

**October 17, 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; Stacy Weinberger; Dan French.

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

**State Board of Education Staff:** Tom Little, Legal Counsel

**Others:** Scott Thompson, Calais; Charles Merriman; Jay Nichols, VPA; Mark Tucker, WNESU Superintendent; Emilie Knisley, OESU Superintendent; Rebecca Kerin-Hutchins, Barre Town; Nicole Mace, VSBA; Geo Honigford, VSBA/Royalton; Heather Freeman, OSSU; Rhoda McLure, OSSU; John Smith, OSSU; Pamela Fraser, Barnard; Kristen Murray, BMU; Lola Duffort; VTDigger; Jeff Francis, VSA; Kerry Amidan, Vernon; Christina Kimball, WNESU; Howard Weiss-Tisman, VPR; Carin Park, Barnard; Angeline Alley, BMU; Amy Emerson, BMU; Davis Parker, BMU; Annie Dennis, BMU; Devante Gilmore, BMU; Alivia Crum, BMU; Emma Gray, BMU; Maggie Emerson, BMU; Lauryn Alley, BMU; Morgan Beck, BMU; Antonia Munson, BMU; David Delcore, Times Argus; Robert Berger, FNWSU/Franklin.

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

Chair Huling called the meeting to order at 8:32 a.m. She asked Board members to introduce themselves. She said that item G is being postponed until December at the request of the family. The Hartford High School asked that the Board's lunch be moved until noon so there is time for the CTE students to prepare, serve and clean-up. There were no other amendments to the agenda.

### **Item B: Welcome**

Chair Huling introduced Superintendent DeBalsi. He welcomed the Board to the Hartford School District. He congratulated Secretary French on his recent appointment. Chair Huling thanked Superintendent DeBalsi for hosting the State Board of Education.

### **Item C: Executive Session**

Perrin made a motion for the Board to go into executive session in order to receive confidential and privileged advice from the Board's Legal Counsel pursuant to Section 313 (a)(1)(f) Title 1, Vermont Statutes Annotated. Carroll seconded the motion. The motion was approved unanimously. A gentleman from the audience asked the Board to identify its counsel. Chair Huling said it was Thomas Little.

The Board went to executive session at 8:38 a.m.  
The Board reconvened at 10:02 a.m.

Chair Huling asked the Board to introduce themselves again.

**Item E: Public to be Heard**

The following people spoke to the Board on Act 46.

Scott Thompson, U-32 School Board member from Calais  
Rebecca Kerin-Hutchins, Barre Town School Board member  
Geo Honigford, VSBA President  
Robert Berger, FNWSU/Franklin  
Charles Merriman, Middlesex resident

**Item F: Review and Amend Working Document**

Chair Huling began discussion on the working document called "Working Understanding of Principles for Considering Alternative Governance Structures" and asked the Board for any additions or deletions. Discussion followed on how public comment helped to focus more on debt and what data could be used to evaluate the varying levels of indebtedness. Chair Huling invited Brad James, Education Finance Manager from Agency of Education, to help the Board understand debt in a way that is fair. James prepared a handout and explained it in detail to the Board to help understand how to interpret debt of towns and the impact of debt on tax rates. Discussion followed on debt, using the data provided by the Agency of Education, total debt load, language in statute and Federal Forest Impact Aid and its impact.

Following the discussion Olsen said he would like to change the language on the working document to focus on the statutory language. Chair Huling asked James to explain the tax incentives that were included in the Act 46 language and how it would have impacted the tax rates. Brad explained that in the first year of the accelerated mergers, districts received a 10-cent reduction in the unified tax rate, which was reduced by 2 cents each year for a total of 5 years. Other voluntary mergers received an 8-cent reduction in the first year followed by a 2-cent decrease each year for a total of 4 years. Olsen added that the intent of the incentives was to assist in the convergence of rates.

Chair Huling asked for additional discussion to which Carroll said that the statute requires the Board to look at level of indebtedness. Carroll asked for a listing of current level of debt for districts. Chair Huling asked for a placeholder change to the working document under debt to read "greatly differing levels of indebtedness among member districts."

Chair Huling asked if there were other changes the Board would like to make to the working document. Carroll asked where in statute it reads that the Board must consider public sentiment or a 706b merger “no” vote and that the wording should be what is in statute. Perrin asked that the wording on the 706b merger be removed from the working document. Olsen said that statute does read that the Board can take public input. Chair Huling asked how that should read and it was agreed to present it as it is in statute.

