concerns about sending their child to a preschool outside of their home town

RECOMMENDATION:

✓ Relocate all Sandown North Kindergarten classes to Sandown Central School

The Committee recommends relocating all Sandown North kindergarten classes, both full and half day, to Sandown Central. This will alleviate any potential overcrowding at Sandown North while also allowing the kindergarten full day program to expand. This is another potential revenue generating option to help offset costs associated with Sandown Central. This move also allows the flexibility to add additional classes at Sandown Central in the event that kindergarten programs in other district towns become overenrolled. Currently the District provides a free half day kindergarten program and a full day, tuition based kindergarten class in each of the towns. The Committee believes that more parents may take advantage of the full day program in the future, and this could be an opportunity for the District to offer a

practices. The ECTA is a program out of the Frank Porter Graham Child Development Institute at the University of North Carolina at Chapel Hill, funded through cooperative agreement number H326P120002 from the Office of Special Education Programs, U.S. Department of Education. It is a systems-change effort to plan and sustain high-fidelity implementation of evidence-based recommended practices for young children and their families.

reasonably priced option to parents. It would be expected that students participating in these classes would be well poised to excel in first grade, where the curriculum, instruction and programs are aligned. Housing the TLC preschool and Sandown kindergarten under the same roof makes educational sense. Again, special education services could be coordinated more efficiently, and there would be plenty of opportunity for collaboration and cooperative learning.

This configuration would support the consolidation of District programs for students with emotional disabilities that currently operate in both Sandown North and Sandown Central Schools, where they have been successfully hosted for a number of years. The model of positive behavioral supports and interventions, which are so critical to maintaining the emotional health and well being of these students, is a mainstay at both locations. Moving the preschool program and kindergarten classes to Sandown Central will create space for the emotional disabilities program and ensure that other district special education programs are not disrupted.

Advantages

- All advantages previously identified in addition to the elimination of disruption to District elementary programs (Autism, Intensive Needs, Emotional Disabilities)
- Ability for vertical and grade-level professional learning communities to create a developmentally appropriate learning environment across settings and grade levels for students aged three through six

Challenges

- Providing lunch to full day kindergarten students (approx. 20)
- Establishing procedures to support students' transitions to Kindergarten and first grade
- Ensuring that Kindergarten students have a connection to the elementary program
- Coordinating bus transportation between Sandown North and Sandown Central Schools
- Coordinating and connecting teachers from the two campuses

RECOMMENDATIONS:

- ✓ ***House Grades 1-5 at Sandown North Elementary School***
- ✓ ***Create a Transition Team to Support Consolidation***

The Committee recommends consolidating Sandown Central and Sandown North Schools to create an elementary school for grades 1-5. Enrollment is projected to decline until 2023/24, making this a more efficient plan for educating Sandown's elementary-aged students.

With this plan, current grade five students will move to Timberlane Regional Middle School as scheduled, current grade four students will return to Sandown North for their grade five year, and current grade three students will remain at Sandown North for the grade four year. This elementary model will be largely consistent with elementary schools across the District and allows for increased staff collaboration in grades 1-5. Class sizes will be consistent with those in other schools in the District, with enrollments projected to decline over the next five years. This grade configuration will enhance opportunities for upper elementary students to mentor those in younger grades, while engaging in a variety of collaborative activities, such as reading buddy experiences. Increasing the time that siblings are housed on the same campus will serve families during parent conferences, open houses, school plays and other events.

Although, a transition team has already been formed, due to time constraints of the upcoming school year, the Committee supports the creation of this transition to support the consolidation of the Sandown North and Sandown Central Schools. The Committee also recommends the transition team should include a cross section of stakeholders including, but not limited to parents, staff, students and administration.

A major objective of this team would be to engage the community to look at how to best blend the children, staff and families into a unified school consisting of grades 1-5.

It should be noted, that a separate team or a sub-team may be formed to deal with specific preschool transitions, as this should consist of a wider cross-section of stakeholders from the District, given its affect on the wider District population.

The Committee also recommends that the transition team explore the following questions and needs of the community to develop plans and answers as appropriate.

- A Separate "Open House" for incoming fifth graders transitioning back to Sandown North
- Conduct a welcome back reception for Sandown North and Sandown Central teachers
- Determine how and when changes will be presented to the incoming 5th grade students
- Setup time for the transition team and principals to meet with all students through a forum type setting
- Consider current programs, such as "Monday Morning Meetings" to ensure they are appropriate for all age levels
- Discuss and provide recommendations on 4th and 5th grade traditions, such as student council, school store, lip sync competition, DARE, wacky-water day, ski club, field days, freedom trail, and bridges.

Advantages

- Adequate space in the immediate future
- Increased opportunities for collaboration
- Consistency of elementary model throughout the District
- No mid-elementary transition
- Staff knowledge of students over time
- A transition team would help ensure the smooth transition of staff, students and programs
- Stakeholders would have input into transition issues
- Consistency of class sizes district-wide
- Staffing levels can be adjusted modestly, in line with best educational practice and school board policy
- Projections show adequate classroom space well into future

Challenges

- Grade four students returning to Sandown North will require support during transition
- Grade four students will have an additional transition (back to Sandown North, then to TRMS)
- Larger class sizes, however in line with other district elementary schools
- Teachers must adjust to larger class sizes

Enrollment and Staffing Levels in Supporting Consolidation

Enrollments and Class Size for Preschool through Grade 5

Although the recommendations have been made in the previous section on how to best consolidate Sandown Central and Sandown North, the Committee thought it appropriate to share additional information that was reviewed as part of the considerations and how the Committee arrived at its recommendations. This section shares some of that information and further expands on the consolidation recommendations made in the previous section.

The Committee has reviewed current class sizes and projected enrollments to the year 2025. Current trends show decreasing enrollment until 2019, followed by an increase in enrollments through 2024. NESDEC reports are reasonably valid for 3-5 years. Based on these projections, Sandown North has the physical space to accommodate students for the foreseeable future. The following chart illustrates expected student enrollments for the town of Sandown in grades one through five. The chart excludes Sandown's Kindergarten population, assuming Kindergarten is moved to Sandown Central along with the District's preschool program.

Enrollment figures for this demographic are less predictable due to factors such as full day Kindergarten, private preschool placements, referrals from Early Intervention Services, and parent need for extended day program or daycare.

Three important points should be considered when reviewing this chart. First, the number of teaching staff required for each grade is only considered for the 2015/2016 school year. Teacher assignments beyond the first year of consolidation will be determined by District administration. However, for the purpose of this chart the staff levels were maintained without adjustment for comparison purposes.

Additionally, enrollment does not increase to current levels until 2023/2024, and it should be noted that school enrollment projections are less reliable beyond four years. The District will need to monitor student and staffing levels appropriately and in accordance with District policies.

School Year	Grade Level (Classes/Class Size)															
	G1 Staff		Ratio		G2 Staff		Ratio		G3 Staff		Ratio		G4 Staff		Ratio	
	1:N		1:N		1:N		1:N		1:N		1:N		1:N		1:N	
																Total Students
2015-16	56	3	19	62	3	21	72	4	18	73	3	24	75	4	19	338
2016-17	56	3	19	55	3	18	61	4	15	70	3	23	72	4	18	314
2017-18	58	3	19	57	3	19	55	4	14	60	3	20	69	4	17	299
2018-19	60	3	20	59	3	20	57	4	14	54	3	18	59	4	15	289
2019-20	63	3	21	61	3	20	59	4	15	56	3	19	53	4	13	292
2020-21	65	3	22	64	3	21	61	4	15	58	3	19	55	4	14	303
2021-22	67	3	22	66	3	22	64	4	16	60	3	20	57	4	14	314
2022-23	70	3	23	68	3	23	66	4	17	63	3	21	59	4	15	326
2023-24	72	3	24	71	3	24	68	4	17	65	3	22	62	4	16	338
2024-25	74	3	25	73	3	24	71	4	18	67	3	22	64	4	16	349

2014-15 Class Sizes and Classroom Teacher Staff Levels

Grade 1: 62 students 4 classes	15.5 students per class
Grade 2: 62 students 4 classes	15.5 students per class
Grade 3: 74 students 4 classes	18.5 students per class
Grade 4: 73 students 4 classes	18.3 students per class
Grade 5: 75 students 4 classes	18.7 students per class

Total Sandown Students= 346

Total Classes= 20

Total Classroom Teachers= 20

2015-16 Consolidation Class Sizes and Classroom Teacher Staff Levels

Grade 1:	56 students 3 classes	18.6 students per class
Grade 2:	62 students 3 classes	20.7 students per class
Grade 3:	72 students 4 classes	18 students per class
Grade 4:	73 students 3 classes	24.3 students per class
Grade 5:	75 students 4 classes	18.7 students per class

