

State Board of Education

Draft Meeting Minutes

VIRTUAL Teams Meeting/Video/Teleconference

Call in #: 1-802-828-7667, Conference ID: 987 771 366#

Mt. Abraham Union Middle/High School Auditorium

Bristol, VT 05443

Date: September 28, 2022

Present:

State Board Members (SBE): Oliver Olsen, Chair; Jennifer Samuelson, Vice-Chair; Patrick Brown; Tom Lovett; Tammy Kolbe; Lyle Jepson; Kim Gleason; Gabrielle Lucci; Jenna O'Farrell (left at 3:00 p.m.) and Dan French

Agency of Education (AOE): Donna Russo-Savage, Suzanne Sprague, Patrick Halladay, J. Deborah Ormsbee, Cassandra Ryan, Jaime Kraybill, Emily Simmons, Maureen Gaidys.

Others: Matthew Tatro, Marcy Webster, Kate Larose, Ron Shems, Ethan Bowen, Matthew Fedders, Patrick Reen, Shannon Warden, Michael Carper, Sheila Soule, Ryan Heraty, Penny Chamberlin, Libby Bonesteel, Alan Ouellette, Tiffany Donza, Karen Thomson, Coleen Healy, Owen McClain, Brenda Fleming, Laurie Bertrand, Hannah Waite, Krista Siringo, William Mathis, Dawn Griswold, Jen Oldham, Jeanne Albert, Rob Backlund, Mary Gemignani, Sarah Root, Jamie Kinnarney, Kathy Galluzzo, Bill Edgerton, Michael Clark, Kevin Hanson, Elizabeth Sayre, Bailee Layn-Gordon, Krista Siringo, and Patrick Reen.

Item A: Call to Order/Roll Call/Amendments to the Agenda

Chair Olsen called the meeting to order at 1:04 p.m. and roll call was taken.

Item B: Public to be Heard

Kate Larose shared [this public comment](#). Chair Olsen asked her to also submit her comments in writing for the record.

Ethan Bowen, White River Valley Supervisory Union (WRVSU), spoke about the spirit of the SU, and still dealing with Act 46 reverberations. He said WRVSU is finally talking about education at school board meetings and is working hard and doing great work. He spoke about how hard it is to forge relationships. He said Ripton that when Ripton approached WRVSU, they talked about this, they were interested, and really struggled with the decision. Ripton came in the front door. But WRVSU has not heard from Lincoln at all; there is no relationship. If the SBE's job is to support education and keep relationships together, having a forced marriage starts things off on the wrong foot.

Item C: Review and Approve August 12, 2022 Meeting Minutes

Lovett moved to approve the August 12, 2022 draft meeting minutes; Jepson seconded. There was no discussion. Chair Olsen called the vote. The vote passed unanimously.

Item D: Board Announcements

There were no Board announcements.

Item E: Student Report

Lucci spoke about how students have settled into the first month of school. Students seem energized and happy. Olsen acknowledged Lucci's predecessor, Angelita Peña, a former State Board student member and MAUSD student, and thanked her for her phenomenal work on the SBE. He wished her well in her continued studies at MAUSD.

Item F: Special Education State Advisory Panel

This item was not taken up and was tabled until the next meeting.

Item G: Appointment to the Military Interstate Children's Compact Commission

Secretary French gave some background on the commission. Lovett moved that the State Board of Education approve the appointment of David Young as the compact commissioner to the Military Interstate Children's Compact Commission (MIC3) and vote to have David Young serve as the military family education liaison for the State of Vermont. This recommendation is based on his previous service as commissioner and his continued advocacy for Vermont and the military-connected students. Samuelson seconded the motion. There was no discussion. Chair Olsen called the vote. The vote passed unanimously.

Item H: Addison County SU Configuration

Chair Olsen noted that the SBE was running ahead of schedule and moved to Item I so that interested parties didn't miss the opportunity to hear that discussion at its scheduled time.