Chair Huling asked if there were any changes to the 1<sup>st</sup> bullet on the document regarding formal agreements and/or processes. Carroll said is it listed in statute. Olsen suggested to strike it. Perrin said it could be considered as public input instead.

Chair Huling asked for input on the 2<sup>nd</sup> bullet on the document regarding non-contiguous to like operating structure. Discussion followed. Consensus of the Board is to strike it from the working document.

Chair Huling asked for input on the 5<sup>th</sup> bullet on the document regarding Districts/SUs merged and were not a MUUSD or NMED. Carroll asked if it is in the language of the law. French asked if the Board wants to have any principals or considerations at all. Discussion followed to reconsider the document, value in having guidelines, interpreting the law and the rules and achieving the goals of the Act.

Following the discussion, Olsen moved to reconsider the vote, which was taken at the last State Board meeting, to adopt the working draft. Mathis seconded the motion. Olsen withdrew his motion and replaced it with a motion to move into executive session to seek legal counsel. Perrin seconded the motion. The vote passed. Carroll voted no. A member from the public spoke out and said that the law states that there must be a reason cited for going into executive session. He didn't think there was a purpose for going into executive session.

Chair Huling called for a 1 minute recess at 11:25 a.m.

Chair Huling called the meeting back to order at 11:27 a.m.

Olsen withdrew his previous motion. Perrin made a motion to enter into executive session because premature public knowledge would clearly place the Board at a substantial disadvantage. He continued that he moved for the Board to go into executive session in order to receive confidential and privileged advice from the Board's Legal Counsel pursuant to Section 313 (a)(1)(f) Title 1, Vermont Statutes Annotated. Olsen seconded the motion. Carroll wondered if an executive session was necessary. Chair Huling said that in order to make certain that the Board is following the rules and law, it's appropriate to seek the advice of independent legal counsel. Olsen stated that it's counsel on procedure. The motion passed. Carroll voted no.

The Board went into executive session at 11:32 a.m.

The Board reconvened at 11:52 a.m.

Chair Huling reminded the Board of what was being discussed prior to the executive session. Olsen moved that the Board to reconsider the vote, which was taken at the last State Board meeting, to adopt the working draft. Mathis seconded the motion. There was no discussion. The

vote passed unanimously. Chair Huling stated that the original motion is back on the table which is should the Board adopt the working document. Discussion followed on focusing on the statute, struggling with what is practicable, and appearance that the Board may be prejudging. The motion passed unanimously to not adopt the working document.

Chair Huling called for lunch recess at 11:56 a.m.

Chair Huling called the meeting back to order at 12:55 p.m.

Chair Huling reminded the Board that item G was removed from the agenda and will be discussed at the December meeting.

#### **Item H: State Plan Review of Proposals (#34-#43)**

Chair Huling said that the Board will discuss the plans in the proposed State Plan that are identified as neither possible nor practicable or both. She read the rationale from the Secretary's proposed State Plan. Chair Huling said the Agency of Education made maps to assist in visualizing the areas. She asked Brad James, Education Finance Manager at the Agency of Education, to help clarify. James explained the map's legend. Chair Huling said that the districts 34 – 43 have operating structures unlike the ones next to them. She further explained that the Board will be discussing all 34 – 43 and taking a provisional vote for each following the discussion.

Discussion followed on whether the Board agrees with the Secretary's recommendation for proposals 34 – 43. Topics discussed were reassigning to a different supervisory union at a later date, and the Board's feeling that there are no viable merger options for any of the districts in this section. The Board discussed that its options are constrained by limitations in the law and the prohibition against changing operating structures for any district.

Olsen made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Arlington School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Perrin seconded the motion. Chair Huling reminded that the Board is voting provisionally at the meeting and the final vote will occur at another meeting. The motion passed. Mathis voted no.

Perrin made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Canaan School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Carroll seconded the motion. The motion passed unanimously.

Perrin made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Coventry School

District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Beck seconded the motion. The motion passed unanimously.

Carroll made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Sharon School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Perrin seconded the motion. The motion passed unanimously.