Total Students= 338 grades 1-5

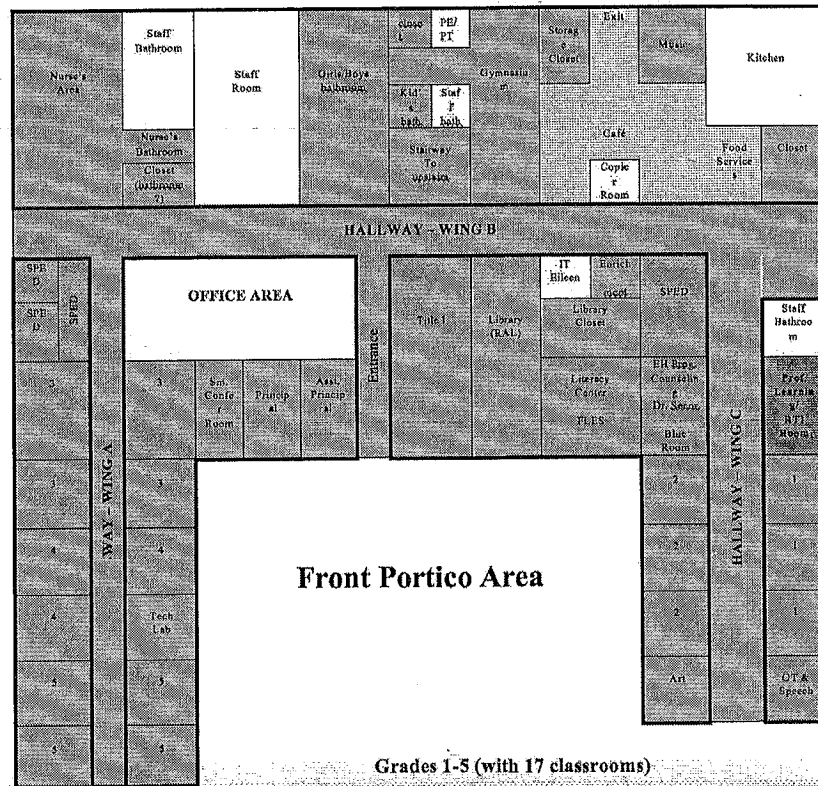
Total Classes= 17

Total Classroom Teachers= 17

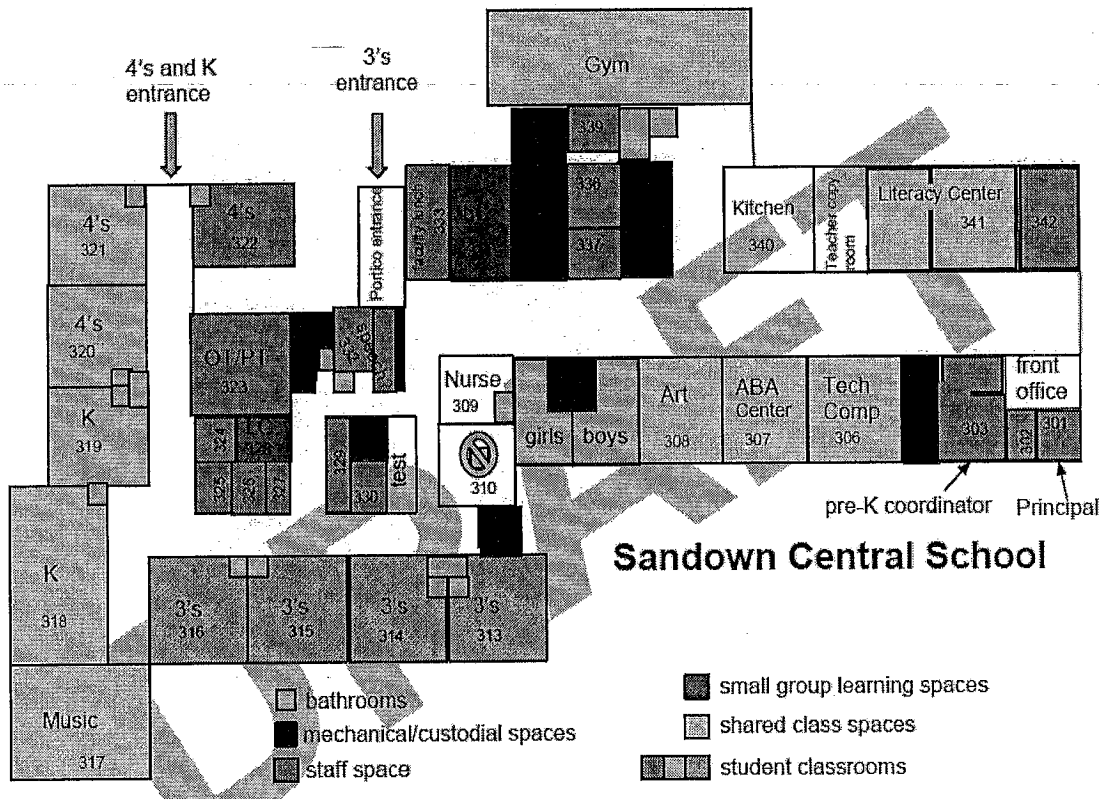
District Enrollment 2015-16

	<u>Atkinson Academy</u>		<u>Pollard School</u>		<u>Danville Elementary</u>		<u>Sandown North</u>	
Grade								
	<i>Per policy</i>		<i>Per policy</i>		<i>Per policy</i>		<i>Per policy</i>	
1	54	3=18	86	5=17.2	43	3=14.3	56	3=18.6
2	56	3=18.6	84	4=21	50	3=16.6	62	3=20.7
3	61	3=20.3	80	4=20	52	3=17.3	72	4=18
4	46	2=23	73	3=24.3	54	3=18	73	3=24.3
5	82	4=20.5	77	4=19.3	28	2=14	75	4=18.7
Total	299	15 classes	400	20 classes	227	14 classes	338	17 classes
Average Gr 1-5	19.9 students per class		20 students per class		16.2 students per class		19.8 students per class	

Proposed Classroom Configuration for Sandown North Elementary School



Proposed Classroom Configuration for Sandown Central Timberlane Learning Center Preschool



Future Facility Considerations

RECOMMENDATIONS:

- ✓ *Evaluate Infrastructure at Sandown North/Central*
- ✓ *Capital Improvement Committee reviews long-term plans for both schools*
- ✓ *Install a fire sprinkler system at Sandown North*

While not a critical need, adding adult bathrooms at Sandown North should be considered and explored, along with expansion of the faculty lounge. The nurse's office in Sandown Central should be evaluated to determine if it meets the needs of the preschool population or will require expansion.

In addition, the District should consider installing one-way glass outside of two preschool classrooms at Sandown Central, for the purpose of allowing parents of prospective enrollees to

observe the programs with minimal disruption to instruction. This would also support staff in the conducting of student observations as part of the special education evaluation process. Should the TRSD High School develop an Early Childhood Education program, the observation windows would prove very useful.

A process for serving lunch to full day Kindergarten students should be developed.

The Committee recommends that the Capital Improvement Committee (CIP) study enrollment projections to inform long-range facility planning. This Committee identified and discussed current space restrictions and challenges, but given that long-term projections lack accuracy, the Committee did not offer a specific recommendation in this area.

The Committee ***strongly*** recommends that a fire suppression and sprinkler system be installed at Sandown North. Currently, the building does not have a fire suppression system, which the Committee sees as a significant safety factor in the event of a fire. This deficiency needs to be addressed immediately.

Advantages

- Minimal facility upgrades to accommodate consolidated programs
- Observation windows would be beneficial on many counts
- All district facilities will be reviewed for long-term objectives and strategies
- Advance notice for district towns to put money into the capital reserve fund
- Less impact on the tax rate for towns
- Sprinkler system provides increased protection for students, staff, and fire department in case of fire
- Increased likelihood of saving the building in case of fire

Challenges

- As with any facilities changes and upgrades, there are associated costs
- Mobilizing the CIP to look at future needs
- Obtaining public support for future large projects
- Prioritizing the needs of each town and school

Consideration of Options for the Use of Sandown Central Facility

The Committee considered a number of options for the utilization of Sandown Central School, including leasing of the space to a K-8 charter school, which had expressed interest in such an

agreement. In addition, the Committee considered retiring the facility, while maintaining minimal utility service so as not to compromise structure and value.

It was determined that leasing Sandown Central School to a charter school would increase traffic in the center of Sandown considerably, as the charter school would not offer bus transportation options for students. Further, there were not sufficient classrooms to accommodate the charter school student enrollments, which may have led to requests to structurally alter the building. Lastly, this option would have prevented the District from using the building to meet future educational needs. After considerable discussion, the Committee determined that leasing the building was not in the best interest of the District due to a lack of acceptable revenue, a possible multi-year lease commitment, and questions about the District's responsibility to continue maintaining the facility

The final option considered by the Committee was to close Sandown Central and maintain minimum utility services to prevent rapid deterioration. It was determined that better options were available.

Specifically, the recommendation to locate the Timberlane Learning Center at Sandown Central would add efficiencies through better utilization of facilities, staff, space, equipment and resources, which would have a positive instructional impact.

Playground and Green Space at Sandown North

RECOMMENDATIONS:

- ✓ ***Construct additional playing fields at Sandown North with the location determined by Director of Facilities and Superintendent***
- ✓ ***Minimum of one acre***
- ✓ ***Install appropriate fencing around portions of the field***

The Committee membership toured the playground at Sandown North School with the Director of Facilities, Jim Hughes, to assess capacity for accommodating students in grades four and five. The playground equipment appeared adequate for younger students. The lack of open field space was evident. Currently, Sandown North School does not have outdoor playing fields for students to use during recess and physical education classes. Sandown Central Principal Doug Rolph, along with parent representatives, agreed that older students prefer field space as opposed to playground equipment for running and organized play. A small playground with equipment is located in the back of the facility but is insufficient for field games. The Committee felt that this area is not adequate for the current student population, would not

meet the needs of the older students soon to be housed there, and is deficient when compared to other district elementary schools.

According to a study performed by Lavallee Brensinger Architects in December 2008, the upper terrace, a fairly flat section of gravel based clearing in front of the school, has the potential for small athletic field development. The Committee rejected this suggestion after considering the logistical and safety complications of locating the field so far away from existing playground space. Jim Hughes directed the group's attention to an area of the campus near the existing playground that could, in his opinion, be used to create additional fields.

As part of the research, Committee members measured the existing outdoor play area at Sandown Central and determined that the total area measures approximately 94,000 square feet, or just over two-acres. The space consists of five distinct areas: swings, gymnastic bars, monkey bars, a slide and a play structure resembling an octopus.

The northeast corner contains a Little League baseball field, which doubles as a kickball and whiffle ball field during recess. This field measures approximately 28,900 square feet, or just over two thirds of an acre. An open area in the middle of the field functions as a space for games such as tag, soccer, and tag football. This area is approximately a quarter of an acre. The south-end of the play area consists of a small baseball field, play structure, swings, and monkey bars.

The following image shows Sandown Central's current playing field layout as described to provide visual comparison.



Sandown Central Field Measurements

Advantages

- Quality of playground equipment at Sandown North is appropriate for current students
- Expand physical education curriculum to include outdoor activities
- Students would not have to travel off site for field day
- Preschool program does not require immediate renovation of Sandown Central playground
- Opportunity for expanded community use for fields
- Adequate outdoor space for physical activity promotes a healthier lifestyle

Challenges

- Installing general purpose field of at least one acre
- Topography constraints at Sandown North location
- Lack of playground equipment in sufficient quantity to support preferred student activities
- Insufficient number of swings at correct height for older students

Student Playground Activities Survey and Results

4th and 5th grade students at Sandown Central elementary participated in an anonymous survey on April 9th – 10th, 2015 which was designed to gather information regarding the types of preferred activities during recess, as well as usage of the existing playground equipment.

A sample survey may be found in Appendix A

Unsolicited maps of a potential multi-use outdoor play areas created by Sandown Central students, can be seen in Appendix B

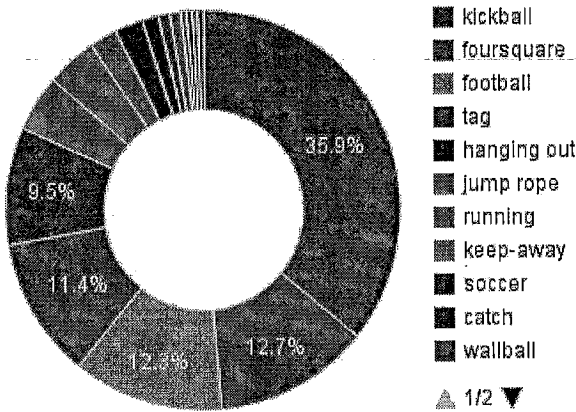
The results of the survey show a clear preference for field-type activities that require open space. Three of the top four activities that do not involve playground equipment require open field space of a minimum size, as well as permissive rules that allow running.