Item I: Tuition Appeal and Contact for Legal Services to Support Appeals

Chair Olsen explained that there is a pending tuition appeal by James Jones, who has a student in the Taconic and Green School District, within the Bennington-Rutland Supervisory Union (BRSU). Samuelson has acted as the SBE's hearing officer in a prior case. In this case, both Samuelson and Olsen reside in the BRSU and want to avoid any appearance of a conflict of interest. Chair Olsen will be recusing himself and Samuelson will also not be serving as hearing officer. The Attorney General's (AG) Office has been contacted for assistance. Today's charge is to authorize the AG's Office to put this out for bid and allow the SBE Chair contract with the winning bidder.

Samuelson moved that the State Board follow the simplified bidding process in accordance with Bulletin No. 35 for an anticipated contract for legal and hearing officer services, with the statement of work as described in the Simplified Request for Proposals in Agenda Item I. Jepson seconded. There was discussion on budgetary impacts, time limits, that this is routine business, scope of work limited to tuition appeals and acting as hearing officer and offering legal advice on such tuition appeals,

process for prior hearing officers, reviewing bids as a board or leaving that authority to the Chair, and sharing resumes of bid candidates with the SBE.

Chair Olsen took a straw poll on if the SBE would want to review bids and decide as a State Board or if that responsibility could rest with the State Board Chair. Samuelson restated her motion. There was no further discussion. Chair Olsen called the vote. The vote passed unanimously.

Samuelson moved that the State Board grant the State Board Chair the power to receive proposals from the potential vendors in response to the Simplified Request for Proposals, review those proposals, select a vendor, and enter a contract with the vendor on behalf of the State Board of Education. Jepson seconded. There was discussion on the timing as a matter of process, beneficial to hear from the bidders, and conflicts of interest. Chair Olsen called the vote. The vote passed 7:1. Yeas: Kolbe, O'Farrell, Lovett, Brown, Lucci, Jepson, Samuelson. Nays: Gleason. Kolbe spoke about being proactive about establishing a relationship with a law firm in a broader sense in anticipation of receiving more appeals and avoiding repeating this discussion each time. Chair Olsen clarified that this Request for Proposal is not specific to this one appeal.

Chair Olsen moved on to Item K.

Item K: Education Quality Standards (EQS) Rule Update Committee Report

Gleason said the committee has been meeting regularly and has resolved the definition section and moved on to the instructional standards sections. They have heard from VT-NEA and Andrew Jones, VTCLA and received large support for the work and recognition of the professional development necessary to implement these changes with efficacy. She recognized that they that will hear from school boards, superintendents, and students with regional diversity, and they will also hear from Career Technical Centers (CTEs). The Committee has been meeting every two weeks and expects to hold a public hearing at the end of October. Feedback from this meeting will be brought back to the full State Board in November. December and January will be on schedule with Distract Quality Standards work to have that proceed in February. Brown expressed appreciation for the work and leadership of Gleason and Kolbe on this Committee.

Chair Olsen moved to Item L.

Item L: District Quality Standards Outline/Recommended Engagement Plan for the SBE

Secretary French referenced a [memo to the State Board](#). He spoke about the process. Statute lays out three topics to be addressed: Business Operations, Facilities Management/Safety and Governance. The memo also delivers a timeline.

The last part of the memo is the recommended engagement plan. In October, the AOE will have specific engagement with various groups (Vermont School Boards Association, Vermont Superintendents Association). In November, the AOE will refine rules with stakeholders and solicit formal written comment from key associations involved. In December, AOE will solicit public feedback and provide its rationale to these comments. There will also be some socialization with new legislators in December. In January, the AOE will present evidence of compliance with the SBE's plan and present a final version of the rules for information. The AOE will then file the rule with the Interagency Committee on Administrative Rules (ICAR) by February 1, 2023.

There was discussion on SBE having an opportunity to engage in this process, working internally at AOE in anticipation of EQS rules, anticipating opening the entire rule series 2000, parallel timelines and the EQS Committee coordinating with the State Board. This item was paused to return to Item H. This item was later tabled until the next meeting.

