

**September 19, 2018**

- Strategic Goals: (1) Ensure that Vermont's public education system operates within the framework of high expectations for every learner and ensure that there is equity in opportunity for all.*
- (2) Ensure that the public education system is stable, efficient, and responsive to changes and ever-changing population needs, economic and 21st century issues.*

## **Approved Minutes**

### **Present:**

**State Board of Education (SBE):** Krista Huling, Chair; William Mathis, Vice Chair; Mark Perrin; Peter Peltz; John O'Keefe; Callahan Beck; John Carroll; Kyle Courtois; Oliver Olsen; Dan French.

**Agency of Education (AOE):** Donna Russo-Savage, Molly Bachman, Emily Simmons, Ted Fisher, Brad James, Bob Stafford, Maureen Gaidys.

**Others:** Alice Laughlin, Putney; Laura Chapman, Putney; Dan MacArthur, Marlboro; Beth Bristol, Guilford; Ahren Ahrenholz, Dummerston; Rebecca Bartlett, Brattleboro; Jeff Cleary, Bennington-Rutland; Nancy Erikson, Saxtons River; Marilyn Mahusky, Chester; Kristina Naylor, Dummerston; Julie Forsythe, Putney; Becca Balint, Brattleboro; M Mall, Peacham; Edith Gould, Putney; Patrick Gilligan, Vernon-Guilford; Marie Gilligan; David M. Clark, WNESU; Emily Long, Newfane; Rick Holloway, Rockingham; Emily Pals, Putney; Anne Beekman, Putney; Jay Denault, Franklin; Jim Jewett, Franklin; Chris Pratt, WNESU; Jackie Wilson, BRSU; Sandy Morrison, Vernon; Rick Zamore, Guilford; Ines McGillion, Dummerston; Herve Pelletier, Putney; Jackie Bryan, Grafton; Susan Ceglowski, VSBA; Carolyn Partridge, Windham; Dan Normandeau, Dummerston; Stephan Morse, Newfane; Emilia Kornhia, CN; Jessa Westclark, Grafton; Anne Fines, Putney; Nelson Brownell, Pownal; Cindy Brownell, Pownal; Mary Bogu, Windham; Laurent Johnson, Windham; Kathy Jangermann, Windham; Andrew Davis, Brattleboro; Mike Mrowicki, Putney; Amelia Mrowicki, Putney; David Major, Westminster; David Schoales, Brattleboro; Frank Ricker, WSESU; Elise Manning, Westminster; Timothy Morris, Putney; Jeff Francis, VSA; Liz Adams, Putney; Scott Thompson, Calais; Dorothy Naylor, Calais; Gail Somerson, Dummerston; Pamela Fraser, Barnard; Randi Kulis, BRSU; Cortney Slobodnjak, Chester; Gail Conley, Huntington; Don McLean, Guilford; Kelly Young, Guilford; Sara Coffey, Guilford; Tammy Heffemen, MRUUSD; Dave Younce, MRUUSD; Lyle Holiday, WSESU; Jill Slane Tyler, WSESU; Judy Davidson, Brattleboro; Mickey Parker-Jennings, Windham; Erin Kehoe, Windham; Nick Caporaso, Windham; Jody Normandeau, Dummerston; Susan Meggcolaso, Dummerston; Katie Palmer, Two Roads Academy; Jim Culkeen, SVSU; Nick Goult, SVSU; Heather Black, NBGS; William Bazyk, BVSU; Charles Chase, Athens; Michelle Bos-Lan, Westminster; Bruce Sterling, Westminster; Cynthia Lamore, Stamford; Kim Roberts-Morandi, Stamford; Jennifer Samuelson, Winhall; Emily Schriell, Winhall; Meridith Dennes, Winhall; Jack Bryar, Grafton; T. Montemangni, Stratton; L.W. Newell, Stratton.

**Item A: Call to Order**

Chair Huling called the meeting to order at 8:33 a.m. and told the group to please use wifi sparingly, so that adequate bandwidth would be available to students. She asked Board members to introduce themselves.