The survey found that nearly three-quarters of the students who participated in the survey do use some of the existing playground equipment at Sandown Central Elementary. Those surveyed indicated a strong preference for the swings, zip lines, monkey bars, octopus, and slides.

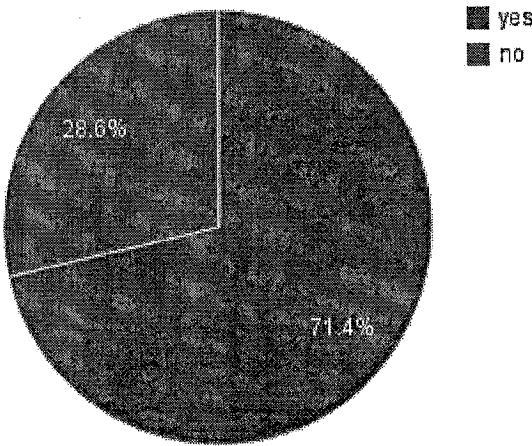
Of those students who indicated that they do not use the existing playground equipment, the large majority cited a preference for field activities as the primary reason for not using the playground equipment.

The following charts summarize the results of the student survey:

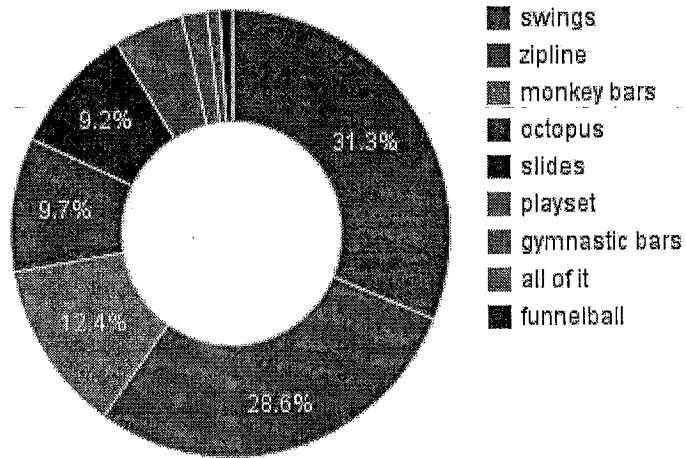
Non-Equipment Activities



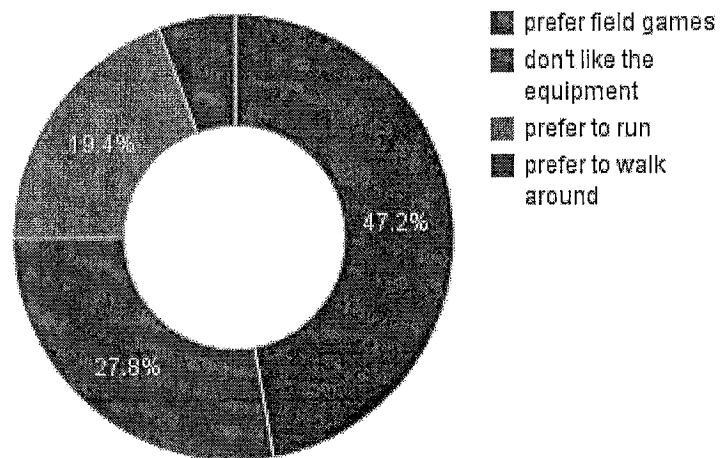
Students Who Use the Playground Equipment



Preferred Playground Equipment



Reasons to Not Use Playground Equipment



Bus Transportation for Students

RECOMMENDATIONS:

- ✓ *District Transportation Coordinator and Administration will explore most efficient routes in order to reduce travel time for students*
- ✓ *Review traffic flow on Greenough and Danville Rds. to ensure timely arrival of busses to Sandown from TRHS and TRMS*

At this time it appears that the District will be able to consolidate bus routes in Sandown for elementary students, thereby reducing the travel time to both schools. This is another example of how the District can operate more efficiently. The Committee discussed involving the District's transportation coordinator, preschool coordinator, special education administration and Principals to coordinate all aspects of transportation, including, but not limited to start and end times for both schools and problematic traffic patterns district-wide that could impact travel time.

Bus routes and travel times will be determined once enrollments have been established for the 2015-16 instructional year. The goal is to keep travel time to a minimum for all students. No change or disruption in preschool special education bus transportation is anticipated.

Advantages:

- Consolidation of bus routes results in shorter commute for students.
- Travel time for preschool program shortened for Sandown and Danville students

Challenges:

- Longer commute for preschool students from Atkinson and Plaistow

Traffic and Parking

RECOMMENDATIONS:

- ✓ *District and Town Officials collaborate on opening emergency access road from Sandown North, for busses only*
- ✓ *Evaluate traffic flow patterns to reduce congestion at drop-off and pick-up times*

Parking at Sandown North

The Committee reviewed the parking capacity at Sandown North Elementary School and examined the parking lots during the facility tour. Currently there are a total of 89 regular parking spaces and four handicapped parking spaces. There are 31 parking spaces in the front of the building and 58 parking spaces in the rear of the building. The Committee has determined, based on the recommendations made within this document, that the current number of spaces is adequate to meet the parking needs of staff and a moderate number of visitors to the school.

Traffic at Sandown North

The Committee discussed the concerns of the community regarding the drop off and pick up of students. The following was noted:

- Daily drop-off and pick-up has historically been difficult due to high number of parents opting to drive their children instead of utilizing bus transportation
- Possible increase in traffic, as kindergarten and preschool parents will be replaced by grades four and five parents
- It was suggested that representatives from the District should explore the possibility of utilizing the access road that is currently only open for emergencies

Advantages

- Access road ensures safety of students and staff in case of emergency
- Easier access for fire, police and ambulance in case of emergency
- More efficient traffic flow and faster drop-off and pick-up

Challenges

- Sandown town officials have been hesitant to open access road in the past
- Abutting property owners would be affected by increased traffic
- Playground could interfere with parking and traffic flow
- Opening access road will be a multi-step process involving various town agencies

Technology Readiness

RECOMMENDATIONS:

✓ *None at this time*

Both Sandown Central and Sandown North are equipped with building-wide gigabit (1,000 Mbps) Ethernet, five-ports per classroom. In addition, both schools are already established nodes on the District's MPLS wide area network.

To support the expected Internet traffic that is anticipated at Sandown North, the Comcast broadband service will be upgraded to 50 Mbps Business Class. This will occur this summer and be completed for the start of the 2015-16 school year.

The current wireless connectivity resources at Sandown North are expected to sufficiently handle the potential load increase. The District does, however, have the ability to add additional access points if needed.

Current computer equipment will "follow the grade levels" as needed. If the computers that are already in classrooms are sufficient for the incoming grade level that may minimize some of the moving requirements. New computers ordered for 2015-16 will be shipped to their new locations.

No change is needed for Technology Specialist support coverage. Currently that is one person who is at Sandown North for three days a week, and at Sandown Central for two days a week. There is flexibility with this schedule if specific project needs warrant it.

Impact on Professional Staff

Recommendations:

- ✓ *The administration and TTA (Timberlane Teachers' Association) should work to ensure, where possible, continuity in building representation from the TTA as well as actively encourage increase in dialog*
- ✓ *TTA Leadership should increase interaction and assistance with building representatives to ensure smooth transition and dialog*
- ✓ *TTA Leadership will consider a temporary special appointment of one additional representative per building to increase representation during transition*
- ✓ *To promote respect and support of the faculty and staff at both schools, full disclosure of this plan should be given to them at the absolute earliest opportunity*

For Sandown North the consolidation of grades one through five will be the merging of two separate and distinct groups. In many respects Sandown Central is being designed as a new school. For staff being reassigned to new buildings, some aspects will resemble a first year teaching situation, as they learn to work in a new building and under new supervision.

The two buildings in transition will likely have elevated levels of professional and administrative concerns. Representations of building personnel or professional concerns are usually brought forward with assistance by TTA building representatives.

Advantages:

- The restructuring of staff and schools could allow a reexamination of and reassessment of Administration/building practices and communications that can allow for greater levels of effectiveness.
- The opportunity exists to establish stronger collaboration with professional building representation.

Challenges:

- As two distinct staffs come together, opportunities for team-building and intentional collaboration will need to be designed to ensure that the transition is seamless for all.

**THIS IS THE END OF THE CONSOLIDATION COMMITTEES
RECOMMENDATIONS**

Appendices

Appendix A – Sample Student Playing Field Survey

Sandown Central Playground Survey 4-5

Dear students,

Please take the time to complete this survey about what you like to do during recess.