Item H: Addison County SU Configuration

Chair Olsen gave background on this topic. In January the SBE designated Ripton as a supervisory district (SD). Following that there was activity in the Legislature that culminated in Act 176. Leading up to that, the SBE heard from Lincoln in April and May. At the May meeting, Act 176 was pending the Governor's signature, and there were provisions crafted to address these specific withdrawals. The provisions drafted by the Legislature included the opportunity for withdrawing school districts to delay operations and the requirement that newly formed school districts provide a status report to the SBE so the SBE could assess and provide a preparedness statement. If the preparedness statement was negative, those communities were provided with the unique, one-time opportunity to undo the withdrawal and go back to their prior structure. Lincoln came to the SBE to get ahead of the law and not avail its community of the provisions in Act 176, specifically, 1) the ability to delay the start of operations by a year and 2) provide their electorate the ability to undo that withdrawal if it was determined by the SBE that there was a risk to the success of the school district. Between May and September, there have been many discussions.

Today's meeting will address some of the possibilities. In July, the SBE heard from the Lincoln School District (LSD) that it had a desire to form a joint SU with Ripton; and on September 1, the SBE received correspondence from Lincoln School Board that it would be seeking assignment to an SU. It identified WRVSU as its preference and identified some other options. All identified SU/SDs comments have been posted on the SBE website and all were invited to provide testimony. A lot has changed since the meeting in May, where representations were made of Lincoln's intent to form a joint SU with Ripton. There is new information since September 1, 2022. Of note: the SBE did not make a decision about Ripton, but instead issued a preparedness statement that was limited to the Ripton School District. There are several options, and it is complicated. Ripton votes September 29 on if it will return to Addison Central School District (ACSD) or remain on its own. That will have some bearing on discussions regarding Lincoln. It is highly unlikely that the SBE will be in the position to decide today. Chair Olsen acknowledged that this is less than ideal, with budget season fast approaching. The SBE is doing the best it can with the tools that are available to it and there are no good options. No matter what decision is made, some people will not be happy with the SBE. All comments received are posted to the [SBE webpage](#). Chair Olsen referenced a [memo from Owen McClain](#) and a statement therein that needs to be corrected. McClain quoted Olsen as saying the Lincoln withdrawal was reckless. That was a significant misrepresentation. He did not say this. He said that what was reckless (and irresponsible) was the move back in May to circumvent the will of the General Assembly and get out in front of Act 176 and effectively prevent the district from delaying operations and disenfranchising the electorate of Lincoln to reconsider their withdrawal if the SBE issued a determination of unpreparedness.

Lincoln School District: Jen Oldham, Chair, LSD Board introduced herself, Hannah Waite, and Owen McClain, and via phone Ron Shems. Chair Olsen asked for clarity on who is represented by which legal counsel. Oldham clarified that Shems, Waite and McClain all represent the Lincoln School

District. She acknowledged other board members: Jeanne Albert, Rob Backlund, Mary Gemignani, and Abby Reynolds (not present). Oldham referenced the heart of Section 261 and the critical services required. She hoped the discussion would focus on the best way for Lincoln to receive these services. Lincoln's deadline is to be fully operational by July 1, 2023 and she urged the SBE to make a determination today. She expressed full commitment of LSD to support the success of an assignment by the SBE. LSD is not in the same situation as Ripton. LSD is larger, more stable, and more financially sound. LSD is requesting to be assigned to an existing multi-district SU; it is aware that options are limited and respect and understand the concerns. LSD have reviewed comments from 2 SUs that share LSD's education values/philosophies as well as their commitment to the success of small schools, WRVSU and Central Vermont Supervisory Union (CVSU). She said Lincoln did reach out to WRVSU and spoke to Superintendent Kinnarney, who was clear that the SU was not interested in taking on LSD and it was not brought to the board's attention at that time. Both SUs are led by experienced superintendents and have navigated challenges imposed by Act 46. Relationships are important and talking with board members would have been ideal. She emphasized respect for boards and superintendents and said the goal is not to throw anyone under the bus, but that LSD wants any SU to which it is assigned to understand their commitment. She spoke about efficiencies, geographic challenges, building trust, technology, services managed at the district level, financial position and modeling, successfully raising private funds for transition costs, stability of leadership, Lincoln is not a school that will burden superintendents, community as an active participant, alternative to assignment would be to create a new SU with MAUSD, existing synergies with MAUSD, and assigning Lincoln as its own school district (SD) creates unacceptable risks. Only viable options are 1) to assign LSD to a multi-district SU or 2) deconstruct MAUSD and assign LSD an SU with MAUSD.

