



Wednesday, August 15, 2018  
State House  
115 State Street, Room 11  
Montpelier, Vermont 05633

August 15, 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.*

## Draft Minutes

### Present:

**State Board of Education (SBE):** Krista Huling, Chair; William Mathis, Vice Chair; Mark Perrin; Peter Peltz; John O'Keefe (arrived at 9:41 a.m.); Callahan Beck (arrived at 8:34 a.m.); John Carroll; Kyle Courtois (arrived at 8:51 a.m.); Dan French; Stacy Weinberger; Oliver Olsen (arrived at 8:42 a.m.)

**Agency of Education (AOE):** Donna Russo-Savage, Molly Bachman, Emily Simmons, Ted Fisher, Brad James, Suzanne Sprague

**Others:** Emilie Knisley, OESU; Peter Clarke, Quechee, VT; Jeff Francis, VSA; Jody Normandeau, Dummerston; Jay Denault, Franklin; Margaret MacLean, Peacham; Matthew DeGroot, WCSU-Worcester; Scott Thompson, U-32-Calais; Dorothy Naylor, Calais, VT; Jay Nichols, VPA; Emily Hausman, Newbury; Paul Jewett, Newbury; Rick Hausman, Newbury; Pamela Fraser, Barnard; Linda Treash, Barnard; Carin Park, Barnard; Mary S. Hooper, Montpelier; Bobbi Beck, Blue Mountain Union School; Mia Beck, Blue Mountain Union School; Morgan Beck, Blue Mountain Union School; John Pandolfo, Barre Superintendent; Nicole Mace, VSBA; Bruce Williams, OESU; Mike Bailey, CVSU Chair; Sean-Marie Oller, Bennington; Bill Mayo, Franklin; Matt Hongoltz-Hetling, Valley News; Angeline Alley, Blue Mountain Union School; Richard Keifne, Calais; Andrew Pond, MMMUSD; Jeff Evans, CVSD; Thomas Daley, CVSD; Tracy Puffer, Blue Mountain Union School; Amy Emerson, Blue Mountain Union School; Judy Murray, Blue Mountain Union School; Lucas Barrett, Bradford; Gaston Bathalan, NCSU/Troy; Chloe Wexler; Lola Duffort, VTDigger.org; Lisa Jones, Bradford; Ted Pugacer, Bradford; Flor Diaz Smith, E. Montpelier; Matthew DeGroot, Worcester; David Major, Westminster; Elizabeth Adams, Putney; Paul Normandeau, Dummerston; Emily Long, Newfane; Tracy Wrend, LSSU Superintendent; Kate Webb, Shelburne; Virginia Burley, East Montpelier; Danielle Corti, Newbury; Peter Burrows, Middlebury; Lynne Jannick, Charlotte; Janet Ancel, Calais; Chris McVeigh, Middlesex; Jim Wheek, Calais; Ann Wheek, Calais; Allen Gilbert, Worcester; Barbara Weedon, Adamant; David Kelley, Greensboro; Jerome Lipani, ORCA Media; Dan Smith, East Montpelier; Dell Waterhouse, Worcester; Will Baker, Worcester School Board; Mack Gardner-Morse, Calais; Denise Wheeler, Calais; Susan Clarke, Middlesex; Larry Bush, Calais; Scott Skimmer, Middlesex; Wodea Teachor, Middlesex; Dan Redondo, Orwell; Sheri Young, Orwell;

Cynthia Gardner-Morse, Calais; Phyllis Tillinghast, Middlesex; Peter Harvey, Calais; Lucy Wollaeger, Calais; Mark Young, Orwell; Mark Whitman, Calais; John Brabant, Calais Selectboard; Susan Bettmann, Middlesex; Mark Bushnell, Middlesex; Joanne Breidenstein, Middlesex; Thea Schwartz, Middlesex; Scott Bassage, Calais; David Lawrence, Middlesex; Bruce Melendy, Danville; Lisa Barrett, Huntington; Paula Kelley, Huntington; Senator Dick McCormick, Windsor County District; Wayne Gihall, Addison County/Orwell; Alexis Ribigkoln, Middlesex; Marty Strange, Randolph; Chelsea Myers, VSA; Gail Graham, Calais; Helen Keith, Huntington; Dustin Degree, Governor's Office; Carl Bayer, Blue Mountain Union School; Kristen Murray, Blue Mountain Union School; Bill Kimball, Washington Central Superintendent; Bill Paton, Groton; Kurtis Brooks, Groton; Sera Brooks, Groton; Christle Brooks, Groton; Myrtie Beck, Blue Mountain Union School; Cheryl Sargent, Ryegate/Groton; Paul Stone, Orwell; Chip Conquest, Newbury; Shelby Knudson, Blue Mountain Union School; Ethan Knudson, Blue Mountain Union School; Carrie Bogie, Blue Mountain Union School; Dawn Blanchard, Blue Mountain Union School; Jullian Smith, Blue Mountain Union School; Emma Gray, Blue Mountain Union School; Maggie Emerson, Blue Mountain Union School; Neil Emerson, Blue Mountain Union School; Jennifer Knowles, Blue Mountain Union School; Michele Dow, Blue Mountain Union School; Juli Dow, Blue Mountain Union School; Allana Page, Blue Mountain Union School; Kristen Robinson, Blue Mountain Union School; Courtney Musty, Blue Mountain Union School; Todd Powers, Groton/Blue Mountain Union School; Julie Oliver, Groton/Blue Mountain Union School; Mallory Scahill, Blue Mountain Union School; Lindsay Walbridge, Groton, Blue Mountain Union School; Dawn Burroughs, Ryegate/Blue Mountain Union School; Liam O'Connor-Genereaux, Ryegate/Blue Mountain Union School; Caleb Genereaux, Ryegate; Mairead Genereaux, Ryegate/Blue Mountain Union School; Andrea Dennis, Ryegate/Blue Mountain Union School; Brooklyn Dennis, Ryegate/Blue Mountain Union School; Evan Dennis, Ryegate/Blue Mountain Union School; Cameron Dennis, Ryegate/Blue Mountain Union School; Gail Nelson, Ryegate/Blue Mountain Union School; Bruce Nelson, Ryegate/Blue Mountain Union School; Jim Nelson, Ryegate/Blue Mountain Union School; Allison Ingerson, Groton/Blue Mountain Union School; Richard Roderick, Wells River/Blue Mountain Union School; Mark Gleicher, Groton/Blue Mountain Union School; Brent Abare, Groton/Blue Mountain Union School; Kelsey Root-Winchester, Wells River/Blue Mountain Union School; Lisa Olsen, Cabot; Rick Hausman, Newbury; David Schilling, Danville; Diane Janukajitis, Stannard School Board; Antonio Munson, Ryegate/Blue Mountain Union School; John Munson, Ryegate/Blue Mountain Union School; Kitty Toll, Danville/Cabot; Susan Hatch-Davis, WRUS; Paul Hazel, Ryegate, Blue Mountain Union School