Olsen made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the South Hero School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Perrin seconded the motion. The motion passed. Mathis voted no.

Weinberger made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Strafford School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Beck seconded the motion. The motion passed unanimously.

Beck made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Thetford School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Weinberger seconded the motion. The motion passed unanimously.

Olsen made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Vernon School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Perrin seconded the motion. The motion passed unanimously.

Perrin made the motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Windsor/West Windsor Unified Union School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Weinberger seconded the motion. The motion passed. Carroll voted no.

Peltz made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Wolcott School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Perrin seconded the motion. The motion passed unanimously.

#### **Item J: State Plan Review of Proposals (#1-#5)**

Chair Huling said the next category of proposals groups is existing union high school districts with its member elementary school districts as members of a traditional UHSD. She read the rationale from the Secretary's proposed State Plan. She reminded the Board that Spaulding USD and its member districts will be removed from this section because they have a merger vote on November 6<sup>th</sup>. Chair Huling said that the Board's discussion will be around the 4 plans and a provisional vote will be taken following the discussion.

Brattleboro USD, Brattleboro, Dummerston, Guilford and Putney discussion followed regarding alternative governance proposals, the Section 9 process and Guilford's affirmation for the original merger proposal.

Chair Huling asked Russo-Savage for more information on Guilford's structure. Russo-Savage explained why the Secretary's State Plan considered Guilford to be a PreK-8 operating structure. Discussion followed regarding the public comments the Board received about Brattleboro USD and its member districts.

Carroll discussed requesting the General Assembly to give districts additional time and incentives for merging under a model similar to the one recommended by the Secretary's proposal. Huling stated that the Board has no authority to require mergers after November 30<sup>th</sup>. Olsen summarized the various plans submitted to the Board in this region, and stated he was persuaded that the AGS was not a better proposal for meeting the goals of Act 46 than the Secretary's proposal. There was discussion about whether the Secretary's plan is required to supply compelling evidence for a merger. Olsen stated the law puts the burden on a district that presents an AGS and the presumption is a unified union school district as the preferred structure.

Chair Huling began the conversation on Missisquoi Valley USD, Franklin, Highgate and Swanton and summarized the Secretary's proposal for the districts. Mathis stated the issues for these districts are much the same as for Brattleboro USD and its member districts. Weinberger

said the current governance creates difficulty in evaluating the achievement gap and supports for students, due to small size of the districts. Mathis had questions regarding accessing qualitative data for these districts. Discussion followed about the presumption in the law that a supervisory district is the preferred structure, absent any compelling evidence that an AGS is a better means of meeting the goals of the Act.

Carroll stated he sees the Secretary's proposal as compromised regarding Sheldon, which would be excluded from merger in the SU due to operating structure. He added he would like to see the legislature offering more time for towns to work out differences, and resources for adults to help bridge gaps. Huling mentioned one public comment telling the Board that the adults in these districts are having trouble working together resulting in lower test scores for students. French stated districts are going to need support and interventions, and it is an issue he has been thinking about; this includes working toward the goal of transparency and accountability, for example having one budget and one tax rate that is understandable to voters. Weinberger posed a question about what additional time for districts would do, if the law was changed to allow for more time. Discussion followed regarding whether the law was clear that in the final phase of Act 46, merger would be required. Carroll suggested mediation or facilitation for communities to put aside their adult differences and focus on creating opportunities for kids, and without these resources and more time that he fears highly dysfunctional situations in these communities for many years. This was followed by a discussion of the history of programs encouraging voluntary merger and the contrast with Act 46's provisions for non-voluntary mergers in the final phase.

Chair Huling directed the conversation to Oxbow USD, Bradford and Newbury. She said that there is a lack of compliance in the SU in following Act 153 and 156. The districts belong to the same supervisory union but do not work well together. French stated that these districts disclosed in their public testimony that they have not centralized special education at the SU level, as required by Act 153. Discussion followed regarding Blue Mountain USD, the effects of recently moving supervisory union boundaries and discrepancies in the Secretary's State Plan. Huling distinguished the issue of requiring merger of Blue Mountain from the merger of Bradford, Newbury and Oxbow USD, although all districts would be in the Orange East SU.