Chair Olsen asked why joining with Ripton was not listed as an option, when this was supported last month. He asked if Ripton voted not to return to ACSD, whether LSD's preferred plan is to create a joint SU with Ripton. Oldham said LSD needs to move forward with the options it presented as there are too many unknowns. Chair Olsen asked for a yes or no on supporting a joint SU with Ripton. Oldham said that this possibility has not been considered; it would have to be discussed. There was discussion on understanding (per [16 V.S.A. § 261](#)) increased efficiencies and evidence thereof, priority is ensuring SU services to LSD, needing more time for conversations, needing a decision today, no financial incentives for SUs to enter into discussions, impact on tax rates and contributing money to offset central office operating expenses would be a net positive. Chair Olsen clarified that the SBE/AOE have not determined that LSD is an insufficient size to be a supervisory district; to his knowledge the SBE has made no such finding. There was discussion on the timeline, the forcing of the vote before the law was signed, tools available to the SBE, protection of closure of schools, plan for central office services when Lincoln voted to remove LSD from an existing SD. Oldham said the original plan was to form an SU with Ripton and not be assigned to another SU or move back to MAUSD, but evolution has led to new conclusions for what is best. LSD is not able to be an independent SD and is no longer in discussions with Ripton. There was discussion on costs to a district, the electorate having no vote in SU assessment, services and risks, and flexibility in how SUs set their assessments.

Jepson asked why LSD couldn't go back to where it came from. Chair Olsen explained that the self-selected representatives pressed the SBE to grant withdrawal and that option is no longer available absent a more complicated merger process and the SBE has no authority to force mergers.

Orleans Central SU (OCSU), Penny Chamberlin, superintendent: She said she had submitted a letter to the SBE and spoke about the distance (2 hours away) and that her K-8 structure does not align with LSD's K-5 structure. She spoke about a 30% loss in staff and 60% loss in administrators, having no Director of Instruction, concern for workload, 1,200 students, collective bargaining agreement expires this year and that is a concern. She asked about LSD having a positive impact on students and efficiently having financial support to be an SU and take on those expenses. She asked what supports the merger with other SUs and said her school board does not see how this would be a benefit for the OCSU.

Chair Olsen shared that there was discussion on LSD expressing interest in assignment to the Windham Central SU and he heard from that superintendent that the SU lacks capacity to formally respond. Based on the distance (100 miles and 2 hours), and absent objection from the board, he treated WCSU as not appropriate for discussion and excused them. Chair Olsen noted that although Rutland Northeast Supervisory Union (RNESU) was not on the LSD's list, he added it to the list of presenters, due to its geographic proximity to Lincoln.

White River Supervisory Union (WRSU): Sarah Root introduced herself, Vice Chair of SU school board, Jamie Kinnarney, superintendent, and Kathy Galluzzo, and Bill Edgerton, board members. Sarah read [her written comments provided to the SBE about the structure of WRVSU](#). Kinnarney shared [his letter to the SBE](#). Gleason acknowledged the great work that has been undertaken at WRVSU. There was discussion on allocating assessments by Average Daily Membership (ADM), concerns are beyond the financial ones, draining resources of superintendent and business office, flexibility in assessing costs, decreasing enrollment of Lincoln, 2 cent tax increase on two largest districts, consistency of payroll and curriculum, unified contract was just negotiated, concern with providing shared services across such a large geographic distance, operational challenges and costs of providing special education and related services.

Montpelier-Roxbury Supervisory District: Chair Olsen clarified that this option would require the deconstruction of this supervisory district into a multi-district supervisory union. Bonesteel spoke to [her written comments](#). She highlighted that the SD is not interested in having LSD assigned, and there are no efficiencies to be realized. LDS's statement that it has stable staff is not compelling because this is uncontrollable and unpredictable. LDS's comment of not burdening superintendents because LSD is a high functioning school, is not realistic because administrators need to be in the buildings, and this is not solved through the use of technology. The LSD board chair touts the benefits/efficiencies to their 70 students, but she is hard pressed to find any efficiencies or benefits to her 1200 students. There was no discussion.

