

# Memorandum

To: Ripton School Board

CC: State Board of Education Members  
Secretary Dan French, Agency of Education  
Donna Russo-Savage, Esq., Agency of Education  
Peter Burrows, ACSD Superintendent

From: Oliver Olsen, State Board of Education Chair

Date: May 31, 2022

**RE: Expectations for Status Report Required by Section 4(c) of H727**

H727 has not yet been presented to the Governor for signature, so the requirements of this legislation are not yet in force. However, should this legislation be signed into law, the State Board of Education and the Ripton School Board will have a narrow window to operate within, should Ripton choose to continue moving forward with its transition to an operational school district on July 1, 2023.

Given the limited amount of time between now and July, I thought it would be helpful to outline expectations of what should be addressed in the status report that Ripton will be required to submit to the State Board of Education on or before July 20, 2022, should H727 become law (assuming Ripton continues with its planned transition date of July 1, 2023).

As required under Section 4(c) of H727:

*“On or before the regular July State Board meeting in the year in which the review will occur, the new school district shall submit a written status report to the Board detailing the actions the district has taken and will take to ensure that, as of its operational date, the district will be prepared to assume sole responsibility for the education of its students in prekindergarten through grade 12 in a manner that will meet educational quality standards as required by 16 V.S.A. §165 and to ensure the provision of supervisory union services. The status report shall include a timeline indicating the date by which each action shall be complete.”*

Section 4(d)(1) of H727 directs the State Board as follows:



*“The State Board shall consider the status report and provide the board of the new school district an opportunity to be heard. The Board may, in its discretion, take testimony from other individuals and entities, including the union school district and the Agency of Education. The State Board shall issue a determination of preparedness based on the review and report on or before the September 1 of the year in which the review will occur.”*

The State Board will need at least two weeks to review the status report before it can consider the issuance of an advisory opinion and may need to schedule a special meeting in August for this purpose. To facilitate scheduling over the next few months, please advise the State Board of Ripton’s plans as soon as possible, i.e., whether Ripton plans to move ahead with July 1, 2023 as a transition date and, if so, the specific date it will submit its status report to the State Board by.

For the State Board to conduct a meaningful review of Ripton’s preparedness, it will need a detailed timeline describing the actions completed since the formation of the Ripton School District, as well as planned future actions. The timeline should clearly identify the start and end dates of all actions, the named individuals who will be responsible for the completion of each action and estimates of effort required to complete each action. Please also note that the State Board will need to hear from the Addison Central Supervisory District (ACSD) about coordination of transition activities and its ability to support any planned actions that are dependent upon ACSD resources (e.g. transition related items). The timeline should be supported with detail of the actions required of the district to prepare for and assume full responsibility for the education of its students; at a minimum, details of these actions should address the following elements.

**1 Budget approval and funding for planning and transition activities**

Actions required to develop a budget, including a source of funding, to pay for expenses incurred to date and anticipated expenses associated with the planning and transition of the district to an operational state for the time period up to the first fiscal year of operation, along with the date of actual or planned appropriation of funding, consistent with the requirements of 16 V.S.A. § 4029. Budgeted expenditures should be presented with line-item detail.

**2 Experts responsible for transition planning and preparation**

Actions to secure expert resources to consult, plan, guide, and prepare for the successful operation of the school in the grades to be operated and the implementation of a new central office that will provide educational leadership, transportation, financial services, curriculum coordination, human resource support, special education services, and all other responsibilities mandated under state and federal law. The status report should include the names and CVs of the individuals that the district has hired or contracted with; CVs should include a summary of each individual’s relevant qualifications



(including licensure) and experience in Vermont educational leadership and the operational area or areas for which each individual is responsible. If these experts have not already been secured, the status report should specify the required qualifications for each position to be hired / contracted with, the actions and expected timeline to secure these resources, and include an explanation of why any of these positions are unfilled at the time of the status report submission.

Each identified expert should be available to testify at a State Board meeting and/or committee of the State Board and be prepared to attest to the preparedness of the district to assume full operations on the chosen transition date.

### **3 Organizational structure for shared planning with other entities**

Details of the organizational structure and actions necessary to facilitate shared planning and decision-making with other districts where sharing of central office leadership, education, and support staff and other resources and services is anticipated.

### **4 Allocation of shared expenses**

Details of how expenses related to transition planning and first year operations will be allocated between the district and any other districts that anticipate sharing resources and services.

### **5 Financial and operational modeling and first year budget**

Details of actions required to develop financial and operational modeling, to include enrollment, staffing, revenue, expense, debt service, and tax rate projections for the district (for the school to be operated, for grades to be tuitioned, central office functions, special education, and transportation). This update should also include a preliminary draft of the first-year budget and actions necessary to develop a final draft of the first-year budget, including itemized costs, to operate a school for the grades to be operated and the costs to be paid as tuition for all grades not to be operated, as well as central office services (including the superintendent, transportation, special education, and business office) and capital expenditures (e.g. school buses). The report should identify the sources of all funding and provide details of requirements and application deadlines for any grants that the first-year budget will be dependent on.