### **Item B: Recognition**

Chair Huling explained that over the summer there were three schools identified for meeting the Board's goals of excellence, equity, and efficiency and one of them to be recognized was Saxtons River Elementary. Others recognized over the summer Albany School and Underhill School. These schools received high scores, served equity well and have favorable ratios. Chair Huling presented the award and expressed thanks for all their hard work.

### **Item C: Panel Presentation**

Chair Huling invited panel members from Bennington-Rutland SU, Mill River and Two Rivers SU to the table to discuss their challenges and accomplishments and any other feedback around articles of agreement.

Panel members were: Jeff Cleary, Taconic and Green; Jackie Wilson, Bennington-Rutland SU superintendent; Meg Powden, Two Rivers superintendent; Tammy Heffeman, Mill River School District; Dave Wells, Mill River superintendent; and Marilyn Mahusky, Two Rivers Board chair.

Wilson spoke about working towards policy governance, ability to re-allocate resources and staffing, using attrition to reduce staffing, \$250K savings in just wages (have not yet estimated savings in benefits), opportunity to provide increased equity (nursing and staff library at no additional costs), some challenges in delivery of transportation, the merger committee's decision to have representation from each town. Another panelist spoke about fear, good people wanting the same thing (taking care of students and taxpayers), that all our kids are all our kids, perception of fear of being told what to do, addressing this fear. A Mill River parent spoke about the importance of outreach, communication around increased opportunities, improved food service, opportunities for better transportation. Mahusky spoke about challenges of merging into two districts, how Act 46 was a set-back for their communities, geographic issues, transportation, desire to preserve both high schools and not forcing this decision, representing all children not just the ones in our communities. She added that the schools are poised to take the next steps: curriculum, staffing, create a dynamic district.

Powden spoke about coming together as a team, the hard work of giving up loyalties to individual schools, respect for the process which is both time consuming and complex, stress and uncertainties around the timing of the closing Black River, transition funds, and aligning work.

Wells spoke about multiple phases of unification, entering phase of how to be a new district, faith in human nature, costs and control conversations, unification meaning one body working together for one common interest, significant savings in using attrition to their advantage, moving staff across buildings vs. losing staff, buildings and grounds savings/improvements, budget prior to merger was about \$22 million and this has been reduced to \$16.7 million.

Heffeman spoke about the study committee being instrumental in educating and engaging the public, voted 80% in favor of merger, passed this year's budget (and a bond) with no problem,

growing pains and re-organization of the board, article of agreement that addressed small schools.

Olsen thanked panel members for their discussion. There were questions on ability of smaller towns having a voice, challenges of terrain and transportation, advice for communities who are not in favor of merger, and redefining “local.”

Chair Huling explained the process of hearing input on the State Plan and that this is the third and final meeting to hear public comment. She advised that each item has ten minutes for presentation and ten minutes for questions and comments from the Board to be fair to all who wish to be heard. Chair Huling reminded the group to sign in for attendance and to sign up separately up front for public comment (two separate sessions).

#### **Item D: Brattleboro School District**

Chair Huling invited representatives from Brattleboro to introduce themselves to the Boards: Jill Stahl Tyler, Brattleboro School Board chair, and David Schoales, Brattleboro School Board. Tyler shared that the members who were not represented were in favor, opposed and conflicted. Schoales spoke to low rate of teacher turnover, PreK program, active participants in Dual Enrollment, variety of course offerings, leading the EQS goal of Act 46, no recommendations for improvement or change, loss of Vernon, differences in curriculum, successful structure. Tyler spoke about supporting the merger and the articles of agreement as it means more education equity and more opportunities, Guilford’s fear for survival, increase in educational equity due to Guilford closing their middle school and sending students to Brattleboro Area Middle School, part-time staff leaving for full-time jobs, impact on high levels of children in foster care, and painful community discussions.

There were questions on how the ballot article was warned and worded and why the vote was so low, if there was a public vote in support of the AGS, how the status quo accomplishes what Act 46 intends, why a merger is not possible, make-up of the supervisory union, its representation, how often it meets and how it functions. Chair Huling offered to have any further comment submitted electronically to the Board.

#### **Item E: Dummerston School District**

Chair Huling invited representatives to introduce themselves: Kristina Naylor, Dummerston; Michael McGillion, Dummerston; Cindy Morrison, Vernon; Susan Meggiolaro, Dummerston; Emily Evans, Dummerston; and Jody Normandea, Dummerston.