#### **Item A: Call to Order**

Chair Huling called the meeting to order at 8:30 a.m. and reminded the group to sign in for attendance and to sign up separately up front for public comment. She introduced and welcomed Daniel M. French, the Agency of Education's newly appointed Secretary. Chair Huling asked Board members to introduce themselves. She thanked Deputy Secretary Bouchey for standing in as Acting Secretary. She continued that she kept the Agency of Education going while the Governor considered the candidates for the Secretary of Education and she played a huge role in some monumental legislation.

#### **Item B: Recognition of Underhill**

Chair Huling asked if there were any representatives present from Underhill Central Elementary School. Andrew Pond from MMMUSD was present. She proceeded to recognize the Underhill Central Elementary School for its high test scores, high equity, low student-teacher ratios and serving some of the poorest students in Vermont. She shared the certificate of excellence. She said that the Albany Community School was recognized at the July meeting and Saxtons River Elementary School will be recognized at the September meeting. Pond said that MMMUSD appreciates the recognition.

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

Chair Huling explained that she had invited a panel from two districts who have merged to share their challenges, successes and suggestions for what should be considered as articles of agreement are drafted.

Panel members were: Jen Newcedar, ACSD School Board; Vicki Wells, ACSD Assistant Superintendent; Peter Burrows, ACSD Superintendent; Jeff Evans, CVSD Director of Student Innovations; Thomas Daley, CVSD recent graduate and student representative to the CVSD School Board; Lynn Jonnick, CVSD School Board Chair from Charlotte.

Burrows said the process to merge was long and that the conversation started in the 1970s. The area grappled with changes in demographics, challenges of the SU with separate districts and going in a unified direction together and determining what is gained and what is lost when merging into one. The budget was rolled into one and there were and still are ongoing challenging conversations. The process is to take the cultures from each individual school and combine expertise to build something that will work for all kids. The SD is now able to build systems to keep things moving that before would have been a challenge. The big challenge with unification is the viability of small schools and the challenges that declining enrollment in rural Vermont poses for all school districts. Burrows said to focus on what you have not what you are going to lose.

Wells said that special education was combined and that there were struggles with centralization of special education. The process started in 2014. They learned to develop one budget for special education through one board and it has made a significant difference. The SD looked to resource allocations and how to best serve kids and be equitable. It is still not easy but has become much more doable.

Newcedar said that were concerns that the small towns would lose because they were under represented on the board. The focus has been on all students and this has not been an issue. A Planning and Engagement Committee was formed to help convey the message district wide and to help people feel they have a voice. This is an ongoing challenge with the effort to keep community ties strong. Burrows said they have developed four Community Partnership Committees to involve the community in goal setting because the local connection to the school is critical.

Jonnick said that CVSD studied consolidation twice prior. Two of the small towns provided resistance and did not want to combine. CCSU did a great job of finding common ground and consolidated services where it made sense instead of being forced. When Act 46 came to be,

special education and curriculum were already being shared. Additionally, it allowed the SU to take advantage of efficiencies related to transportation, food services and facilities. There was concern that individual communities would lose voice for their kids. Jonnick said that parents in every town wanted the same thing for their kids - to be equally prepared when they go to the high school, CVU. Consolidation has helped to ensure that happens. CVSD adopted the VSBA definition of equity. Challenges include the budget and getting line items to match and communication to the community. The SD continues to have struggles but at the end of the day, students are much better served.

Daley said as a student the greatest challenge can lead to the greatest success. Just because the numbers are the same does not mean the students are receiving the same level of instruction. The SD has to find the balance where each school has equal programming for students in addition to each school being unique in different ways so students get to high school on equal ground.

Evans said that the most significant impact is the budgeting process. It's a shift in mindset from a budget for one school to a budget for a district and sharing the resources. Decisions are made around class size and student-to-teacher ratios. They created a project around intervention systems and how CVSD is meeting the needs of students, and that the standards are not easily met. The outcome is that schools that were over represented in staffing fewer students are now shifted to the schools that were under represented. The district is working to right size the staff to the school. It is easier to absorb costs under a consolidated budget.

Discussion continued around tax rates, combined costs, CLA, budget meetings, community involvement, tax equalization, quality of board policy, culture development, superintendent evaluation, effective school boards, challenges and improvements and allocation of administrators' time.