1. What activities do you like to do during outdoor recess?

2. Do you play on any of the playground equipment?

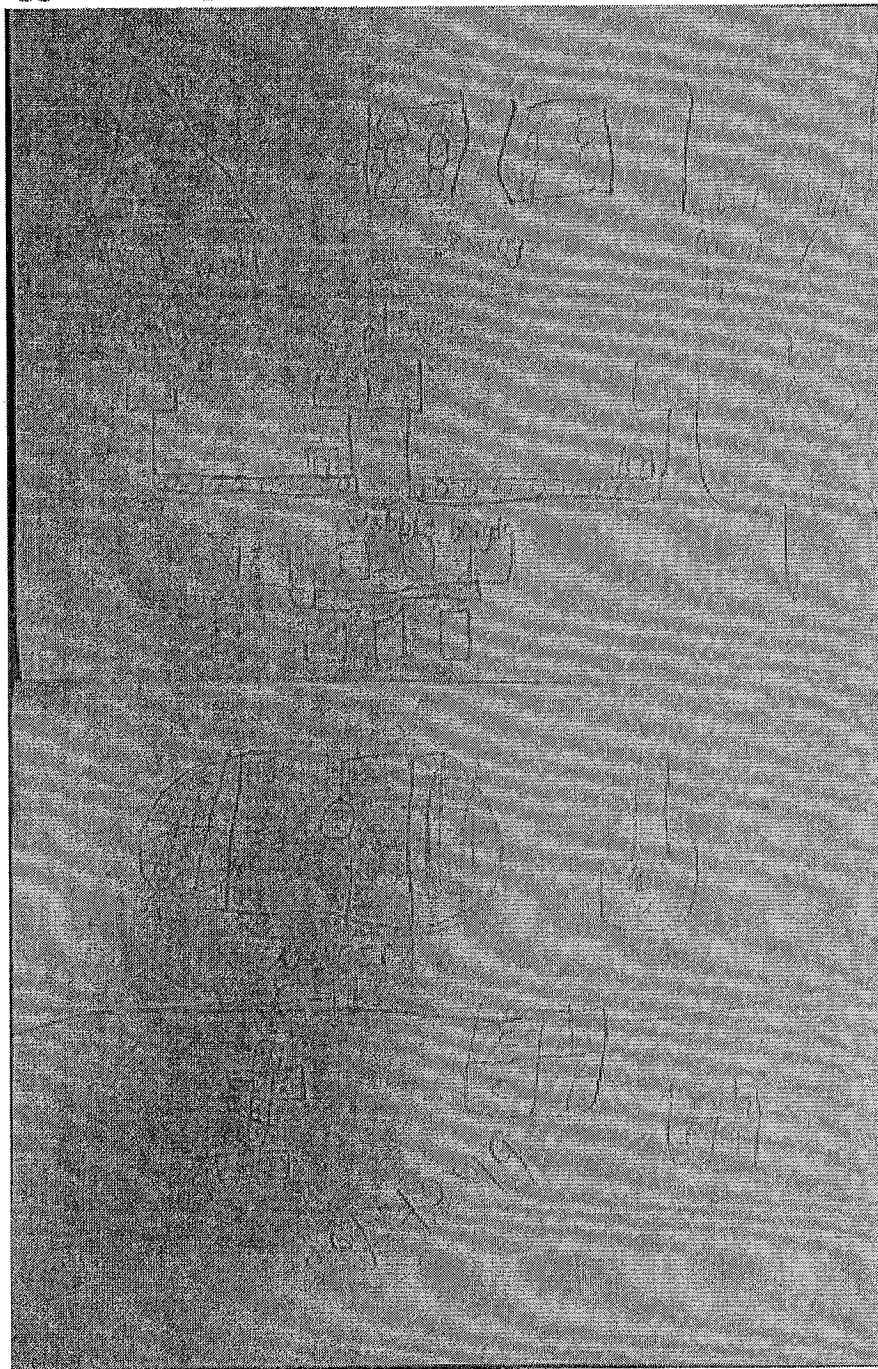
- Yes
- No

3. What playground equipment do you like to play on?

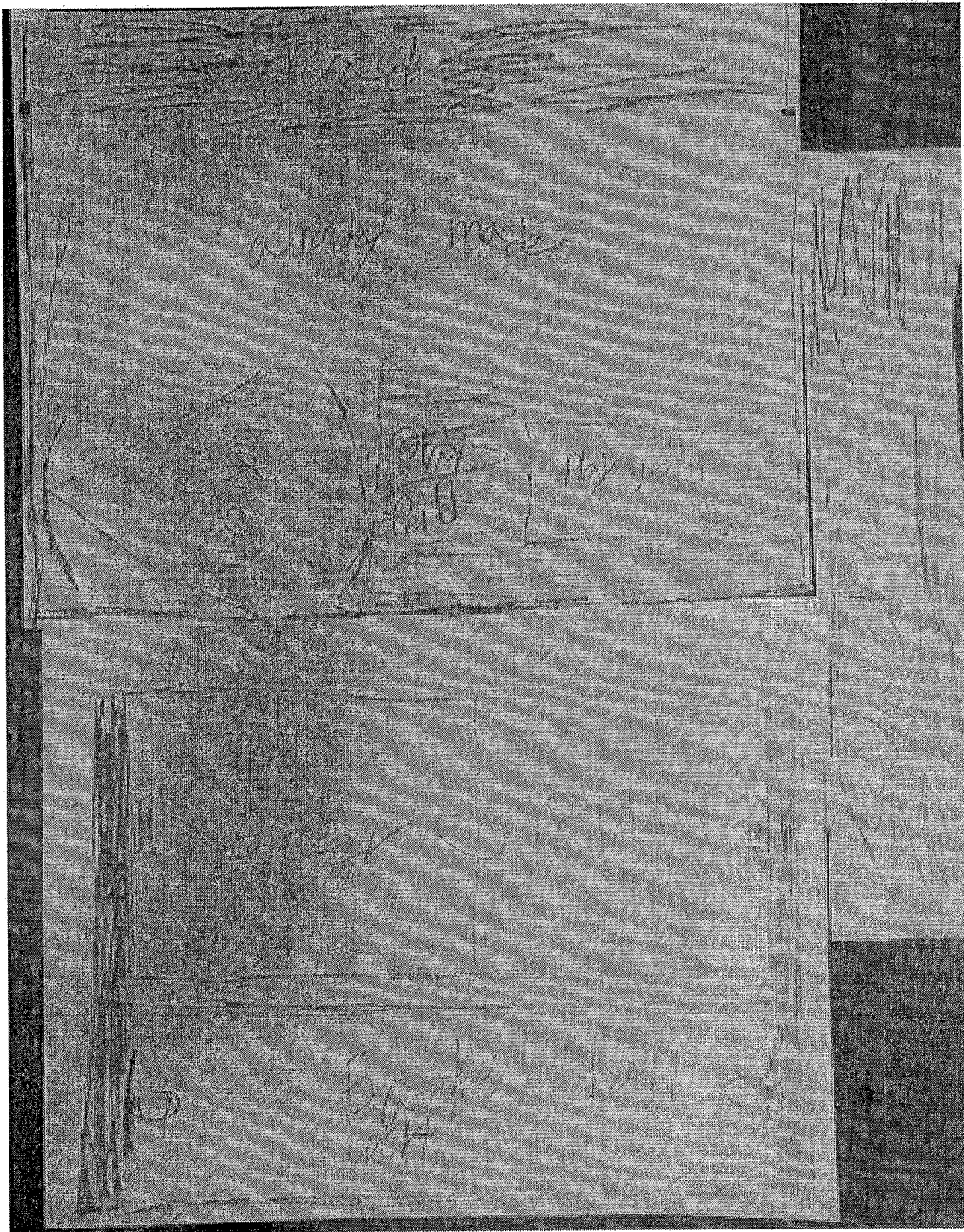
4. If you don't play on any of the playground equipment, why not?

Appendix B – Student Suggested Maps for Multi-Purpose Play Area

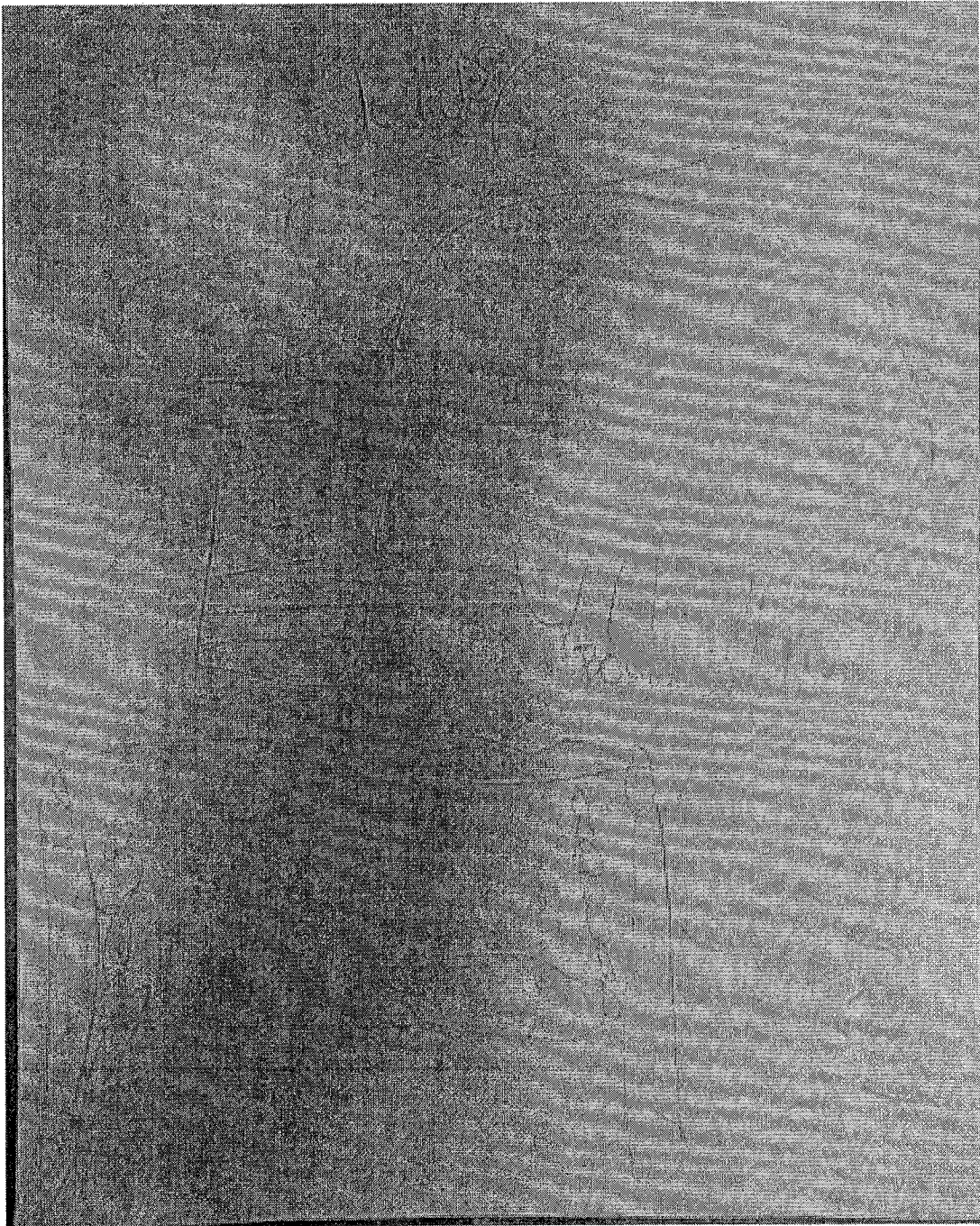
Student Suggested Map 1

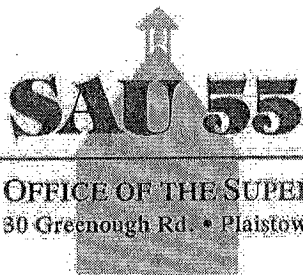


Student Suggested Map 2



Student Suggested Map 3





N.H. School Administrative Unit 55

OFFICE OF THE SUPERINTENDENT OF SCHOOLS
30 Greenough Rd. • Plaistow, NH 03865 603/382-6119
Fax 603/382-3334

Serving The
Timberlane Regional School District
Hampstead School District

SENT VIA EMAIL

June 8, 2015

Timothy Carney, Administrator
Bureau of School Safety and Facility Management
NH Department of Education
101 Pleasant Street
Concord, NH 03301
Timothy.carney@doe.nh.gov

REFERENCE: **SCHOOL STATUS CHANGES FOR TIMBERLANE**

Dear Mr. Carney:

Please find attached the school status change forms that reflect the consolidation of the two Sandown elementary schools (Sandown grades 1-5 at Sandown North, Sandown PK and kindergarten at Sandown Central, and the Timberlane Early Learning Center moved from Pollard School to Sandown Central) along with the approved school board minutes authorizing these changes effective the 2015-16 school year. It is noted that each of our elementary schools (except Sandown North) will continue to house their typical preschools; however, the district-wide preschool program for students requiring special services will relocate to Sandown Central.