Representatives spoke about small town protections, that votes matter, misused research that consolidating tiny districts saves money, hard decisions that have been made to cut costs, reduced spending and per pupil costs, and students being best served by nimble organizations rooted in their communities. McGillion spoke about AGS being the best plan, that the Board lacks legal authority to impose what is planned, and the impact of destabilization of Vernon. Discussion continued regarding Vernon being surprised at being left out, feeling marginalized and separated from neighbors, Representative Beck’s interpretation of the legislative intent of Act 46 being flexible and including side-by-side model, request for feedback and guidance from the Board.

There were questions on enrollments being stable or increasing vs. data that shows declines, the percentage of FRL students in Dummerston, how Dummerston's success will be transplanted to other districts, what is in the Section 9 proposal that is not yet being implemented, and tuitioning history of Vernon. Chair Huling offered to have any further comment submitted electronically to the Board.

**Item F: Guilford School District**

Chair Huling invited representatives to introduce themselves: Kelly Young, Guilford, Emily Hartz introduced themselves. Hartz read a short collaborative statement from her board that acknowledged the hard decisions ahead, respect for the Act 46 process, that the majority of the board supported a merged district with increased opportunities and equity, and feedback from opposed Guilford residents. Young spoke as the one member who does not support the merger – that there is skepticism, long-term financial impact, Legislature's expectation that AGS would be a real option for schools, wanting what is best for students, concern about parents and taxpayers being able to contribute to schools and choices that are made, and feeling pitted against each other to shine and ensure that their school is not closed.

There were questions on the equity/opportunity committee and how the costs would be found if the AGS was adopted, Section 9 proposal and a document from parents and staff that was included that is confusing with highlights and cross-outs, reason for the great disparity in the vote, where parents stand on the issue of the proposed plan, if problems (legacy debt, school closings, etc.) could be solved if that would change the feelings about the merger, and what other local conversations are happening around Guilford.

**Item G: Putney School District**

Chair Huling invited representatives to introduce themselves: Timothy Morris, Putney, Alice Laughlin, Putney; Anne Beekman, Putney; Emily Pals, Putney. Laughlin spoke about the division of the board –three in favor of the State Plan and two who disagree. Beekman spoke about mergers often resulting in minimal savings and minimal impact on student performance, evidenced-based funding, mindfulness for creating a geographically isolated district, lower oversight, transparency, well-functioning, high quality SU, schools as economic and social drivers of the town, support for Putney and the AGS proposal. Morris spoke about the difficult work of the Board, while all schools need to continue to adapt and approve that unification does not ensure this, sanctity of the vote and the institution of democratic government. Laughlin spoke about disagreeing how to keep the school as the town hub, hard choices that are made every year, cuts to budgets that this is reflected in the educational experiences of its students. Pals read a letter from Sergio Simunovic. Pals spoke about the huge divide across the communities and its impact, if what's best for children is really at the forefront of these decisions and discussions, hope that communities can come back to peace around school governance, worry about what is modeled in arguments, concern and support for school forest, and future opportunities to come together.

There were questions on the perspective of parents and students in the system and the supervisory union board, cutting of an academic support position, doing the hard work of

democracy and challenge of recruiting board members and sense/concern for representation on this board.

Chair Huling thanked all the participants for sharing and called a 10-minute break at 10:54 a.m. Chair Huling called the meeting back to order at 11:10 a.m. and offered that Stamford is running late and that they had asked to be moved until after lunch. Perrin made a motion to move item I; O'Keefe seconded. The vote passed unanimously. Huling added that there was an item regarding school day waiver request that also needed to be added to the consent agenda. Regarding this item, Carroll moved to add this item to the consent agenda and Perrin seconded. The vote passed unanimously.

**Item H: Windham Elementary School District**

Chair Huling invited representatives to introduce themselves: Caroline Partridge, Windham; Mickey Parker-Jennings, Windham; Antje Ruppert, Windham; Beth McDonald, Windham. Partridge spoke about the pursuit of legal guidance on the imposition of forced merger, the impracticability due to geographic isolation and dangerous travel conditions, lack of a site visit, disparity in debt, powerlessness to dismantle a vote to close Windham, looking at the entire region, lack of understanding for geographic challenges, regret for supporting this legislation and not better understanding it, invite for a site visit with bus ride, and plea to not honor the Acting Secretary's recommendation.