Grand Isle Supervisory Union (GISU), Superintendent Michael Clark: Clark spoke about his prior role as superintendent for Essex Caledonia Supervisory Union (ECSU). ECSU was in the process of eliminating the ECSU and merging it with 3 other entities. Throughout all 22 towns, they came up with the new merged district and a plan for governance and everyone was at the table. They came to

the SBE after spending months to form a plan on structure and operations. He said Lincoln's plan to withdraw without understating the implications for central services is premature and that is a large part of the problem. He shared challenges identified in [his letter to the SBE](#). LSD reached out on or about September 1 and the school board chair added it to the agenda immediately and invited the representative from LSD. They were prepared to open the meeting with a positive note from LSD on how assignment to GISU would be beneficial, but no one from LSD showed up. Clark shared that, the night prior, the GISU board voted unanimously to, "direct the superintendent to inform the SBE that the GISU board does not support the inclusion of the LSD in the GISU as we believe including the LSD would be detrimental to how the GISU operates and will negate the positive progress that GISU has made over the last several years." Additionally, Clark shared that every year, for the last five years, he has received a letter from AOE indicating that GISU is a high-risk recipient of federal funds, and although things are improving, GISU still needs to continue down a path toward being less of a risk, and adding LSD to the SU will not help this. There was no discussion.

Lamoille South Supervisory District, (Lamoille South) Ryan Heraty, Superintendent: Heraty said he was surprised to receive this letter from LSD. The geographic location by itself is a deal breaker. When he came before the SBE in July, he presented a comprehensive plan of reorganization that was driven by the need for capital improvements. The SD sought and received input from the public and teachers and they were sure that they had support before proceeding. In his opinion, this situation does not seem to be presented with a full understanding of all stakeholders. Lamoille South unanimously supports not being involved with LSD and wishes them the best. There was discussion on distance (47 miles, 90 minutes), Lamoille South having experience with withdrawals, central office being involved with education of students, administrators need to be in the building, Lamoille South has a lot going on, and unified curriculum/teacher contracts and professional development. Lamoille South also submitted [written comments](#). There was no further discussion.

Rutland Northeast Supervisory Union, (RNESU) Laurie Bertrand and Brenda Fleming: Bertrand said she would let [her letter to the SBE](#) stand and would address some questions that were not addressed in her letter. They are 1 hour (47 miles) away. They would not be able to share services with LSD as it is too far away and special services would have to be a standalone and not centralized as in other schools. She said staffing would be a challenge as they would be primarily seeking part-time employees. She assumes that LSD's pay scale is higher than that at RNESU, which would be an issue; transportation is also a challenge with a shortage of bus drivers. Fleming spoke about Title I and educational equity and noted that comparability for Title I impacts has been missing from this discussion. There was discussion on school district impacts vs. SU impacts, and that the tax rate would actually go up in poorer communities to offset costs of increased staffing required by Title I that would result from the assignment of Lincoln, which is a more affluent community. There was discussion on articles of agreement for closing schools, recent reconfigurations for RNESU, unknown issues for LSD, and risk to SU of Title I funding (\$850K).

Central Vermont Supervisory Union (CVSU), Matthew Fedders, Superintendent: Fedders spoke about his SU being comprised of 4 towns with 6 schools. He expressed concerns with efficiencies. He acknowledged that CVSU is probably the closest district (24 miles/45 minutes, longer in the winter).

He commented on adequate vs. reasonable supervision and stated that reasonable supervision requires administrators being on campus on a regular basis. There is a lot that cannot be done remotely, such as facility supervision. He spoke about Paine Mountain SD being soured on proportionality and this will take proportionality completely out of order. After LSD raised the issue of assignment to CVSU, they requested legal counsel on their own legal rights if LSD was to be assigned to CVSU. There are no efficiencies to be realized. CVSU runs a lean central office staff and having one additional school will strain resources. Fedders identified the problem being that, with five licensed administrators at central office, adding one would instantly eliminate any savings. Fedders said he reached out to LSD and met with them, and it went well. CVSU would need a separate transportation contract, food service contract and other services. There are no efficiencies. He stated that placing LSD with CVSU creates unacceptable risk and puts CVSU in a position where its largest district within the SU would then seek withdrawal. [Written comment](#) was also provided.