### **6 Organizational structure and staffing plan for school**

A planned organizational structure of the employees who will be responsible for operating the school for the grades to be operated, including those responsible for administration, instruction, food service, maintenance, and plant-management. This should include a detailed list of actions, and summary of progress, towards the



development of job descriptions, and the advertising, interviewing, negotiating, hiring, training, and supervision to be performed in connection with each administrator, educator, and other member of staff to be hired for the school. The report should also identify any plans to transition existing staff to the new district, including information about the intentions of current staff at the existing school. The report should clearly identify all positions that are planned for operation of the school, which positions the district has received commitments for, and the positions that the district has no commitment to fill.

## **7 Organizational structure and staffing plan for central office**

A planned organizational structure of the employees who will be responsible for the provision of central office leadership and support, including those responsible for administration, special education, transportation, and business and data management. This should include a detailed list of actions, and summary of progress, towards the development of job descriptions, and the advertising, interviewing, negotiating, hiring, training, and supervision to be performed in connection with the superintendent, special education director, business manager, and other staff members who will staff the central office. The report should clearly identify all the positions that are planned for the central office, which positions the district has commitments for, and the positions that the district has no commitment to fill.

## **8 Adoption and implementation of policies and procedures**

All policies and procedures mandated under state or federal law that are applicable to school districts, supervisory unions, and schools should be identified, together with the actions necessary for the district to develop, review, adopt, and implement them. All other policies and procedures necessary for successful operation of the district, its school, and central office (in compliance with Vermont Education Quality Standards) should be identified, together with the actions necessary for the district to develop, review, adopt, and implement them.

## **9 Physical plant, office space, technology, and supplies**

Details of how responsibility for ongoing management of the physical plant that will serve as the school for the grades to be operated will be transferred to the district. This should include details of actions required to transfer ownership of the school building and transfer and/or acquire maintenance and support agreements (e.g. sanitation, building maintenance, grounds maintenance, HVAC maintenance, water quality testing, information technology support, and insurance policies). The report should also include details of actions necessary to provision office space for the use of central office staff, and actions to provision utilities, instructional materials, technology infrastructure, supplies,



and other goods and services required for the successful operation of the school, central office, and district.

**10 Food service and free and reduced lunch program**

Details of how food service will be provided at the school (for grades operated) and the actions necessary to develop and implement the district's school food program in compliance with 16 V.S.A. § 1264 et seq.

**11 Transportation**

Details of whether transportation will be provided to students and, if so, how transportation will be provided for students in grades operated and students in grades tuitioned. This should include details of actions required for the acquisition of vehicles (purchase or lease) and staffing of bus routes or plans for contracting for transportation. The report should be specific about what transportation options will be provided, and identify student populations that will or will not be offered transportation. The report should also identify any specific transportation requirements dictated by student IEPs and/or 504 plans.

**12 Transfer of student individual educational plans (IEPs) and student records**

Description of actions to transfer all student records to the new district and the transition of IEPs and 504 plans to the new district. This should describe how the proposed staffing plan will support the consultative and direct services required in all the IEPs and 504 plans being transitioned to the new district. The report should describe how the district will comply with records management requirements of FERPA and the Vermont State Archives and Records Administration (VSARA).

**13 Financial administration and operations**

Details of all actions required to implement the systems, tools, and processes to support financial administration of the district, including general ledger, accounts payable, accounts receivable, grant administration, audit, banking, and asset management functions. Details of actions required to complete all necessary regulatory filings for tax and financial reporting.

**14 Employee contracts, payroll, benefits, tax withholding, and insurance**

Details of all actions required to develop new employee contracts (including transition of existing staff, consistent with provisions of H727) for each employee group. Actions



necessary to implement systems and processes to manage payroll, benefits, insurance, tax withholding, union dues, voluntary and other deductions, for all employees. Actions necessary to implement time-tracking (for non-exempt employees) and absence management systems.

**15 Review and verify compliance with EQS**

Actions to review and verify the district's compliance with Vermont Education Quality Standards prior to the first day of operations.

**16 Identification of risks and issues that could impact a successful transition**

Itemization of all known risks and issues that could threaten a successful transition. For each identified risk or issue, the report should describe actions the district will take to mitigate the risk or resolve the issue.

**17 Contingency Plan**

Description of actions the district will take to develop a contingency plan, and a description of the conditions that would trigger the implementation of the contingency plan, should the school board determine that it would be unable to successfully operationalize the new district by the proposed operational date.