Chair Huling thanked the panel for presenting their experiences to the Board.

Chair Huling reminded members of the public to sign in and for those wishing to give comment under the public to be heard section, to sign up in the front of the room.

Chair Huling explained that under Act 46 the next steps for the Board is to "study and analyze the plan" between June 1 and November 30 and that they could gather information. As a Board, they wanted to give voice to the local communities in response to the Secretary's report. She explained that there are 43 decision points spread over three meetings. She shared that the plan is for 10 minutes of presentation and 10 minutes for questions from Board members. She advised that speakers will be held to 10 minutes of presentation and shared the system for timekeeping.

#### **Item D: Oxbow UHSD and Bradford**

Chair Huling reminded the group that the State Board has read their proposals and responses and that the State Board will ask questions. Kim Freedman, Chair of the Bradford Elementary School Board and Lucas Barrett, Vice Chair of the Bradford Elementary School Board and the Orange East Supervisory Union Board representative, addressed the Board.

Freedman said they had no official rebuttal but felt it necessary to update the State Board on recent developments since they submitted their Section 9 proposal. Since the proposal, Blue Mountain Union School has joined the Orange East Supervisory Union. There was a forum that included all district boards and community members. A straw vote was taken and the outcome was to merge with an extended timeline. The boards were to report back and it was determined that many districts still wanted their independence citing governance structure, budgets and properties owned by the various towns. Another meeting with Bradford Elementary and Oxbow, prior to the State Board meeting, showed support for the original proposal and still encouraged a merge with Oxbow, Bradford and Newbury. It is believed it will be efficient and provide consistency and the best opportunity for students. Freedman requested an extension to the timeline to work out the different governance structures, financial issues and to obtain additional community buy in. She continued that they recognize and empathize with Blue Mountain Union School and respect their autonomy. Freedman added that two representatives from Newbury oppose the plan and they wanted it known.

Discussion continued regarding the proposed timeline of the extension, assets and debt, different structures of CBAs and teacher contracts. Chair Huling asked why they were not compliant with the transportation and special education services at the SU level as specified in Act 46 and asked what they are doing to remedy the situation. Superintendent Knisley addressed the Board and said that one of the complications is there are separate transportation contracts at Blue Mountain Union School linked to inter-state transportation agreements in New Hampshire. She said that special education is more complex with concerns associated with costs and Blue Mountain Union School running special education through its systems parallel with OESU's. There are discussions taking place on how to get into compliance while implementing the new special education funding system. Chair Huling was concerned that OESU has been out of compliance for a while with seemingly no attempt to remedy the situation. Knisley said she is new at OESU and is still learning the history and knows OESU received a waiver for a specified period of time.

Discussion continued on adult relationships getting in the way of systems, difference in various boards and varying visions and missions.

#### **Item E: Newbury**

Presenters included Paul Jewett, Newbury Board Chair, Danielle Corti, board member, Emily Hausman, board member. Jewett said that it is in the best interest of the Newbury Elementary School to remain governed by its independent school board while remaining in the newly expanded SU. He listed the following reasons and offered explanations for each: loss of flexibility and local responsiveness; precedence in granting school districts with similar circumstances independent status; consequential financial implications; disruption of stable relationships with school and community; limited gains; anticipated savings; likelihood that another district will cause the district to fall below the Act 46 goals.

Olsen asked if Blue Mountain Union School was removed from the equation, would they still be opposed to the merger. Jewett answered yes. Discussion continued regarding economies of scale, tax implications, SU versus SD, OESU struggles, collective bargaining and separate

contracts, superintendent effectiveness, what is easier, focused conversation and controlling costs.

**Item F: U-32 and five members**

Presenters included Matthew DeGroot, Washington Central School Board Chair, Flor Diaz Smith, East Montpelier School Board member and Scott Thompson, U-32 School Board member.

Smith said that the Board should not assume that the AGS is about the adults and not the kids. The current work being done aligns with the goals of Act 46 and what is best for kids. She said that change in the small schools should happen organically and not be forced upon them. Forced change will put the brakes on the good work that is happening in the schools now and the children will suffer. Best practices occur across all schools in the SU.

Thompson said that there are different levels of indebtedness. In prior mergers, the handling of debt was combined. The State Plan feels like an arrogant display of dogmatism. There is a possible \$3 million potential confiscation looming over two towns. However, the suggestion of closer ties with Cabot and Twinfield is welcome. The superintendent is very capable and can rise to the challenge.

DeGroot said that all 6 of the school boards unanimously endorsed the AGS proposal. In the groups' point of view, a merger will be bad for the schools and the kids. The towns are unified in their views.

Discussion followed regarding the unequal amount of debt across towns, incentives in Act 46 which were not taken advantage of if a voluntary merger was taken, opposition to consolidation and school board challenges. Peltz asked about the process of community engagement and asked if the general population was engaged. A gentleman spoke out of turn and said, "we're engaged in the process." Chair Huling asked that the elected officials speak for the group. DeGroot said there were community forums and a survey by a third party. He did not think that the vote was necessary and continued that he is glad they didn't waste the voters time because the State Plan ignores the votes of many other districts and communities.

Chair Huling called a recess at 10:25 a.m. and asked the Board to reconvene at 10:35 a.m. Chair Huling called the meeting back to order at 10:40 a.m.

**Item G: Barnard Elementary**

Presenters were Pamela Fraser, Windsor Central MU School Board member and Carin Park, Barnard District School Board Chair.