There were questions about the survey response, number of students being homeschooled, debt disparity and being a member of Leland and Grey union, how many parents show up at a typical school board meetings, how many community members show up at school board meetings, how many high school students leave town each year, local control and making this an independent school, directions to the road of concern, how state goals are being met and how efficiencies are being met.

**Item J: Public to be Heard**

Chair Huling stated that public comment would be limited to two minutes per person and that the Board would be strict in adhering to this time limit. The following people addressed the Board: Andrew Davis, Brattleboro; Don McLean, Guilford; Mike Mrowicki, Putney; Julie Forsythe, Putney; Daniel McArthur, Marlboro; David Schoales, Brattleboro; Ahren Ahrenholz, Dummerston; Ron Stahley, Brattleboro; Richard Virkstis, Dummerston; Patty O'Donnell, Vernon; Becca Balint, Brattleboro; Judy Davidson, Brattleboro; Dan Normandeau, Dummerston; Liz Adams, Putney; Sandy Morrison, Vernon; Anne Fines, Putney; Edith Gould, Putney; Patrick Gilligan, Vernon; Steve Redmond, Guilford; Paul Normandeau, Dummerston; Ines McGillion, Dummerston; Kord Scott, Windham; Laura Chapman, Putney; Lisa Bishay, Windham; Jody Normandeau, Dummerston; Bruce Sterling, Westminster; Michele Boslan, Westminster. Windham.

Chair Huling called for a 30-minute recess at 12:39 p.m. Chair Huling called the meeting back to order at 1:23 p.m. and explained the process for the afternoon.

**Item I: Stamford School District**

Chair Huling invited representatives to introduce themselves: Cynthia Lamore, Stamford and Dr. Kimberly Roberts-Morandi, Stamford did so and apologized for the inconvenience with the schedule. Lamore and Roberts-Morandi said they had no official rebuttal but offered an update that addressed secured funding of \$25,000, RFP for a firm that would bring forth the best options, work on articles of agreement, communications plan with Clarksburg to ensure consistent messaging, and finding commonalities and a growing relationship.

There were questions about public sentiment, who will be the LEA for VT students, final approval from Congress for interstate merger, due date of RFP and pool of applicants, and other viable options if Congress doesn't approve this.

**Item K: Bennington, Shaftsbury and Woodford School Districts**

Chair Huling invited representatives to introduce themselves: James Culkeen, superintendent of Southwest VT SU, introduced himself as the sole representative. He shared that they are reluctantly in support of the AGS. He spoke about the articles of agreement, Woodford's representation, and that a 4:2:2 make-up is good and works for them. There were questions on bringing in Arlington, how this might be received, and his perspective on North Bennington.

**Item L: North Bennington School District**

Chair Huling invited representatives to introduce themselves: Ray Mullineaux, North Bennington and Maria Scully, North Bennington. Mullineaux spoke about not needing to be here since they were being left alone but he spoke to differences and inconsistencies in how the districts are being re-organized in this area, request for legal opinion on why forced mergers are treated differently across districts, reduced assessments and services, and avoiding structural isolation. There were questions/discussions on distinctions between Bennington and Windham regions and their operating structures, election to be non-operational, interest in joining a MUUD, and operating as a private or independent. Chair Huling offered to have any further comment submitted electronically to the Board.

**Item M: Pownal School District**

Chair Huling invited representatives to introduce themselves: Cindy Brownell, Pownal and Nelson Brownell. The pair discussed possibility vs. practicability of merger proposal, existing resource sharing, assumption of debt, two votes for every town, and the burden of maintenance issues of surrounding schools. There were questions on feelings about the merger if there were no debt problems, equal votes for each community, quantifying the debt issue, and bussing for field trips.

Chair Huling decided to skip the scheduled break since the Board was late in returning from lunch.