Ms. Deb Armfield is available to answer any questions you might have about these changes at 382-6119 ext 2228 or debra.armfield@timberlane.net.

Sincerely,


Catherine Belcher
Executive Assistant

Cc: Dr. Fillion

EXHIBIT D

From: "nancysteenson" <nancysteenson@comcast.net>
Date: March 24, 2015 at 8:54:45 PM EDT
To: "'Cathleen Gorman'" <cgormanconsulting@yahoo.com>
Subject: RE: Consolidation Committee and the RTK

Mrs. Gorman,

I will do my best to clear up what appears to be a misunderstanding. The School Board has many board committees, which are held in public, and which, under certain circumstances, go into nonpublic. The Sandown Central Consolidation Committee is *not* a board committee; it is a committee established and appointed by Dr. Metzler. It does not meet in public, and as a superintendent-established committee meeting, is not subject to the public meeting provisions.

I hope this helps.

Nancy Steenson
Chair

TRSB

From: Cathleen Gorman [mailto:cgormanconsulting@yahoo.com]

Sent: Monday, March 23, 2015 1:28 PM

To: nancysteenson@comcast.net

Cc: pbealo@comcast.net; richard.blair@timberlane.net; Donna Green; Rob Collins; Gregory Spero; Susan Sherman; Kelly Ward; Jack Sapia

Subject: Consolidation Committee and the RTK

Dear Mrs Steenson,

The Superintendent stated the Sandown Central consolidation committee is not subject to the RTK based on his lawyer's opinion.

Please provide the cost to the district for this lawyer's opinion.

Please provide the RSA and SB policy that allows a district employee to conduct business on behalf of the district in non-public and allows this district business to be exempt to the right to know law.

Please note the SB policy CE allows the Superintendent to form a committee. Recommendations of that committee must be brought before the SB for final decision/vote; these committees exercise no inherent authority. The SB is ultimately responsible for decisions made based on the "recommendations" of the consolidation committee:

ADMINISTRATIVE COUNCILS, CABINETS, AND COMMITTEES

The Board authorizes the Superintendent to establish such permanent or temporary councils, cabinets, and committees, as he/she deems necessary for proper **administration of Board policies and for the improvement of the total educational program.**

All councils, cabinets, and committees created by the Superintendent will be for the purpose of obtaining to a maximum degree the advice and counsel of district staff, students, and district residents and to aid in district communication. Functioning in an advisory capacity, **such groups may make recommendations for submission to the Board through the Superintendent.** However, such groups will exercise no inherent authority. Authority for establishing policy remains with the Board and authority for implementing policy remains with the Superintendent.

91-A:3 Nonpublic Sessions. –

I. (a) Public bodies shall not meet in nonpublic session, except for one of the purposes set out in paragraph II. No session at which evidence, information, or testimony in any form is received shall be closed to the public, except as provided in paragraph II. No public body may enter nonpublic session, except pursuant to a motion properly made and seconded.

(b) Any motion to enter nonpublic session shall state on its face the specific exemption under paragraph II which is relied upon as foundation for the nonpublic session. The vote on any such motion shall be by roll call, and shall require the affirmative vote of the majority of members present.

(c) All discussions held and decisions made during nonpublic session shall be confined to the matters set out in the motion.

II. Only the following matters shall be considered or acted upon in nonpublic session:

<http://www.gencourt.state.nh.us/rsa/html/VI/91-A/91-A-3.htm>

I appreciate your time. I also appreciate you stating, during the last SB meeting, that you respond to all emails queries sent to the SB as the SB chair. Please also enter this in the SB correspondence folder along with your response.

Thank You

Kind regards,

Cathleen Gorman

EXHIBIT E

From: "Metzler, Earl" <Earl.Metzler@timberlane.net>
Date: May 6, 2015 at 10:34:11 PM EDT
To: Cindy Bucu <cindybucu@yahoo.com>
Cc: Nancy Steenson <nancysteenson@comcast.net>, "Armfield, Debra" <Debra.Armfield@timberlane.net>, Lynne Blaisdell <lblaisdell@sandown.us>, Shawn Freligh <shawn@zivoice.com>
Subject: Re: Follow up on Advisory Committee

Ms. Bucu and all - The RSA does not apply. A Mayor is an elected official...not appointed. The report is scheduled to be completed and shared with me for consideration on 5/20. I will be taking the SCC recommendations into consideration and making my recommendation to the SB on 5/21. So, you are misinformed about the process and the timing. Please feel free to contact me directly if you have questions.

Respectfully,

Dr. Earl F. Metzler II

On May 5, 2015, at 3:03 PM, Cindy Bucu <cindybucu@yahoo.com> wrote:

Dear Ms. Steenson:

Under NH RSA 91-A any advisory committee that is involved in governmental programs is

subject to the Right-to-Know law. See *Bradbury v. Shaw*, 116 NH 388 (1976).

law.justia.com/cases/new-hampshire/supreme-court/1976/7289-0.html.

Also, Kelly Ward wrote the following in an email to the Sandown BOS on April 24, (three days after the last meeting of the consolidation committee so his assertion could not be tested):

"Finally, all of the meetings were held in public. At no time was there a vote taken to keep them non-public. The public was always welcome to attend as well as all documents created were made public."

Given the law and a statement made by a committee member, I am asking you to forward the report of the consolidation committee that was submitted to Dr. Metzler to me within the next business day.

Thank you for your attention to this important matter. Time is of the essence, as is your compliance with the law.

Cindy

EXHIBIT F

NOTE: When feasible, TRSB meetings are videotaped. These meeting minutes reflect only a basic summary of the meeting topics, discussion and action. Details of this meeting may be viewed by accessing the online Vimeo at: <https://vimeo.com/album/255898/video/128619784>

Materials presented at the board meeting may be viewed at:

<https://public.timberlane.net/sau/trsb/Shared%20Documents/Forms/AllItems.aspx?RootFolder=%2fsau%2ftrsb%2fShared%20Documents%2fSCHOOL%20BOARD%20MEETING%20AGENDA%20MATERIALS%2f2014%2d15%2f05%2021%202015&FolderCTID=%7b8B0F59BE%2dD93D%2d4E49%2d9509%2dA6F7531FCCAB%7d>

TIMBERLANE REGIONAL SCHOOL BOARD
Atkinson, Danville, Plaistow, Sandown
New Hampshire

Regular Meeting

May 21, 2015

7:30 PM

SAU 55 Office
30 Greenough Road
Plaistow, NH

Call to Order

Madam Chair Steenson called this May 21, 2015 public meeting of the Timberlane Regional School Board to order at 7:30 PM. Roll call was taken.

Board Members Present: Mr. Bealo, Mr. Blair, Mr. Collins, Mrs. Green, Mr. Sapia, Mrs. Sherman, Mr. Spero, Mrs. Steenson, Mr. Ward and student representative Lucas Appleton.

Administrators Present

Dr. Metzler, Superintendent of Schools

Mr. Stokinger, Business Administrator

Mrs. Armfield, Executive Director of Curriculum, Assessment and Professional Learning

Mrs. Allaire, Academic Dean of Arts and Humanities

Ms. Auger, Principal of Pollard School

Mrs. Dayotis, Principal of Atkinson Academy

Mrs. Georgian, Principal of Sandown North Elementary

Mr. Holland, Director of Technology

Mrs. McKechnie, Director of Preschool

Ms. Pereira, District Trainer

Mrs. Rincon, Director of Special Education

Mr. Rolph, Principal of Sandown Central

Mr. Strange, Director of Alternative and Continuing Education and Enrichment

Mrs. Widman, Assistant Principal of Academics at TRHS

Mr. Woodworth, Principal of TRHS

Pledge of Allegiance

Madam Chair Steenson led the assembly in the Pledge of Allegiance.

Minutes (00:02:00)

The minutes for the May 7, 2015 regular and non-public meeting minutes were approved with changes by general consent.

Delegates and Individuals (00:05:40)

Lucas Appleton expressed the support of students for the Fatal Reality demonstration that has occurred the morning of the high school prom for many years. He understood the coordination of the event this year was not possible. He supports the program in future years noting it is an impacting presentation for students to see their peers enacting this type of tragedy. Mr. Woodworth explained that the demonstration was cancelled last minute due to unforeseen circumstances related to fire personnel availability.

Philip Consentino from Atkinson read a letter from the Town of Atkinson Board of Selectman in support of Danville's request for information to assist in the study of impact fees and encourages the board to provide the

NOTE: When feasible, TRSB meetings are videotaped. These meeting minutes reflect only a basic summary of the meeting topics, discussion and action. Details of this meeting may be viewed by accessing the online Vimeo at: <https://vimeo.com/album/255898/video/128619784>

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school on Friday, April 22.

Motion: Mr. Blair motioned to approve the 2015-2016 trip to Spain with students excused from school on April 22, 2016. Mr. Collins seconded. With no further discussion the motion passed by a vote of 8-0-1 (Mrs. Green abstained).

Student Information Request (00:49:25)

Eddie Mencis and Ed Brown of Sandown informed the board they will also be seeking information for the Town of Sandown to conduct an impact fee study.

Danville Board of Selectmen, Dr. Farah and Mr. O'Neil, along with Bruce Mulberry of BCM Planning, LLC presented their plea to have the board release student address information for the study of the impact fees in Danville. The discussion highlighted the information was provided for the previous study in 2002 but, with the revisions of FERPA laws and board's policies, the information is now considered protected and against policy to release. The concerns regarding the security of the computer system receiving and the retention of the data while under another's control was discussed at length. The board discussed options for parental consent regarding the release of this data.