Chair Huling began the conversation on U-32. Peltz summarized some of the concerns expressed through public comment from these districts. He stated the union high school is running really well and that the same model should work well for the elementary schools. Olsen brought up debt as one of the major topics of public comment, and said there is clearly a differential in debt, but he does not see that it meets the threshold in the law of "greatly" differing levels of debt. He does not see that it significantly affects the tax rate.

Olsen made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Brattleboro USD, Brattleboro, Dummerston, Guilford and Putney School Districts, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior

to November 30, 2018.” O’Keefe seconded the motion. Discussion followed regarding extending the deadline. The motion passed. Mathis and Carroll voted no.

Perrin made the following motion: “For the reasons articulated in the Secretary of Education’s June 1, 2018 proposed Statewide Education Governance Plan’s proposal for the Missisquoi Valley USD, Franklin, Highgate and Swanton School Districts, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary’s proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018.” Weinberger seconded the motion. The motion passed. Mathis and Carroll voted no.

O’Keefe made the following motion: “For the reasons articulated in the Secretary of Education’s June 1, 2018 proposed Statewide Education Governance Plan’s proposal for the Oxbow USD, Bradford and Newbury School Districts, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary’s proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018.” Peltz seconded the motion. Discussion followed regarding Blue Mountain USD and its status. The motion passed unanimously.

Peltz made the following motion: “For the reasons articulated in the Secretary of Education’s June 1, 2018 proposed Statewide Education Governance Plan’s proposal for the U32 SD, Berlin, Calais, E. Montpelier, Middlesex and Worcester School Districts, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary’s proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018.” Perrin seconded the motion. The motion passed. Carroll voted no.

Chair Huling called for a recess at 2:45 p.m.  
The meeting reconvened at 3:03 p.m.

Chair Huling received a request from Blue Mountain SD to move it ahead in the agenda. She continued that students were in the audience and if they took the provisional vote at the current meeting, then the students would not need to miss another day of school. There was a brief discussion. Chair Huling took a straw poll. It was unanimous to allow Blue Mountain SD discussion to proceed.

Chair Huling explained that the Secretary’s proposal recommended to merge the governance structures of Blue Mountain SU, Bradford SD, Newbury SD and Oxbow UHSD into a single unified union school district to assure that the goals of Act 46 are met for PreK-12 students. She said in June the Board voted to put Blue Mountain into the Orange East SU. Secretary French said that he is concerned with the capacity of the Orange East SU to work through the first merger and that the district struggles to work together. He questioned the viability and practicability of requiring Blue Mountain to also merge into a USD, which would essentially be a double merger.



Perrin made the following motion: "I move that the Board depart from the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Blue Mountain Union District, and in lieu thereof provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the alternative plan submitted under Act 46, Section 9. Olsen said that there is a problem with the motion and asked the Chair if it is possible to recess to work on the wording of the motion.

Chair Huling called for a 2 minute recess at 3:09 p.m.  
The meeting reconvened at 3:12 p.m.

Olsen made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Blue Mountain Union High School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School district, subject to final approval by the Board after further review and deliberation prior to November 30, 2018. Perrin seconded the motion. Olsen explained that he would be voting against the motion, going against the Secretary's recommendation and leaving Blue Mountain as a district within the OESU. Discussion followed about the difficulties of requiring a double merger in this area, and that because Blue Mountain's potential merger partners are not compliant with current law, merger would not meet the goals of Act 46. The motion failed unanimously.

**Item K: State Plan Review of Proposals (#6-#15)**

Chair Huling said the next section pertains to the MUUSDs and the NMEDs. She recused herself from the section because she lives in Cambridge, which is an NMED. Vice Chair Mathis led the discussions and provisional voting through this section.

Vice Chair Mathis asked for discussion on Barnard Elementary SD. Weinberger stated she was impressed with the AGS and views the district as potentially already meeting the goals of the Act. Peltz brought up the existing Articles of Agreement, which would govern Barnard if merged. French stated he views this one district as preventing the formation of the preferred structure in the region as a whole. He stated the Board should look at the impact on the whole system. Carroll stated a little more time might make a difference in the districts' ability to get along. Olsen stated there seems to be a fear of leveling down rather than a leveling up in this district, that these may be legitimate fears at this moment in time, but the point of putting sustainable structures in place is to move the ball forward.