**Item N: Bellows Falls UHSD and Athens, Grafton, Rockingham and Westminster Districts**

Chair Huling invited representatives to introduce themselves to the Board: Dave Clark, Westminster; Jessa Westclark, Grafton; Cheryl Charles, Westminster; Charles Chase, Athens; Rick Holloway, Rockingham; Jack Bryar, Grafton; and Dave Major, Westminster. Representatives discussed the current operating structure, consolidated operations and services, equity of opportunity, commitment to review recommendations in the recent IFR to create a

common continuous improvement plan and work towards PLPs and PBL. There were questions on the merger update on Grafton and Athens, additional staff sharing opportunities, challenges of infrastructure and transportation, how opportunities are being improved for all students, infrastructure and the use of technology.

**Item O: Winhall School District**

Chair Huling invited representatives to introduce themselves to the Board: Randi Kulis, BRSU; Dean Gianotti, Winhall; Jennifer Samuelson, Winhall; Meridith Dennes, Winhall.

Representatives thanked the Board and discussed the two primary reasons that they are here: 1) that they agree with the recommendation to remain an individual district and feel that their current model is the best way to meet the operational goals and 2) cost, that they have been working hard to contain over the past few months. Discussion continued on remaining part of the BRSU and the strong working relationship with BRSU. There were questions on contracting rates, greater leverage of non-operating districts joining together, reason for enrollment growth, influx of new students causing some financial stress and the plan for this, adjusting/increasing rigor of residency requirements, accountability for these students, outsourcing responsibility, parental satisfaction with education, and any financial agreement with Mountain School at Winhall.

**Item P: Sandgate School District**

Chair Huling invited representatives to introduce themselves: Bill Bazyk, BVSU superintendent. He apologized that Sandgate representatives could not be present and he came to convey their thoughts. He talked about the recommendation not to pursue any merger, uniqueness of Sandgate as it has a public school, that it is a small SU, there is a say in how the Arlington School District operated, detriment of placing Sandgate separate from Arlington. There were questions with contracting relationship and why/how being in a different SU would affect this, report citing transportation as the biggest problem, decreased ADM, changes on the horizon, cause of differential in tax rates, that Sandgate doesn't have a dance partner, and challenges with non-operating districts and great disparity in tax rates.

**Item Q: Searsburg School District**

It was reported that Searsburg had an unexpected conflict and is unable to attend.

**Item R: Stratton School District**

Chair Huling invited representatives to introduce themselves: Lorraine Weeks-Newell, Stratton; Tom Montemagni, Stratton. Montemagni spoke about consistency of equity of educational choices, that Stratton is a blue-collar town, the impact of taking away school choice/tuitioning, difficulties with transportation and how this has been addressed, that merging will result in losing full tuition and will be compromised with transportation. Weeks-Newell spoke about meeting the academic needs of the student and the financial needs of the parents, logistics of transportation and the strategy in place. There were questions on why a merger would result in pressure to change, what the new electorate might do regarding tuition, challenge of non-operating districts in using equalized spending as a metric, artificial inflation of student spending.

Chair Huling called a recess at 3:37 p.m. to reconvene at 3:50 p.m. Huling reconvened the meeting at 3:56 p.m. and explained that there were sign-up sheets for the previous eight proposals and general public comment and detailed the process for timekeeping.

**Item S: Public to be Heard (on previous 8 proposals)**

The following people addressed the Board: Representative Laura Sibilgia, Dover; Cheryl Charles, Westminster; and Dan Axtell, Westminster.

**Item T: Public to Be Heard - General**

The following people addressed the Board: Dan Normandeau, Dummerston addressed the Board on how there have been repeated comments on the focus needing to be on the kids, not the adults and that this is offensive. Liz Adams, Putney, spoke to the Board about PreK, college pursuits, and equal but not equitable proposal. Don McLean, Guilford, spoke to the Board about removing impediments and supporting the retention of the local school board; Jody Normandeau, Dummerston, spoke to the Board about the Act 46 process bringing people closer together; Jack Bryar, Grafton, spoke to the Board about why consolidation is not possible and that forced mergers are perceived as illegitimate, throw back from forced consolidation, and if there are natural communities.