Fraser said that consolidation can be good for areas where schools cannot afford programming, has negatives outcomes and is too expensive. She said that is not the case for Barnard as it is meeting and exceeding the five goals of Act 46. Enrollment is on the rise and it has a long history of sharing resources with the SU. The State Plan indicates enrollment numbers as the main concern, but actual data show increases in the last five years. The recommended merger decreases the ability to meet and exceed the goals. The other districts are unwilling to compromise. Barnard's PreK program would be at risk for reduction as the SU voted to offer public PreK affecting equity and quality for Barnard students. The two Barnard members of the

MUSD School Board do not have enough votes to impact the outcomes of the 16 member board. Also, Windsor Central MUD authorized the removal of two grades at the Barnard school which makes it not sustainable. Students will need to be bused to different campuses. Barnard students face no opportunity gap and the rationale for the decision is weak. Fraser said that the State Plan encourages closure, includes misleading data, and does not include PreK numbers in the ADM. The Barnard electorate voted not to merge. A forced merger will create the conditions for closure. Barnard being forced to consolidate with an already operational district will have no access to the articles of agreement that offer protection to small schools because the Windsor Central MUD already voted on previous articles of agreement.

Park said that a forced merger threatens their already successful school and community.

Discussion followed on educational quality and equity, reduction of opportunity, articles of agreement and possible modification of these, and a hybrid board model. Carroll asked what it would take to make a merger possible. Park said addressing the articles of agreement and Barnard's concerns. She added the benefits of merging may still not be enough to give up the local School Board. There is a value to community engagement.

Chair Huling said that if there is any new information to submit it to the Board.

#### **Item H: Huntington Elementary**

Presenters were Paul Susen, School Board Chair and Carrie Wyatt, School Board member.

Brewster Pierce Memorial School receives special education, transportation and administrative services from Chittenden East. They have an issue with administration because they charge excessively for the services the board receives. Brewster Pierce School offers many innovative programs and are hopeful this would not change with a merger. They have a locally sourced food program, outdoor classroom funded locally and has a program called Forest Friday's which is supported by Audubon Vermont. Merger will not change children's cognitive, emotional, social and physical behavior. The only possible benefit to merger has to do with administrative efficiencies. All four votes taken in the past have been overwhelmingly no.

Huntington has two issues with a proposed merger, voting and articles of agreement. It is not clear if there is language anywhere that supports a forced merger without a community vote or if articles of agreement need to be in place before the vote. Huntington School Board does not have articles of agreement. The articles of agreement currently in place for the new formed MUD do not apply to Huntington. All debt from the previous MUD was absorbed. Huntington cannot assume the same and if it is not absorbed then merger cannot happen. Huntington property was donated to the school and they would like to maintain ownership. They will retain an attorney if needed. It is likely, an FY20 merger completion date is not obtainable.

Discussion and questions followed regarding \$1.25 million debt, intra-district choice, declining enrollment and increasing costs, cost for new HVAC system, money being taken away from students and voters willing to pay more.

#### **Item I: Orwell**

Presenters included Allison Eastman, Glen Cousineau and Peter Stone. Stone said that Orwell does not want to be consolidated with the Slate Valley School District. Orwell is currently in a modified MUD with Slate Valley and the board split on whether to merge or not to merge. Orwell voted three times against the merger. The State should let the town of Orwell decide. There is no real benefit since Orwell has met the goals of Act 46. They share resources such as curriculum.

Cousineau said he is in favor of the merger because there would be better educational opportunities under a merged system. Sharing of resources is in place and Orwell works well with the district. He does not fear school closure. Taxes are on the rise and he is not sure how long the community can support the budget with tax increases and the small schools grant going away.

Eastman said that she originally was opposed to Act 46 but chairing the first study committee changed her mind. Equity was important in representing all children. A bigger district allows for greater opportunities prioritized to area needs. Orwell shares resources with Benson now but fears becoming an island with no opportunities if not merged. Orwell is divided and is in a difficult position.

Olsen asked where the opposition is coming from if the issues were resolved. Stone said that local control and running the school as it sees fit and not the other schools running it. Discussion followed regarding how a merger would change anything, local control and learning from positive experiences. Huling asked if anything has been cut in the last 5-10 years or any opportunities been added. Eastman said nothing has been cut because they have a very supportive community. Stone said that they added a ski program. Cousineau said he would like to see a STEM program added.

**Item J: Public to be Heard on Items D, E, F, G, H and I**

Chair Huling advised that each member of the public who had signed up to be heard would have two minutes to speak, to keep things moving quickly.

Gail Conley, Huntington – spoke in opposition to the merger and to respect the town’s wishes that voted no to merger four times.

Kimberly Jessup, Middlesex, represents several towns in the area - organized a letter signed by the entire general assembly delegation representing the towns that make up Washington Central SU. AGS proposal is the result of many hours of hard work as required by statute. Does consent matter? The preferred model is well suited for the majority of students and a merger should not be forced on a community. The State Board should not discard the hard work and approve the final proposal.

Susan Clark, Middlesex – spoke in favor of her schoolboard’s not to pursue consolidation. Debt issues would create inequity. It will pit town against town and neighbor against neighbor and lead to grave repercussions.

Richard Kehne, Calais – spoke to the Board that five towns addressed and rejected a preferred model. There is not a one size fits all. Acknowledge towns that have done their due diligence. Calais will challenge legally in court. Calais is considering school closure and forming an independent school.

Andrew Pond, Bolton – thanked the court for recognizing Underhill Central’s achievements. MMMUSD merged a few years ago with a focus on students and improvements within the district. Supervisory Union structure is a distraction and not a benefit to students. Huntington being separate does not allow for the continuous improvements of students. To best serve students it must become a supervisory district.