Vice Chair Mathis asked for discussion on Cambridge SD. Discussion followed regarding Cambridge not submitting a section 9 proposal, meaning that there is nothing for the Board to consider other than the Secretary's proposal.

Vice Chair Mathis asked for discussion on Huntington SD. Discussion followed regarding the amount of public comment, that no alternative governance proposal was submitted and instead the community took several votes.

Vice Chair Mathis asked for discussion on Orwell SD. Discussion followed regarding that no alternative governance proposal was submitted and the majority of the prior Board supported the prior merger.

Vice Chair Mathis asked for discussion on Windham Elementary SD. Discussion followed regarding a separately established committee working on the proposal with no minutes or formal record of district board approval of the proposal. O'Keefe said most of the emphasis in the public comment was around transportation to other schools in the event of school closure. Olsen pointed out that the current articles of agreement require a vote of the electorate to close a school. Olsen and O'Keefe discussed the issue of debt in Leland and Grey, which is also shared by Windham in the current structure.

Perrin made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Barnard School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Beck seconded the motion. The motion passed. Weinberger and Carroll voted no.

Beck made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Cambridge School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Perrin seconded the motion. The motion passed unanimously.

Perrin made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Huntington School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Beck seconded the motion. The motion passed unanimously.

Olsen made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Orwell School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Weinberger seconded the motion. The motion passed unanimously.

Peltz made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Windham School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." O'Keefe seconded the motion. The motion passed. Olsen voted no.

Chair Huling returned to her post as chair and called a recess at 3:43 p.m.

O'Keefe left the meeting at 3:43 p.m.

The meeting reconvened at 3:49 p.m.

Chair Huling said that the next section of proposals are supervisory unions with unlike members. She read the rationale from the Secretary's Proposed Plan. Peltz recused himself because he lives in an area being discussed. Chair Huling said that the Board will not be discussing Lake Region UHSD, Albany, Barton, Brownington, Glover, Irasburg, Orleans and Westmore because of an upcoming vote on November 6<sup>th</sup>.

Chair Huling began the conversation on Bellows Falls UHSD, Athens, Grafton, Rockingham and Westminster. She stated that the Secretary does not recommend merging the districts because it is not practicable and does not further the goals of Act 46. Discussion followed regarding the size threshold, not creating an alternative governance proposal and additional information which might help form a decision. Donna Russo-Savage provided background and said that originally, the three like members did not want to merge (Athens, Grafton, and Westminster) but maybe 2 of the 3 might. Under statute, the Secretary must be notified when a study committee is formed and notification has not been received. Discussion followed regarding viability, redrawing supervisory union boundaries, data and small "N" size.

Chair Huling began conversation regarding the Hazen UHSD, Lakeview Union Elementary SD, Greensboro, Hardwick, Stannard and Woodbury. The Secretary recommended not merging Hardwick and Woodbury because it would not further the goals of Act 46 and that the Board should redraw supervisory union boundaries. Discussion followed regarding a joint proposal to maintain same structure, Craftsbury's status, and differing operating structures.

Chair Huling began discussion on the Mount Anthony UHSD, Bennington, North Bennington, Pownal, Shaftsbury and Woodford and the Secretary's recommendation to merge Bennington, Pownal, Shaftsbury and Woodford. Discussion followed regarding the separate Section 9 proposals submitted, and rejecting the Secretary's recommendation and coming up with alternatives, including a union elementary district which would constitute the least number of districts practicable.

Chair Huling began discussion on North Country UHSD, Brighton, Charleston, Derby, Holland, Jay, Lowell, Morgan, Newport City, Newport Town, Troy, Westfield and Coventry SD. She said the Secretary recommended creating 3 union elementary districts in the proposed State Plan. Discussion followed on no opportunity for merger of scale and to what benefit, debt, value gained, Holland voted to close school if forced to merge, protections of Section 4, operating

structures, merging and outcomes for kids, geography, federal impact aid unavailable to this district, rejecting the Secretary's proposal and not adopting the section 9 proposal.

Olsen made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the North Country UHSD, Brighton, Charleston, Derby, Holland, Jay, Lowell, Morgan, Newport City, Newport Town, Westfield and Coventry School Districts, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Perrin seconded the motion. Discussion followed on voting no which would be against the Secretary's recommendation and also not endorsing the section 9 proposal. The motion failed unanimously.