**Item U: Consent Agenda**

Chair Huling introduced the Consent Agenda. Mathis moved to accept the consent agenda, Carroll seconded, but offered discussion. Carroll addressed the draft minutes on page 9 and that "court" should be replaced with "board" and that on page 15, 3<sup>rd</sup> paragraph it should read "Topsham" not "Thompson." Carroll continued that Item U3, second paragraph needs consistent language, as it varies from one sheet to another. It should say "5 business days." Olsen suggested taking items off the Consent Agenda if it warranted this much discussion. Carroll concurred and asked to have Items U1, U3, U4, and U5 taken off the consent agenda. Mathis made a point of order in not debating Consent Agendas and withdrew his motion. Carroll concurred, seconded. Carroll continued that the sentence needs to be reconstructed to say, "the school must report within 5 business days" and the same with U4 and U5. Carroll asked that the AOE use consistent language. There was discussion on if Item Y was included in the Consent Agenda. Carroll asked that "proscribed" be replaced with "prescribed." Mathis moved that the Consent Agenda be approved with corrections by Carroll; Olsen seconded. The vote passed unanimously.

**Item V: Articles of Agreement - Donna Russ-Savage**

Chair Huling invited Donna Russo-Savage to introduce herself and offer a general overview of the draft articles of agreement and the table of concerns and default articles of agreement that address these concerns. She shared that the Secretary of State's Office was consulted in compiling this. There was discussion on "for each district that it creates in its State Plan" and if that is verbatim from statute (page 17 of Act 49, section 8), process for amending default articles, majority and super majority, provisions for transferring debt and assets, effective date of articles, language that offers protection for districts, legality of super majority votes, interim plan for disposing of property/assets, varied transportation challenges, encouraging the electorate to make considerations.

Next, Russo-Savage shared a handout on Decision Points. She shared that of the 47 decision points for the Section 9 submissions that either proposed retaining the current structure or those who asked to be merged, the Secretary's statewide plan agreed with 32 and disagreed with 15. French thanked Russo-Savage for this work.

**Item W: Calendar Review/Agenda Planning**

Chair Huling introduced the idea of planning for the October 2 agenda and shared that we have not yet secured a location to accommodate a group of this size but hopes to have one by the end of this week. She reviewed the draft agenda and opened it up for discussion. Olsen spoke to the principles and that it was important for the Board to come to some consensus on their interpretation of what the law requires. Peltz asked about getting independent legal counsel to expedite the process of the State Plan. Carroll suggested in tandem with Olsen's suggestion, to think about how the Board wants to address the question of the will of the people; he shared a think piece on the will of the people. There was discussion on guiding principles, interpretation, will of the people, what resources are needed from the AOE, data on votes, and wording of the articles submitted to voters. There was further discussion on applying principles to evaluating votes, hesitation on interpreting every community's vote, understanding obligation and duties under the law, can we and should we, legal authority, fewest number of districts practicable, duty in contrast with statutory directives, how much time to spend on this principle, making the principles equally applicable and defensible. Huling suggested spending all of the October 2 meeting on guiding principles. Carroll suggested arriving on October 17 ready to do business, even if consensus was achieved by open meeting phone conference. There was conversation on using a very clear logic model, the extremely helpful information provided by Russo-Savage and her team and that this could be supplemented with data on the will of the people (clarity on votes, legally warned meetings, public hearings, etc.). Chair Huling asked about reviewing the hearings and that this might come out in the process of guiding principles.

**Item X: Chair's Report**

Chair Huling shared that there is a litigation hold and that any Act 46 documents needs to be kept. An email was sent to the Board, reiterating that this information needs to be maintained. No venue is secured yet for October 2. In connection with the litigation hold, there was an FOIA and an accusation that there was a violation of Open Meeting Law at the last meeting around lack of physical capacity. There was a review of the tape and it was handled. Going forward, we are working to find appropriate venues so that this is not an issue. AOE does not have capacity for larger crowds. Carroll stated that it is not a criticism of the Chair or the AOE, but that scheduling of meetings needs to be more sensitive to holidays of observance.

**Adjourn**

Mathis moved to adjourn; O'Keefe seconded. The vote to adjourn was unanimous. The meeting adjourned at 5:42 p.m.

Minutes recorded and prepared by Maureen Gaidys.