Linda Treash, Barnard – defended the work of the people who worked on the AGS proposal, upheld ideals and followed the law. The AGS proposals are under strict scrutiny while the preferred models were pushed right through.

Dan Redondo, Orwell – spoke that the town voted three times. The third time was listing the town as advisable and created a MUD. The SBE approved it and the town voted it down. The State Board is proposing to merge Orwell in a plan that it rejected three times. It is the destruction of the democratic process.

Paul Stone, Calais – spoke to the 2<sup>nd</sup> article of agreement that detailed how a MUD could be formed and how Orwell could opt out. And Orwell voted to opt out. He hopes the State Board will respect the democratic decision. The opportunity for community involvement with a smaller school is great. They will lose the small schools grant if they stay in the MUD which is criminal.

Scott Massage, Calais – said you can force Calais to go into consolidation and everything he has read indicates you will. He asked the Board if they see the consequences and said that if the Board forces consolidation then the Calais School will close.

Sheri Young, Orwell – said that she ran a STEAM program for the town of Orwell and has volunteered many hours. She researched Act 46 and determined that if the school was forced to merge that the children will be negatively impacted. She asked where the equity is for rural children when you close their small supportive schools.

Glen Cousineau, Orwell – spoke that Act 46 had some merit and is being stuffed down their throat. He can accept any decision that is made. There needs to be an end so the community can start to heal.

Lisa Barrett, Huntington – asked the Board to reconsider. Huntington has voted four times. The State Plan discounts community sentiment. The Board needs to correct that error. If merged, the children will learn that people in power will ignore the will of the people. Please reconsider and not force Huntington to merge.

Kyle Landis-Marinello, Middlesex – said he passionately supports keeping local school boards. He said it is not just his opinion but the opinion of all the school boards in the six towns and of

state representatives and senators. They know their towns and their citizens and merger will not work. To force a merger without consent and no incentives is unconscionable and it will not work.

David Carpenter, Orwell – said he sees this as how to respond to change and not instill fear but to exert leadership. He is on the MUD Board in Slate Valley and the collaboration has been great. They look for ways to further the education of all children and not just their own. He does not understand loss of control and loss of community. School closure is a fear but greater opportunities for children should outweigh the fear.

Chair Huling called lunch recess at 12:19 p.m. to reconvene in 30 minutes.

Chair Huling reconvened the meeting at 1:01 p.m. and reminded the group to sign up for public comment and reviewed the process for public comment as well as the process for the presenters.

**Item K: Blue Mountain UUSD**

Presenters included Angeline Alley, Blue Mountain Board Chair and Judy Murray, Blue Mountain Board Member.

Alley said that Blue Mountain Union School District (BMU) and OESU entered in a 706 meeting and soon after it became apparent that the benefits would be unequally distributed and primarily benefit Oxbow and Bradford with limited increases in educational opportunities for Blue Mountain. Against their better judgement and with no other alternative, BMU requested reassignment with OESU thus eliminating the BMU District and making BMU a member district within OESU. If there was another alternative, BMU would not have chosen to align with OESU. BMU requested that it be allowed to adjust to the new governance structure which it did not choose voluntarily. Maintaining its status as a member district under OESU offers the best opportunities for it to reach the Act 46 goals. BMU does not wish to assume \$1.5 million of the other districts' debt if forced to merge with OESU. BMU will be debt free as of July 1, 2019.

Facing a possible forced merger has divided the four towns in the district. A forced merger is not in the best interest of the communities or the region and will not increase opportunities for kids. The best interest for BMU is to remain a member district within a supervisory union.

Huling appreciated the creative thinking that was included in the proposal which was to partner with Little Rivers and spoke to giving space in terms of service.

Discussion followed on debt, governance change, driving forces against the merger and building community trust. Chair Huling said there was concern with OESU not following the law in terms of transportation and special education services. Alley said it has been just six weeks and they are trying to work with the new district. They have worked on an amended AGS proposal. The goal is to work and move forward collaboratively.

Discussion followed regarding the land owned by BMU, willingness to work together, challenges, mistrust, low tax rates and opportunities for kids. Carroll asked if BMU was forced to merge if the high school would close. Murray said they would seek high school choice for

grades 9-12. Carroll asked for an explanation. Alley said that the sentiment in one community is that school choice is the best option if forced to merge. Alley said they would really like to remain their own district. Discussion continued around a school that is under capacity, no say in school choice, why give up voice, and no guarantee to save money with school choice.

Chair Huling asked that any new developments and documents be shared with the State Board.

**Item L: Cabot**

Presenters were Lisa Olson, Cabot School Board, Chris Tormey, Cabot School Board, Rory Thibault, Cabot School Board and Mark Tucker, Superintendent.

Storming said that like other small schools, Cabot has had the tough conversations about merging with Danville or Twinfield be beneficial. Cabot is able to meet the need of the students due to its small school. The vote of the electorate was not to merge with the fear of the high school closing and risk of losing other parts of the school. It was ultimately determined to pursue an AGS so the school could continue its great work.

Storming continued that the Act 46 process had negative ramifications on the Cabot community. The loss of teachers and students has had a detrimental impact which jeopardized the school's educational offerings. He continued that the Secretary's recommendation is for Cabot and Danville to merge. Either collaborating with Danville as parallel partners in the same SU or merging will accomplish Cabot's goals of being able to continue to offer opportunities. Both options come with challenges and opportunities. The impact of the loss of teachers and students has made Cabot understand that it is more difficult to guarantee the educational opportunities.

Chair Huling asked for opportunities that has changed at Cabot since the impacts of last year. Storming confirmed that athletics has been eliminated, several seniors went on to early college and elementary chorus was cut. Discussion continued regarding budget votes, gym roof and ongoing issues with facilities, uncertainty of keeping students, increased offerings and stability, and Advantage Cabot.