Olsen made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Bellows Falls UHSD, Athens, Grafton, Rockingham and Westminster School Districts, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Perrin seconded the motion. The motion failed. Beck, Carroll, Weinberger, Huling voted no. Mathis, Olsen and Perrin voted yes.

Olsen made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Hazen UHSD, Lakeview Union Elementary SD, Greensboro, Hardwick, Stannard and Woodbury School Districts, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018. Perrin seconded the motion. The motion failed unanimously.

Olsen made the following motion: "For the reasons articulated in the Secretary of Education's June 1, 2018 proposed Statewide Education Governance Plan's proposal for the Mount Anthony UHSD, Bennington, North Bennington, Pownal, Shaftsbury and Woodford School Districts, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary's proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018." Perrin seconded the motion. The motion passed unanimously.

#### **Item L: State Plan Review of Proposals (#16-#20)**

Chair Huling explained that the next 5 proposals to be considered by the Board are single town non-operating districts that pay tuition for all their students, PK-12. She read the Secretary's rationale. Discussion followed regarding the districts not being practicable to merge and redrawing supervisory union boundaries offers better opportunities.

Perrin made the following motion: “For the reasons articulated in the Secretary of Education’s June 1, 2018 proposed Statewide Education Governance Plan’s proposal for the Pittsfield School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary’s proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018.” Weinberger seconded the motion. The motion passed unanimously.

Olsen made the following motion: “For the reasons articulated in the Secretary of Education’s June 1, 2018 proposed Statewide Education Governance Plan’s proposal for the Sandgate School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary’s proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018.” Beck seconded the motion. The motion passed unanimously.

Mathis made the following motion: “For the reasons articulated in the Secretary of Education’s June 1, 2018 proposed Statewide Education Governance Plan’s proposal for the Searsburg School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary’s proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018.” Beck seconded the motion. The motion passed unanimously.

Weinberger made the following motion: “For the reasons articulated in the Secretary of Education’s June 1, 2018 proposed Statewide Education Governance Plan’s proposal for the Stratton School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary’s proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018.” Beck seconded the motion. The motion passed unanimously.

Perrin made the following motion: “For the reasons articulated in the Secretary of Education’s June 1, 2018 proposed Statewide Education Governance Plan’s proposal for the Winhall School District, I move that the Board provisionally: (i) find that the proposal satisfies and meets the requirements of Act 46, as amended, our Rules and other applicable law, and (ii) approve the Secretary’s proposal for that School District, subject to final approval by the Board after further review and deliberation prior to November 30, 2018.” Beck seconded the motion. The motion passed unanimously.

**Item M: State Plan Review of Proposals (#21-#33) - time permitting**

#21 BMU addressed earlier. Skipped remaining due to time constraints.

**Item N: Consent Agenda**

Peltz made a motion to adopt the consent agenda. Weinberger seconded the motion. Carroll asked that Items N2 and N3 be removed from the consent agenda in order to amend the motions. Peltz withdrew his motion. Carroll made a motion to adopt the minutes from the October 2<sup>nd</sup> meeting. Mathis seconded the motion. The motion passed unanimously.

Carroll made a motion to adopt Item N2 and requested that the 2<sup>nd</sup> paragraph of the motion read "This approval is conditional on the requirement that the school reports to the Agency of Education...". He would like it to read as a complete sentence with a subject and predicate. Beck seconded the motion. Olsen asked that the first paragraph end with a "semi colon and". Secretary French asked that the Board approve the substance and the Agency of Education will update the form. The motion passed unanimously.

Carroll made a motion to adopt Item N3 with similar changes to include complete sentences and proper punctuation. Beck seconded the motion. The motion passed unanimously.

**Item P: Calendar Review**

Chair Huling reminded the Board of a recent Doodle Poll looking for dates for another Board meeting if necessary. She confirmed the date as October 29<sup>th</sup>. Chair Huling said that the Board needs to provisionally vote on proposals 22-33, supervisory realignments and default articles of agreement by November 30<sup>th</sup>. The Board agreed to meet on the 29<sup>th</sup> with the location to be determined.

**Adjourn**

Mathis moved to adjourn. Peltz seconded the motion. The motion to adjourn was unanimous. The meeting adjourned at 5:02 p.m.

Minutes recorded and prepared by Suzanne Sprague.

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