Motion: Mr. Bealo motioned to approve working in cooperation with towns in the dissemination of a survey to parents regarding the "opt in" for information to aid the town in updating their impact fees should they desire the information. Mr. Ward seconded. With no further discussion the motion passed by a vote 6-1-2 (Mrs. Green Opposed, Mr. Spero and Mr. Sapia abstained). It was noted that the Town of Danville formally requested the survey be performed.

Sandown Consolidation Recommendation (1:44:35)

Committee members Ms. Armfield, Mr. Lee Dube and Mrs. Rincon presented on behalf of the Superintendent recommendations for the Sandown Elementary School Consolidation. Mr. Dube thanked the following committee members:

Co-chairs: Shawn Freligh, Sandown Resident

Debra Armfield, Executive Director of Curriculum, Assessment and Professional Learning PK-12

Members: Dr. Roxanne Wilson, Assistant Superintendent of Schools

George Stokinger, Business Administrator SAU 55

Erich Beyrent, Sandown Resident

Lou Broad, Teacher, TTA President

Kelly Ward, School Board Member and Sandown Resident

Lee Dube, Budget Committee Member

Jon Goldman, Sandown Selectman

Susan Rasicot, Director of Student Services

Beth Rincon, Director of Special Education

Scott Strainge, Director of Alternative/Continuing Education, and Enrichment

Nancy Danahy, Director of Human Resources

Deb Lytle, Sandown Parent

Sheila Lowes, Sandown Parent

John Holland, Director of Technology

Doug Rolph, Principal, Sandown Central

Mary Youngblood, Literacy Specialist, Sandown Central

Jo-Ann Georgian, Principal, Sandown North

Patrice Liff, Assistant Principal/ Curriculum Coordinator, Sandown North

Mr. Dube then reviewed the charge and mission of the committee. He outlined the timeline, areas of focus and

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Materials presented at the board meeting may be viewed at:

<https://public.timberlane.net/sau/trsb/Shared%20Documents/Forms/AllItems.aspx?RootFolder=%2fsau%2ftrsb%2fShared%20Documents%2fSCHOOL%20BOARD%20MEETING%20AGENDA%20MATERIALS%2f2014%2d15%2f05%2021%202015&FolderCTID=%2dD93D%2d4E49%2d9509%2dA6F7531FCCAB%7d>

recommendations from the committee.

- Relocate and consolidate the district-wide Timberlane Learning Center Preschool Program and Early Learning Environment to Sandown Central
- Relocate all Sandown North Kindergarten classes to Sandown Central School
- House grades 1 - 5 at Sandown North Elementary School
- Create a Transition Committee to Support the consolidation

Mr. Stokinger reported on the financial consideration of the recommendations Mrs. Rincon outlined the positive impact this change would create

The board discussed student transportation, kindergarten, the need to seek community involvement if future larger projects arose concerning these schools, access road and fields.

Motion: Mr. Collins motioned to approve the consolidation of the Sandown Schools and the relocation of the district-wide Timberlane Learning Center Preschool program to Sandown Central School as well as Sandown North Kindergarten classes to Sandown Central School (housing grades 1-5 at Sandown North Elementary School) and to create a transition team to support this consolidation plan. Mrs. Sherman seconded.

Motion to Amend: Mrs. Sherman motioned to amend by including establishing an early learning environment at Pollard School. Mr. Collins seconded. With no further discussion the motion to amend passed by unanimous vote 9-0-0.

With no further discussion the motion as amended passed by unanimous vote 9-0-0.

Social Studies Curriculum (03:00:57)

Ms. Armfield, Ms. Pereira and Mrs. Allaire presented the second reading on social studies curriculum.

Motion: Mr. Collins motioned to approve the Social Studies Curriculum for a second reading and adoption. Mrs. Sherman seconded. With no further discussion the motion passed by unanimous vote of 6-0-0 (Mrs. Green, Mr. Spero and Mrs. Steenson were not present for the vote).

English Language Arts Curriculum (03:02:27)

Ms. Pereira and Mrs. Allaire presented the English Language Arts Curriculum for a first reading.

Motion: Mr. Collins motioned to approve the English Language Arts Curriculum for a first reading. Mrs. Sherman seconded. With no further discussion the motion passed by a unanimous vote of 9-0-0.

Notice of Intent to Negotiate (03:10:27)

Mr. Broad noted the Timberlane Teachers Association AFT-NH has sent a formal request to enter into negotiations with the board.

Motion: Mrs. Sherman motioned to accept the notification of the intent to negotiate. Mr. Blair seconded. With no further discussion the motion passed by a unanimous vote of 9-0-0.

Policies (03:14:38)

Mr. Bealo presented the following policies for first reading:

- BCA ETHICS POLICY STATEMENT
- BEDH PARTICIPATION AT SCHOOL BOARD MEETING (and BEDH-X FORM)
- BGF SUSPENSION OF POLICIES

RK-S

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- **FB FACILITIES PLANNING**

Motion: Mr. Collins motioned to approve policies.

- **BCA ETHICS POLICY STATEMENT**
- **BEDH PARTICIPATION AT SCHOOL BOARD MEETING (and BEDH-X FORM)**
- **BGF SUSPENSION OF POLICIES**
- **FB FACILITIES PLANNING**

Mrs. Sherman seconded the motion. Discussion ensued.

Motion to amend: Mr. Collins motioned to amend by excluding policy BGF Suspension of Policies. Mr. Bealo seconded the motion. With no further discussion the motion to amend passed by unanimous vote of 9-0-0.

With no further discussion the amended motion passed by a vote of 8-1-0 (Mrs. Green opposed).

Federal Funding Authorization (03:19:50)

Dr. Metzler requested the board authorize the Superintendent, the Assistant Superintendent, the Business Administrator and the Assistant Business Administrator to apply for and received on behalf of the school district federal and state grants/funding.

Motion: Mrs. Sherman motioned to authorize Dr. Metzler, Dr. Wilson, George Stokinger and Kathleen Smith to apply for and receive on behalf of the district federal and state grants and funding and to file such authorization with the NH Department of Education. Mr. Collins seconded the motion. With no further discussion the motion passed by a vote of 8-1-0 (Mrs. Green opposed).

Suspension Authorization (03:22:18)

Dr. Metzler requested the board's authorization to suspend students beyond 10 days as provided in RSA 193:13.

Motion: Mr. Bealo motioned to authorize the Superintendent or his designee to continue the suspension of a student for a period in excess of ten school days as provided for in RSA 193:13 (b). Mr. Sapia seconded the motion. With no further discussion the motion passed by a vote of 8-1-0 (Mrs. Green opposed).

School Board Goals (03:24:00)

Madam Chair Steenson reviewed the school board goals as submitted by board members. The board discussed each goal resulting in Madam Chair's offer to organize and present them to the board for final review and approval at the next board meeting. Dr. Metzler offered board members to send him their thoughts on goals they would like to see him address in the 2015-16 school year.

Mrs. Green exited the meeting (03:36:10).

Administrators Report (03:47:00)

Dr. Metzler reported on the establishment of the Grant Management Team to be chaired by Mr. Strainge with a representative from each school for membership. He then reported on the schedule for the active shooters drill at Atkinson Academy and the finalization of the Whitson's contract to be forwarded to the Department of Education for approval. Once the contract and food service program is approved, the contract will be signed and filed with the state.

Personnel Report (03:51:05)

Dr. Metzler recommended accepting the resignation of:

- **Margaret Goss TRMS Science teacher**

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Motion: Mr. Blair motioned to accept the resignation of Margaret Goss. Mr. Bealo seconded the motion. With no further discussion the motion passed by a unanimous vote of 8-0-0.

Dr. Metzler recommended accepting the nomination of:

- James Shivell TRHS Mathematics Teacher

Motion: Mr. Sapia motioned to approve the nomination of James Shivell. Mr. Ward seconded the motion. With no further discussion the motion passed by a unanimous vote of 8-0-0.

Dr. Metzler recommended approving the administrators as presented for the 2015-2016 school year as well as a one-year leave of absence for Amy Champion, TRMS Social Studies teacher.

Motion: Mr. Ward motioned to approve the administrators as presented for the 2015-2016 school year and the one-year leave of absence of Amy Champion. Mr. Bealo seconded the motion. With no further discussion the motion passed by a unanimous vote of 8-0-0.

Committee Reports (03:53:15)

Mrs. Sherman attended the Wellness Committee; Mr. Collins attended the Capital Improvement and Community Relations committees. Mr. Ward attended the Withdrawal Study Committee along with Mr. Collins, Mr. Blair and Mr. Sapia. Madam Chair Steenson attended the Curriculum and Assessment and the Facilities Committee meetings.

Reports of the School Board (03:58:59)

Mr. Sapia noted the school board workshop was a valuable meeting and Mrs. Sherman thanked the SAU Chair for the leadership during the meetings.

Correspondence (04:00:26)

All board members were presented the correspondence received since the last board meeting.

Vendor and Payroll (04:00:27)

Vendor and payroll registers were signed by the board.

Other Business (04:00:33)

Motion: Mrs. Steenson motioned to go into a non-public session under 91-A:3 Paragraph II (c) matters which, if discussed in public, would likely affect adversely the reputation of any person. Mr. Collins seconded. With no further discussion the board was polled:

- Mr. Bealo Yes
- Mr. Blair Yes
- Mr. Collins Yes
- Mr. Sapia Yes
- Mrs. Sherman Yes
- Mr. Spero Yes
- Mrs. Steenson Yes
- Mr. Ward Yes

The board entered into a non-public session at 11:32 PM.

The board was polled to exit the non-public:

- Mr. Bealo Yes

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Materials presented at the board meeting may be viewed at:

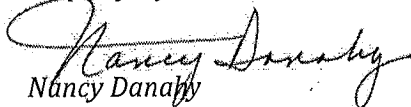
<https://public.timberlane.net/sau/trsb/Shared%20Documents/Forms/AllItems.aspx?RootFolder=%2fsau%2ftrsb%2fShared%20Documents%2fSCHOOL%20BOARD%20MEETING%20AGENDA%20MATERIALS%2f2014%2d15%2f05%2021%202015&FolderCTID=%2d93D%2d4E49%2d9509%2dA6F7531FCCAB%7d>

- Mr. Blair Yes
- Mr. Collins Yes
- Mr. Sapia Yes
- Mrs. Sherman Yes
- Mr. Spero Yes
- Mrs. Steenson Yes
- Mr. Ward Yes

The board exited the non-public session at 11:48 pm. No action was taken in the non-public session.

With no further business Madam Chair Steenson adjourned the meeting at 11:49 pm.