Chair Huling asked to be kept apprised of conversations if they continue with Danville.

**Item M: Danville**

Presenters were Bruce Melendy, Danville School Board Chair, Dave Schilling, incoming principal at Danville School and Robert Edgar, Danville School Board member.

Melendy said Danville entered into a 706 study with Cabot and had productive talks. Both Cabot and Danville voted down a merger. Danville submitted an AGS instead. The citizens of Danville are not opposed to a merger with Cabot in principle but expressed that a merger may not be the best path forward for ensuring equity and an equitable education for all. The Secretary's proposal seeks to find a regional solution to the educational challenges in Caledonia beyond the goals outlined in the AGS. The core issue that remains unresolved with a potential merger with Cabot is the Cabot High School. If Danville and Cabot merge there will be an increase on the homestead tax by 8 – 10 cents. Despite declining enrollments and cuts in

programming, Cabot insists on keeping its high school open. Danville's High School has the capacity for Cabot High School without adding to the Cabot budget. Danville is concerned about Cabot's infrastructure. Joining Danville and Cabot at this time is not advisable and may do more harm than good. Danville recommends approval of Danville and Cabot's AGS to maintain current governance structures and redraw the SU boundaries in Caledonia so Cabot becomes part of the Caledonia Central SU. It would instantly lead to community collaboration. Danville insists that Cabot townspeople determine the fate of Cabot High School before any decision is made.

Discussion continued regarding capacity, opportunities to all students if merged, closing Cabot High School and continuing discussions with Cabot to work something out.

Chair Huling said to keep the Board updated on any progress.

**Item N: Twinfield**

Presenters included Mark Tucker, Washington Northeast SU and Patrick Healey, Twinfield School Board Chair.

Tucker said that the two communities of Marshfield and Plainfield are comfortable with a merger. They reached out to Cabot who chose not to engage in any conversations. They reached out to Washington Central and Barre SU for possible opportunities for collaboration. Neither group was in a position to discuss at the time. Twinfield knows that Washington Northeast SU will be disbanded and open to SU reassignment. Twinfield is a strong small school and is two years ahead of schedule in implementing Proficiency Based Learning. The Twinfield School Board would like time to collaborate with any potential partner or district. The default articles of agreement should have a buffer built in for merged school districts who are forced into a decision without getting to know each other. Twinfield knows that it will be a Board decision on where they end up but want to make sure and advocate for the best interest of the kids in the school.

Huling said that building trust is something that is built over time. Carroll said Twinfield is in a position of strength in some areas but a position of weakness with spending being on the rise.

French said the draft articles of agreement will be released next week and they can be amended to suit the districts. They are templates. Chair Huling said that Act 46 mandates that the State Board provide draft articles of agreements for any merged districts. The districts have the opportunity to modify them and if they don't, then the draft versions become the official articles.

Chair Huling asked to be kept informed if anyone reaches out to Twinfield.

Chair Huling reviewed the guidelines for public comment.

**Item O: Public to be Heard on Items K, L, M, and N**

Judy Murray, BMU – said that what is best for a community is a good school and what is best for the kids is a good school. BMU offered a preferred structure under Act 46. Its only crime is having less than 900 students. BMU has a lot to offer the region. Give it time to be successful.

Forcing a merger so close to being reassigned is too much too soon. She asked the Board to approve the amended AGS proposal. It will allow time to address community concerns.

Amy Emerson, BMU – said BMU has a highly functioning forward-thinking board. They've approved PreK – 12 curriculum and worked to get BMU debt free. They work hard for the best opportunities for kids while keeping costs low. In listening to neighboring boards about a merger, their answer is that it's easier. It is not what is taught at BMU to take the easy way out. Please allow BMU to be a member district under OESU.

Tracy Puffer, BMU – said that if forced to merge there will not be any increased opportunities for BMU students. Trust does not exist in the current situation. The Bradford School Board has said that closing BMU high school and Newbury Elementary would be the “brave” thing to do if merged. She can't trust someone that wants to take local control away from her community. She said we do not want to close our high school. The idea came from a small group of Groton citizens that convinced people that if merged the high school will close. They wish to remain their own member district.

Neil Emerson, BMU – asked Board to consider the amended AGS proposal of BMU. Act 46 has created a lot of anxiety in the area. He doubts the lack of local control will cause the BMU high school to close and have students bussed to Oxbow, but the uneven representation on the school board could one day cause the closure of the BMU high school and this does not sit well. Some are considering very serious measures if forced into merger like closing the high school before being forced to do so.

Carl Bayer, BMU – Act 46 is not a one size fits all. He hoped for a more realistic application from the Scott Administration. He resents that BMU students are being treated like inventory. BMU has no debt and OESU gets all the assets and it is unknown what they will do with it. There may be cost savings for OESU but not BMU. Educational opportunities exist at BMU and River Bend Technical and Career Center. It does not need Oxbow High School. Act 46 is outrageous and is a hostile takeover.

Kristen Murray, BMU – said that the Secretary's draft State Plan is subjective and did not include data that the AGSs had to include. It relied heavily on deferral of a preferred governance structure in the Act. The Act does indicate that there may be some districts that fall out of the preferred structure which is why the AGS is an option. The Secretary's draft State Plan dismisses through lack of discussion the way in which BMU demonstrated its ability to achieve the goals outlined in Act 46. It reads that the goals of Act 46 will be better obtained through merger. School choice is not the choice, it is the alternative.

