



**DOVER SCHOOL  
DISTRICT**

## DOVER SCHOOL BOARD – MINUTES

Meeting Type:	Special Session #4
Meeting Location:	Media Center, McConnell Center
Meeting Date:	<b>Monday, August 31, 2015</b>
Meeting Time:	<b>6:30 P.M.</b>

A. A special session of the Dover School Board was called to order by Chair Amanda Russell on Monday, August 31, 2015 at 6:31 P.M. in the Media Center of the McConnell Center.

B. **ROLL CALL**: Present were Amanda Russell, Betsey Andrews Parker, Kathy Morrison, Sarah Greenshields, and Michelle Muffett-Lipinski. Doris Grady and Carole Soule McCammon were excused.

Also present were: Superintendent Elaine Arbour, Business Administrator Karen Taylor, Mayor Karen Weston, Attorney Andru Volinsky, City Manager Mike Joyal, City Councilor Deb Thibodeaux, Fosters.

C. **PLEDGE OF ALLEGIANCE**: Betsey Andrews Parker led the Pledge of Allegiance.

D. **CITIZEN'S FORUM**: No one addressed the Board

E. **AGENDA APPROVAL**:

Sarah Greenshields moved, Michelle Muffett-Lipinski seconded to approve the agenda as presented. An oral **VOTE PASSED 5/0**.

F. **CONSENT AGENDA**:

**1. Nominations:**

a. Sheet 1: Nomination and Election of Teachers

Sarah Greenshields moved, Betsey Andrews Parker seconded to approve the consent agenda as presented. An oral **VOTE PASSED 5/0**.

G. **NEW BUSINESS**:

**1. Approval to Become Co-Petitioner in Adequacy Lawsuit Filed by the City of Dover**

Sarah Greenshields moved, Michelle Muffett-Lipinski seconded to have the Dover School District become a co-petitioner in the adequacy lawsuit filed by the City of Dover.

Ms. Andrews Parker stated that she feels backed in a corner with the need for this last minute decision.

Ms. Muffett-Lipinski commented that she feels that the current Board never really received the entire story and doesn't have enough history to make an informed decision.

Ms. Greenshields requested an explanation of adequacy and calculation and why Dover has suffered.



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Attorney Andru Volinsky provided a comprehensive explanation on the history of adequacy in the State of New Hampshire. The courts concluded that it's the State of New Hampshire responsibility to ensure that all students receive an adequate education. A per pupil formula was adopted to determine aid. Dover has lost approximately \$11 million since 2009. The lawsuit challenges the cap which is currently 108%. He provided the example that if there are 110 students, the district would only receive aid for 108 students and not the 2 over the cap. A 117% cap is set to go into in effect next year.

There are two parts of the lawsuit that Mr. Volinsky explained with the first part challenging the cap going forward and the second part asking the State to pay for lost funds of the past year. There is also a provision to ask the state to pay legal costs.

Since it is a constitutional case, all communities who are not receiving proper adequacy aid will benefit if Dover wins.

Ms. Muffett-Lipinski asked for the risks in filing the lawsuit. Ms. Russell responded that Dover could appear to be greedy. She stated that she is not 100% sure what is the right thing to do. She feels that the ability to make a decision has been taken away.

Ms. Andrews Parker asked why the Council needs the School Board at this time. Mr. Volinsky responded that after analyzing the Charter, he is convinced that the City of Dover is proper party to file the lawsuit. Some people who oppose the law suit think the School Board should file the lawsuit. By adding the School District, thousands of dollars in legal fees could be saved since the decision would not need to be argued in court if there are complaints. Time and money could be saved.

Ms. Andrews Parker asked for other towns who would gain from this lawsuit. She also asked where the money would come from that was to be re-paid to Dover and other cities. She believes it would come from stabilization funds from other communities.

Dr. Arbour read a list of communities who could be positively impacted by the outcome of the lawsuit.

Mr. Volinsky commented that the state created an Education Trust Fund which should currently have funds, along with any gains available. If not, the State must replenish them. The money owed to communities should come from these funds and not stabilization funds of other communities. Mr. Volinsky stated that the cap is a way for the State to neglect education payments. He believes that it is time that someone challenges the cap.

Ms. Russell stated that she has been working on this for years and feels there is a great deal of pressure to make a last minute decision and there have been many missteps in the process.

Ms. Andrews Parker still doesn't understand the rush. She will not vote in favor of this motion since she feels that it could jeopardize funding in the budget.



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Ms. Andrews Parker added that students in Dover could get an adequate education if the tax cap was overridden by the City Council.

Ms. Volinsky stated that there is time pressure to file this suit, since it needs to be filed by September 1.

Ms. Greenshields commented that she doesn't feel the strategy has been the best, but the City Council and School Board have a shared goal. It seems important to move forward and doesn't want to be confrontational. She will vote in favor of the motion since she is in favor of education.

A roll call **VOTE PASSED 4/1 (Andrews Parker opposed).**

### **H. SCHOOL BOARD MATTERS OF INTEREST:**

Ms. Greenshields stated that she received an email from Malone Coltraine of Dover Open Lands/Climate Change with interest in community gardens. Ms. Greenshields recommended that she contact Horne Street School since they have a similar interest. They would like to present to the School Board at some point.

Ms. Muffett-Lipinski wished everyone the best for the opening of the school year and commented that it is an honor working for the schools.

### **I. ADJOURNMENT:**

Betsey Andrews Parker moved, Michelle Muffett-Lipinski seconded to adjourn the special session at 7:05 pm. An oral **VOTE PASSED 5/0**

Respectfully submitted,  
Robin LaFleur, Recording Secretary