Respectfully submitted,


Nancy Danahy
School Board Clerk

STUDENT ACTIVITIES - 1410		\$7,700.00		
100.2122.112.26.11.1.00000	Salary-Guidance	\$85,899.55	\$85,899.55	\$23,064.84
100.2122.610.26.11.1.00000	Supplies-Guidance	\$1,049.00		
100.2122.640.26.11.1.00000	Books & Periodicals-Guidance	\$210.00		
GUIDANCE - 2122		\$87,158.55	\$85,899.55	\$23,064.84
100.2134.113.44.11.1.00000	Salary-Nurses	\$58,502.70	\$58,502.70	\$20,475.96
HEALTH SERVICES - 2134		\$58,502.70	\$58,502.70	\$20,475.96
100.2213.320.06.11.1.00000	Building In-Service	\$2,200.00		
PROFESSIONAL IMPROVEMENT - 2213		\$2,200.00		
100.2222.1	<p>Note: This is a copy and past from draft 2 budget as presented by the SAU. All highlighted line items were \$0.00'd out by the SAU to account for the ~ \$744K in savings to the district.</p>			
100.2222.1				
100.2222.6				
100.2222.6				
100.2222.6				
			\$	0.00
100.2223.610.05.11.1.00000	A/V Supplies	\$100.00		
100.2223.640.05.11.1.00000	Audio Visual	\$789.00		
100.2223.733.05.11.1.00000	Av - New Equipment	\$0.00		
100.2223.737.05.11.1.00000	Av - Replace Equip	\$0.00		
AUDIO VISUAL - 2223		\$889.00		
100.2410.111.05.11.1.00000	Sal-Principals	\$105,060.00	\$105,060.00	\$36,771.00
100.2410.115.05.11.1.00000	Sal-Secretaries-Admin Elem.	\$41,588.40	\$41,588.40	\$14,555.24
100.2410.531.01.11.1.00000	Telephones/Comm	\$17,795.11	\$17,795.11	
100.2410.610.25.11.1.00000	Supplies-Gen. Elem.	\$3,200.00	\$3,200.00	
100.2410.640.25.11.1.00000	Books-Gen. Elem.	\$500.00	\$500.00	
100.2410.737.25.11.1.00000	Print Off Replace Eqp-Gen. Elem.	\$0.00	\$0.00	
OFFICE OF THE PRINCIPAL - 2410		\$168,142.51	\$168,142.51	\$51,326.24

**Timberlane Regional School District
Sandown Central Budget Review - Cost Savings if Building Closed**

<u>Account</u>	<u>Description</u>	<u>2016 Proposed Budget</u>	<u>Potential Savings</u>	<u>Benefits @ 35.00%</u>
100.2490.112.11.11.1.00000	Computer Coordinator-Technology	\$500.00	\$500.00	
OTHER SERVICES,SCHOOL ADMINISTRATION - 2490		\$500.00	\$500.00	
100.2620.116.12.11.1.00000	Salaries-Custodians	\$92,601.60	\$92,601.60	\$32,410.56
100.2620.610.01.11.1.00000	Custodial/Maint Supplies	\$1,100.00	\$1,100.00	
100.2620.622.12.11.1.00000	Electric-Sand Cent	\$34200.00	\$20,520.00	
100.2620.624.12.11.1.00000	Fuel Oil-SC	\$45240.00	\$27,144.00	
OPERATING BUILDINGS SERVICES - 2620		\$93,701.60	\$141,365.60	\$32,410.56
100.2725.519.25.11.1.00000	Field Trip/Cocurricular Trans.	\$1,184.00		
FIELD TRIP TRANSPORTATION - 2725		\$1,184.00		
TOTAL		\$1,362,785.32	\$569,677.96	\$174,821.25
		Total Savings \$744,299.20		

The next image is the 2015 – 16 SC operational budget showing the corresponding cuts:

I am not clear whether or not these line items can now be funded in order to support the operation of SC in 2015-16, including for TLC. I believe is clear that SC cannot operate as an elementary school based on [now] 3 legal opinions.

[illegible]

EXHIBIT G

Timberlane Regional School District Budget Committee
Timberland Regional School Board
Atkinson, Danville, Plaistow, and Sandown

Public Hearing on the 2015-16 Proposed Budget
January 15, 2015

Timberlane Performing Arts Center
Plaistow, NH

Call to Order (00:00:01)

Mr. Grosky, the Budget Committee Chair, called the meeting to order at 7:01 p.m.

Roll Call (00:01:02)

Budget Committee

Present: Mr. Spero, Mr. Grosky, Mrs. O'Neil, Mr. Horns, Mr. Heffernan, Mr. Geary, Mr. Cantone Mr. Green and Ms. Gorman.

School Board

Present: Mr. Bealo, Mr. Blair, Mr. Collins, Mrs. Delfino, Mrs. Green, Mr. Sapia, Mrs. Sherman, and Mr. Ward. Absent: Mrs. Steenson, Chair.

Timberlane Administrators participating: Dr. Metzler, Superintendent and Mr. Stokinger, Business Administrator.

Pledge of Allegiance (00:01:55)

The pledge of allegiance was recited.

Opening Comments from the Superintendent (00:02:15)

Dr. Metzler began the Public Hearing with some opening comments along with PowerPoint slides describing his philosophy on school budgeting and the effects a \$3.5 million cut on the school district.

Presentation of the Budget and Review of the Warrant (00:09:25)

Mr. Grosky read aloud the warrant through warrant article #1 while a PowerPoint presentation was displayed for the audience and television viewers to follow along.

The First Session of Annual Meeting (Deliberative) to be held on Thursday, February 5, 2015 at 7:00 p.m. at the Timberlane Regional High School Gymnasium. The Second Session of the Annual Meeting (Voting) to be held on Tuesday, March 10, 2015 at town election polls in Atkinson, Danville, Plaistow and Sandown, New Hampshire.

Article #1 Election of Officers – openings for School Board and Budget Committee members. The filing period runs from January 20, 2015 to January 30, 2015 at the Superintendent's Office.

Article #2 Operating Budget for 2015-2016 (00:12:40)

Mr. Grosky continued with the PowerPoint presentation giving an overview of the 2015-2016 budget process and a review of the budget drivers of the requested budget. The proposed budget for 2015-2016 is \$67,723,927 with a default budget of \$68,160,606. Mr. Artus of Atkinson, Mr. Springer of Danville, Mr. Quinn of Atkinson, Mrs. Springer of Danville and Mr. Cleveland of Sandown asked a variety of questions regarding the proposed budget and the possible closure of the Sandown Central School.

Dr. Metzler stated the next School Board meeting on Thursday January 22, 2015 would have an open forum to discuss the possible closing of Sandown Central School. Discussion continued on the Operating Budget and the closing of Sandown Central School until 8:15 pm.

Article #3 Capital Reserve Fund (01:11:20)

School Board Vice-Chair, Mrs. Delfino read aloud article #3 and reported the current balance of the Capital Reserve fund is \$613,000.

Article #4 Sandown Central Kitchen and Operational Costs (01:12:25)

School Board Vice-Chair, Mrs. Delfino read aloud Warrant Article #4 regarding the Sandown Central Kitchen Renovation and Operational Costs. After approximately thirty minutes of discussion regarding both warrant article #4 and warrant article #11, Mrs. Delfino read aloud Article #11, Continue Operation of Sandown Central Petition by Shawn Freligh et al. Mr. Artus of Atkinson, Mrs. Ellis of Sandown, Mr. Springer of Danville, Mr. Golden of Sandown and Mr. Beyrent of Sandown each made comments and asked questions regarding the articles. Dr. Metzler stated he recently found out from the School District attorney, if both articles regarding the operating costs for Sandown Central fail to pass, then the School Board is not legally allowed to spend any funds to keep Sandown Central open in 2015-2016. He also learned that if either one of the articles passes, the School Board is not required to keep Sandown Central open based on that vote.

Article #5 Sandown North Playground (02:03:30)

School Board Vice-Chair, Mrs. Delfino read aloud article #5. Mr. Heffernan asked for more information regarding what specifically the money would be spent on. Mrs. Sherman asked the Administration to have the information available for the Deliberative Session. Mrs. Ellis of Sandown asked questions regarding this article.

Article #6 Two Year Collective Bargaining Agreement (TSSU) (02:06:28)

School Board Vice-Chair, Mrs. Delfino read aloud article #6. There was no discussion.

Article #7 Authorization for Special Meeting on cost Items (02:08:24)

School Board Vice-Chair, Mrs. Delfino read aloud article #7. Mrs. Green asked for clarification on the intent of this article.

Article #8 Acceptance of Reports (02:13:49)

School Board Vice-Chair, Mrs. Delfino read aloud article #8. There was no discussion.

Article #9 Expand to Non-Tuition, Full Day Kindergarten Warrant Petition by Brian Stack et al (02:14:05)

School Board Vice-Chair, Mrs. Delfino read aloud article #9.

Article #10 Amend Articles of Agreement Petition by Shawn O'Neil et al (02:14:55)

School Board Vice-Chair, Mrs. Delfino read aloud article #10. Mr. Green questioned if it were legal to have the credits applied before apportioning the costs to the four towns? Dr. Metzler stated he did not ask that question of the attorney, however he did learn there are other hearings that would need to be held for this to be a legal binding warrant article. Mr. Springer of Danville also questioned the legality of the article.

Article #12 Impact and Consolidation Plan Petition by Shawn Freligh et al (02:19:16)

School Board Vice-Chair, Mrs. Delfino read aloud article #12. Mr. Freligh of Sandown spoke to his article and asked if the school board would abide by the wishes of the voters. Mrs. Delfino stated the school board has not voted on closing Sandown Central yet; however she personally feels the school board would likely abide by the wishes of the voters. Mr. Goldman of Sandown and Mr. Artus of Atkinson also had questions regarding this article.

Mr. Grosky reminded everyone Deliberative Session is February 5, 2015 at 7:00 pm at the High School Gymnasium, with voter check in beginning at 6:00 pm.

The School Board and the Budget Committee will be meeting immediately following this Public Hearing to vote recommend or not recommend for each of the warrant articles.

Mr. Grosky adjourned the meeting at 9:34 p.m.

Respectfully submitted,



Kathy Smith,
Recording Secretary

EXHIBIT H

TIMBERLANE REGIONAL SCHOOL DISTRICT

Serving the communities of Atkinson, Danville, Plaistow and Sandown

Deliberative Session

Steve Ranlett, Moderator

February 5, 2015

Timberlane Regional High School
36 Greenough Road, Plaistow, NH

The mission of the Timberlane Regional School District is to engage all students in challenging and relevant learning opportunities, emphasizing high aspirations and personal growth.