Richard Roderick, BMU – BMU is in this position because they lost their superintendent during the Act 46 process. If Act 46 was not in process, they would have received permission to hire a new superintendent and would have remained a preferred district with a superintendent and not be forced into merger. The Secretary said it was a difficult decision not that it was a great decision. The only reason that they are not a preferred district is that they have less than 900 students. Bradford wants students and not ideas. Let BMU remain its own district.

Chip Conquest, BMU/Newbury – spoke about legislative intent. The Legislature recognized it could not anticipate every possible scenario and the Legislature thought that AGSs were necessary and there was expectation that it would be used. The Secretary’s draft State Plan does not allow a single AGS to move through when communities made a concerted effort with a Section 9 proposal. He implored the State Board to honor the legislative intent and consider the AGS as an honest determination as best model. The Legislation is designed to encourage local decisions and actions that achieve the goals of the Act. The intent was to provide the best education for kids.

Margaret MacLean, Peacham – spoke about Vermonters and Schools and Communities. They’ve analyzed the plan and found it to be indifferent to the key meanings of Act 46. It is unfair and unwise regarding involuntary mergers, misguides the State Board, violates the law and damages public education. It raises a level of concern to executive overreach. It disallows alternative governance, doesn’t understand legislative intent, rejects alternative governance proposals as a matter of policy and contains inconsistencies in forced mergers.. The treatment of legacy debt defies the expressed consent of the general assembly. The plan is indifferent to the lengthy bus rides of students and is inconsistent in the role of democracy in school government.

**Item P: Pittsfield**

Presenters included Chris Burber, Pittsfield School Board Chair and A.J. Ruben, Pittsfield School Board member.

Burber said that as proposed in the Secretary’s plan, she did not believe that Pittsfield should be forced to merge. They are currently in a 3x1 side-by-side district with Windsor Central Modified Union District and it is working well. Most of the kids attend schools in the district. Things are streamlined for the kids.

Chair Huling said that is straight forward.

**Item Q: Hartland and Weathersfield**

Presenters included Sean Wick, Weathersfield School Board, Sarah Taylor, Hartland School Board, David Baker, Windsor Southeast Superintendent and Heidi Remick, Weathersfield School Board.

Taylor said that the Secretary’s plan accepts their argument but leaves decisions for the State Board. Windsor Southeast is working well together and have formed a strong collaborative board. They have put in place carousel and joint budgeting meetings. The area is geographically complex and they couldn’t find any opportunities under consolidation that did not already exist. The SU has done a lot of work over the years aligning curriculum, common professional development and consolidated most functions; they would like to continue to see the benefits of that work. Redrawing of SU boundaries will remove the relationship between Hartland and Weathersfield. They are excited about the initiatives and collaboration within the SU and feel they can meet the goals of Act 46 by remaining in the relationship.

Chair Huling said it is harder when forced into a relationship versus finding one on your own and asked that if they find other ways of collaborating, to please inform the Board. Baker said that when it happens organically building relationships is easier.

**Item R: Waits River Valley UUSD**

Presenters included Stacy Emerson, Waits River Valley School Board member, Carlotta Simons-Pantone, Principal of Waits River Valley School and Joe Nolan, Waits River Valley School Board member.

Nolan said their request is a bit different. They are K-8 plus choice and include Thompson and Corinth. The school is debt free. They are currently in the Orange East SU and it is historically unhealthy. There is a lot of turnover and there is no shared curriculum which is something the SU should address. They want to continue to do well and they would like to be assigned to a district that has the same governance structure. They have talked to Orange Washington and Chelsea/Tunbridge. Potential partners include Thetford and Strafford. They would like to continue to build on their successes and opportunities for their kids. They've tried to do it on their own but it is hard.

Discussion followed regarding low test scores, populations skewed by high poverty, overall achievement with equity, and providing enriched opportunity for continuous growth.

Chair Huling asked if there have been further conversations with districts since the release of the draft State Plan. Nolan said they thought it was up to the State Board. Huling added that Waits River cannot be merged with Echo Valley or First Branch unless they are willing partners because they are newly merged.

Russo-Savage said you could change SU boundaries as part of the State Plan. Nolan said that the schools mentioned previously are the best potential partners. The State Board can create one SU or add them to an existing SU. French asked Russo-Savage if there is a mechanism in the law for voters to petition the State Board to reassign SUs. Russo-Savage said yes.

Chair Huling called a recess at 3:15 p.m. and asked the Board to reconvene at 3:30 p.m. Chair Huling called the meeting back to order at 3:35 p.m.

**Item S: Public to be hard on Items P, Q and R**

Mike Bailey, Chair of the Central Vermont SU Board – said that Waits River had approached them about joining their SU which includes Paine Mountain which is Williamstown and Northfield and Echo Valley which includes Orange and Washington. It is not a good fit. They want to continue to do what they do without input from the superintendent.

Steven Whitaker, Montpelier – said he has been involved in telecommunications in central Vermont for several years. He said that his perception is that this could have been handled much better if the State Board had the right technology infrastructure. A valid telecommunications plan is required by statute to be rewritten every three years and has not been done since 2004. Had this been in place, districts could have identified their best partners.

Districts do not need to be contiguous to take advantage of opportunities if you have the right technology infrastructure. It is a missed opportunity.

Marty Strange, Randolph – said he has worked in public policy around rural education in 15 states and in Washington, D.C. It plays out the same everywhere and people are forced into mergers. Barnard, Blue Mountain, Cabot and Twinfield all expressed concern over being forced into mergers where they would be minorities and where their schools could be closed by the votes of the other communities. The Secretary’s plan dismisses that by suggesting that the merged boards would act in good will or there is a hybrid board where the smaller schools get disproportional representation. This method has a long and inglorious history in the South.