Article 4 – Intent

46

To raise funds to keep Sandown Central School open for the next school year, consisting of \$416,245 for the renovation of the school kitchen and \$744,299 for operational costs.

Total Appropriation

\$1,160,544

Withdrawal from the Capital Reserve

-\$416,245

Amount to be raised by 2015 taxes

\$744,299

EXHIBIT

tabbies®

I



STUDENT ACTIVITIES - 1410		\$7,700.00		
100.2122.112.26.11.1.00000	Salary-Guidance	\$65,899.55	\$65,899.55	\$23,064.84
100.2122.610.26.11.1.00000	Supplies-Guidance	\$1,049.00		
100.2122.640.26.11.1.00000	Books & Periodicals-Guidance	\$210.00		
GUIDANCE - 2122		\$67,158.55	\$65,899.55	\$23,064.84
100.2134.113.44.11.1.00000	Salary-Nurses	\$58,502.70	\$58,502.70	\$20,475.95
HEALTH SERVICES - 2134		\$58,502.70	\$58,502.70	\$20,475.95
100.2213.320.06.11.1.00000	Building In-Service	\$2,200.00		
PROFESSIONAL IMPROVEMENT - 2213		\$2,200.00		
100.2222.1	<div style="border: 2px solid red; padding: 10px; margin: 10px 0;"> <p>Note: This is a copy and past from draft 2 budget as presented by the SAU. All highlighted line items were \$0.00'd out by the SAU to account for the ~ \$744K in savings to the district.</p> </div>			
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100.2223.610.05.11.1.00000	A V Supplies	\$100.00		
100.2223.640.05.11.1.00000	Audio Visual	\$769.00		
100.2223.733.05.11.1.00000	Av - New Equipment	\$0.00		
100.2223.737.05.11.1.00000	Av - Replace Equip	\$0.00		
AUDIO VISUAL - 2223		\$869.00		
100.2410.111.06.11.1.00000	Sal-Principals	\$105,060.00	\$105,060.00	\$36,771.00
100.2410.115.06.11.1.00000	Sal-Secretaries-Admin Elem.	\$41,586.40	\$41,586.40	\$14,555.24
100.2410.531.01.11.1.00000	Telephones/Comm	\$17796.11	\$17,796.11	
100.2410.610.25.11.1.00000	Supplies-Gen. Elem.	\$3,200.00	\$3,200.00	
100.2410.640.25.11.1.00000	Books-Gen. Elem.	\$500.00	\$500.00	
100.2410.737.25.11.1.00000	Prin Off Replace Eqp-Gen. Elem.	\$0.00	\$0.00	
OFFICE OF THE PRINCIPAL - 2410		\$168,142.51	\$168,142.51	\$51,326.24

Timberlane Regional School District
Sandown Central Budget Review - Cost Savings if Building Closed

<u>Account</u>	<u>Description</u>	<u>2016 Proposed Budget</u>	<u>Potential Savings</u>	<u>Benefits @ 35.00%</u>
100.2490.112.11.11.1.00000	Computer Coordinator-Technology	\$500.00	\$500.00	
OTHER SERVICES.SCHOOL ADMINISTRATION - 2490		\$500.00	\$500.00	
100.2620.116.12.11.1.00000	Salaries-Custodians	\$92,601.60	\$92,601.60	\$32,410.56
100.2620.610.01.11.1.00000	Custodial/Maint Supplies	\$1,100.00	\$1,100.00	
100.2620.622.12.11.1.00000	Electric-Sand Cent	\$34200.00	\$20,520.00	
100.2620.624.12.11.1.00000	Fuel Oil-SC	\$13240.00	\$27,144.00	
OPERATING BUILDINGS SERVICES - 2620		\$93,701.60	\$141,365.60	\$32,410.56
100.2725.519.25.11.1.00000	Field Trip/Cocurricular Trans.	\$1,184.00		
FIELD TRIP TRANSPORTATION - 2725		\$1,184.00		
TOTAL		\$1,352,785.32	\$569,677.96	\$174,621.25
			Total Savings	\$744,299.20

The next image is the 2015 – 16 SC operational budget showing the corresponding cuts:

100.1100.112.03.11.1.00000	Salaries-Teachers-Art	\$19,755.80	\$0.00	\$0.00
100.1100.112.25.11.1.00000	Salaries-Teachers-Gen. Elem.	\$390,827.00	\$0.00	\$0.00
100.1100.112.29.11.1.00000	Salaries-Teachers-Enrichment	\$40,327.20	\$0.00	\$0.00
100.1100.112.33.11.1.00000	Teacher/Specialist Salaries	\$26,884.80	\$0.00	\$0.00
100.1100.112.41.11.1.00000	Salaries-Teachers-Music	\$23,242.59	\$0.00	\$0.00
100.1100.112.47.11.1.00000	Salaries-Teachers-Phys. Ed.	\$23,031.60	\$0.00	\$0.00
100.1100.112.50.11.1.00000	Salaries-Teachers-Reading	\$64,200.00	\$0.00	\$0.00
100.1100.114.25.11.1.00000	Sal-Teach Assistants-Gen. Elem.	\$47,617.88	\$0.00	\$0.00
100.1100.430.25.11.1.00000	Repairs To Equipment-Gen. Elem.	\$500.00	\$0.00	\$0.00
100.1100.610.25.11.1.00000	Supplies-Gen. Elem.	\$14,948.00	\$0.00	\$0.00
100.1100.610.29.11.1.00000	Supplies-Enrichment	\$400.00	\$0.00	\$0.00
100.1100.610.41.11.1.00000	Supplies-Music	\$500.00	\$0.00	\$0.00
100.1100.610.47.11.1.00000	Supplies-Phys Ed	\$600.00	\$0.00	\$0.00
100.1100.610.55.11.1.00000	Supplies - Elem. Curriculum	\$3,050.00	\$0.00	\$0.00
100.1100.640.25.11.1.00000	Books-Gen. Elem.	\$800.00	\$0.00	\$0.00
100.1100.733.41.11.1.00000	New Equipment-Music	\$400.00	\$0.00	\$0.00
100.1100.737.25.11.1.00000	Repl Equipment-Gen. Elem.	\$800.00	\$0.00	\$0.00
100.1100.737.41.11.1.00000	Repl Equipment-Music	\$300.00	\$0.00	\$0.00
100.1100.810.25.11.1.00000	Dues-Gen. Elem.	\$760.00	\$0.00	\$0.00
FUNC: REGULAR EDUCATION - 1100		\$658,734.87	\$0.00	\$0.00
100.1200.114.60.11.1.00000	Sp Ed - Teach Asst.-General	\$59,019.88	\$0.00	\$0.00
100.1200.114.63.11.1.00000	Sp Ed - Teach Asst.-EH	\$60,821.06	\$0.00	\$0.00
FUNC: SPECIAL EDUCATION - 1200		\$119,840.94	\$0.00	\$0.00
100.1410.112.45.11.1.00000	Extra Curricula	\$3,500.00	\$0.00	\$0.00
100.1410.610.25.11.1.00000	Supplies-Cocurricular	\$4,200.00	\$0.00	\$0.00
FUNC: STUDENT ACTIVITIES - 1410		\$7,700.00	\$0.00	\$0.00
100.2122.112.26.11.1.00000	Salary-Guidance	\$0.00	\$0.00	\$0.00
100.2122.610.26.11.1.00000	Supplies-Guidance	\$1,649.00	\$0.00	\$0.00
100.2122.640.26.11.1.00000	Books & Periodicals-Guidance	\$210.00	\$0.00	\$0.00
FUNC: GUIDANCE - 2122		\$1,259.00	\$0.00	\$0.00
100.2134.113.44.11.1.00000	Salary-Nurses	\$0.00	\$0.00	\$0.00
FUNC: HEALTH SERVICES - 2134		\$0.00	\$0.00	\$0.00
100.2213.320.06.11.1.00000	Building In-Service	\$2,200.00	\$0.00	\$0.00
FUNC: PROFESSIONAL IMPROVEMENT - 2213		\$2,200.00	\$0.00	\$0.00
100.2222.112.37.11.0.00000	PROFESSIONAL SALARIES	\$24,750.80	\$0.00	\$0.00
100.2222.114.37.11.1.00000	Sal-Library Aides	\$9,595.95	\$0.00	\$0.00
100.2222.610.37.11.1.00000	Supplies-Library	\$300.00	\$0.00	\$0.00
100.2222.640.37.11.1.00000	Books-Library	\$2,595.00	\$0.00	\$0.00
100.2222.641.37.11.1.00000	Periodicals	\$1,132.00	\$0.00	\$0.00
100.2222.643.37.11.1.00000	Information Access Fees	\$610.00	\$0.00	\$0.00
FUNC: SCHOOL LIBRARY SERVICES - 2222		\$38,983.75	\$0.00	\$0.00
100.2223.610.05.11.1.00000	A V Supplies	\$100.00	\$0.00	\$0.00
100.2223.640.05.11.1.00000	Audio Visual	\$769.00	\$0.00	\$0.00
FUNC: AUDIO VISUAL - 2223		\$869.00	\$0.00	\$0.00

Guidance
salary
\$0.00'd

Health
Services
\$0.00'd

Timberlane Regional School District

Direct School Accts

2015-2016

☐ Subtotal by Collapse Mask

☐ Include pre encum

Admin
\$0.00'd

Account Number	Description	GL Budget	Range To Date	Y
100.2410.111.06.11.1.00000	Sal-Principals	\$105,080.00	\$0.00	\$0.00
100.2410.115.06.11.1.00000	Sal-Secretaries-Admin Elem.	\$0.00	\$0.00	\$0.00
FUNC: OFFICE OF THE PRINCIPAL - 2410		\$105,080.00		
100.2490.112.11.11.1.00000	Computer Coordinator-Technolog	\$0.00		
FUNC: OTHER SERVICES, SCHOOL ADMINISTRATION - 2490		\$0.00		
100.2620.116.12.11.1.00000	Salaries-Custodians	\$0.00	\$0.00	\$0.00
FUNC: OPERATING BUILDINGS SERVICES - 2620		\$0.00	\$0.00	\$0.00
100.2725.519.25.11.1.00000	Field Trip/Cocurricular Trans.	\$1,184.00	\$0.00	\$0.00
FUNC: FIELD TRIP TRANSPORTATION - 2725		\$1,184.00	\$0.00	\$0.00
LOC: SANDOWN CENTRAL - 11		\$935,831.36	\$0.00	\$0.00

Custodians
\$0.00'd