#### **Item T: Consent Agenda**

Carroll moved to adopt the consent agenda as written. Mathis seconded the motion. Peltz noticed that there are no IEPs at the Community High School of Vermont and that it is astonishing that there is no one requiring special education services. Olsen said there are no IEPs after the age of 21. The vote passed unanimously.

#### **Item U: Public to be Heard - general**

Occurred during previous public to be heard section.

#### **Item V: Barre Town – Barre City**

Russo-Savage gave a brief overview which said that the Barre SU districts (two elementary school districts and the high school district) have a new merger proposal. Act 46 allowed for mergers to occur after the release of the Secretary’s draft State Plan. The Agency of Education identified **two** issues with the plan. The first is the timing of the vote of the electorate which is problematic. The second is if the vote is successful would the Board allow the district to automatically be a supervisory district or require Barre to come back before the Board.

Presenters include Gina Affley, 706 committee co-chair, Tyler Smith, 706 committee co-chair and John Pandolfo, Barre SU superintendent.

Smith said they considered the reasons why the first merger proposal was voted down by Barre Town. They worked to address the issues and create new articles of agreement that would address the concerns. The warning includes some of the articles of agreement with one identifying that the restructuring is up to the vote of the community and not the school board and another having to do with boundary lines and students from either town attending the other town’s school.

Smith said there has been a lot of talk around the timing of the vote. It was determined that a November vote is best and will have the most voter turnout. Olsen asked if Barre is amenable to adding Twinfield to their SU. Pandolfo said that there have been talks with Twinfield but it was too soon to include them as they tried to work out their own merger. He continued that he knows Twinfield is a willing partner. Sentiment is mixed amongst the Barre board members.

Discussion followed regarding the timing of the vote and voter turnout. Chair Huling asked Russo-Savage to clarify the complication with the timing of the vote and the State Plan. Russo-Savage said that after a vote on November 6<sup>th</sup> there is a 30 day reconsideration period which

puts the date past the November 30<sup>th</sup> final State Plan release date. Further discussion occurred regarding dates and authority of the State Board.

Beck left the meeting at 4:00 p.m.

O'Keefe left the meeting at 4:07 p.m.

Pandolfo asked if the Board could put conditions on the vote. Perrin asked why they think the vote will pass this time. Affley said there were concerns around where the students will go to school. An article of agreement says that a student cannot be forced to attend a school outside their city. The School Board will not be able to restructure the schools, change the articles of agreement or close a school without a vote of the electorate. Discussion followed regarding redistricting and school choice within the district.

Russo-Savage and Bachman agreed that conditions on the vote would not be advisable. Discussion of the actual merger proposal continued regarding quality of education, relying on original report and changing focus to articles of agreement.

Chair Huling asked if there were members of the community that would like to speak.

Ashley Morris – said she voted down the original merger proposal for a number of reasons and even with the changes will vote against it again. Both are very large districts and merging will be a disservice to education and will be really difficult. If the vote fails, she would like the individual boards to draft something to keep things as they are. They are consolidated into Spaulding.

Carroll moved to adopt #1 as presented and described on the green sheet. Perrin seconded the motion. The vote passed.

Carroll moved to adopt #2 as presented and described on the green sheet. Weinberger seconded the motion. Weinberger asked for rationale and timing of the vote. Russo-Savage said because there is a 30 day petition period. Further discussion on timing occurred.

Carroll withdrew the motion.

Carroll moved to adopt #3 as presented and described on the green sheet. Weinberger seconded the motion. The vote passed. Yea votes include Weinberger, Olsen, Peltz, Carroll and Mathis. Perrin voted no.

Pandolfo asked for clarification on the process.

Olsen made a motion to adopt #4 as presented and described on the green sheet. Carroll seconded the motion. Discussion followed regarding the significance of the Board's vote. Carroll offered an amendment to the language so that it reads "That the State Board of Education votes to approve the attached report of the BSU Study Committee." Olsen seconded. The vote to accept the amendment passed unanimously.

Mathis made a motion to call the question. Yea votes included Olsen, Peltz, Weinberger, Mathis and Perrin. Carroll voted no.

The question was called. The vote passed unanimously.

Carroll made a motion to adopt #5 as presented and described on the green sheet. Olsen seconded the motion. The vote passed unanimously.

**Item W: Calendar Review**

Chair Huling said the next meeting will be on August 15<sup>th</sup> in Chester. She reminded the Board of the meeting dates:

October 2<sup>nd</sup> - extra meeting

October 17<sup>th</sup> - regular meeting

November 14<sup>th</sup> - regular meeting

November 28<sup>th</sup> – tentative

Carroll wondered if now that the Board has a new understanding of the situation that maybe another meeting is necessary so that there can be consensus of where the Board may be heading. Peltz thought this was a good idea Weinberger stated that it is wise and would be helpful but it is not fair to the first two groups or to the last group. Olsen said that the sequence for the October 2<sup>nd</sup> meeting will be to craft a high – level sketch before the October 17<sup>th</sup> meeting. Further discussion occurred around strategizing on how to handle the upcoming workload. Carroll commented that he agreed with Weinberger that it would be unfair to those who have already come before the Board. Chair Huling said that is what was promised. There was further discussion on the timeline being aggressive, work outside the Board meeting, historic work, subcommittees at the Chair’s discretion, subcommittee meetings being public and abiding by the public meeting law.

**Adjourn**

Carroll moved to adjourn; Peltz seconded. The vote to adjourn was unanimous. The meeting adjourned at 5:13 p.m.

Minutes recorded and prepared by Suzanne Sprague.

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