Orange East Supervisory Union (OESU): Representation was not available, but a [written response](#) was provided.

Addison Northwest Supervisory Union, Sheila Soule, Superintendent: Soule said they are experiencing declining enrollment; they have achieved some success under the merger and have gone as far as possible without sacrificing programming for students. The vote on the merger is November 8, 2022 and the board agrees that the present structure is preferred. They are involved in a merger study with MAUSD and would like to continue down that path. There was discussion on how a decision from the SBE might impact voters and be perceived by voters. [Written comment](#) was also provided.

Mt. Abraham Union Supervisory District (MAUSD), Patrick Reen, Superintendent: Kevin Hanson, Elizabeth Sayre, Bailee Layn-Gordon, Krista Siringo, and Patrick Reen introduced themselves. Hanson shared a resolution: *“Whereas the SBE, through its Chair, has stated the possibility of deconstructing MAUSD, presently a supervisory district, into a supervisory union with respect to the separation of Lincoln and/or other towns as necessary to accommodate the possible need of those towns for a supervisory union, the board of MAUSD is opposed to that possibility. It is the desire to maintain the supervisory district, considering the educational opportunities it provides students, provides efficiency of management, and avoid unnecessary costs.”* He also shared a synopsis from New Solutions K-12, (Nate Levenson) who did some analysis on consolidation of central office services and the advantages of a supervisory district over a supervisory union.

Gordon spoke about the most important piece being the impact on students, many schools nationwide are struggling, and moving back to an SU would be detrimental to stability that is much needed. Staffing would be reduced and likely lost, this would create challenges with Free Appropriate Public Education (FAPE) and Least Restrictive Environments (LREs). Gordon asked that the needs of all students be considered and asked that LSD return to the school community as it stands as a school district and not make them a SU.

Siringo read a letter from Dawn Griswold, board chair. The letter said she was not in favor of deconstructing the MAUSD. Many community members supported the SD Structure as it improved equity and outcomes, and deconstructing this SD does not honor or respect that vote. His letter asked that MAUSD remain a SD and, if LSD cannot sustain itself, then MAUSD would welcome its return.

Siringo spoke about the SD's openness to welcome LSD back to MAUSD. Deconstruction is not desired. They are stronger with all 5 towns together. She said they have learned a lot and acknowledged that there are no good options. She suggested it would be better if the local level could figure this out instead of having a decision imposed upon them.

Reen spoke about concerns around being deconstructed. What separates MAUSD is that they have actually served LSD in the past years, and they have a relationship. There were a lot of projections of the Act 46 merger and MAUSD has over-delivered. The driving force is equity and outcomes for students, and this is at risk with de-struction. He spoke about two boards creating incoherence, understandable fear of school closure, MAUSD has been very clear about not closing and repurposing schools, and if LSD could be kept as a member town in the MAUSD that would be welcome.

There was discussion on simple majority vote in the local community, authority to close a school, if MAUSD in its current configuration would entertain a conversation with LSD about returning with conditions that limit school closure, and an ideal solution is one that can be developed locally. Chair Olsen stated that statutory tools limit options to find a better solution. There was discussion on the failure to reach a local decision is why we are here today, and that failure resulted in the potential option of deconstructing MAUSD. Chair Olsen addressed the myth of becoming an independent school and said clearly that becoming an independent school does not solve this challenge – the LSD will still have all the same legal responsibilities and obligations. This myth offers dangerous misinformation. There was discussion on warning a vote for only one town, best resolution is compromise at the local level and absent that the decision rests with the SBE, intended or unintended consequences, not making punitive the actions of one community on the remaining four, not making a decision today, if delaying a decision might spur a local decision, not having enough information to make a decision today, not wanting to influence any local votes, and that local decision-making has more flexibility than that of the SBE. [Written comment](#) was also provided by MAUSD.

Chair Olsen asked Russo-Savage to give an update on SU representation. She explained that current law in Section 266 states that, if an SD operates a school, then it has 3 members that sit on the SU board, regardless of size. Section 261 (d) says that if a SU board votes to do so, it can come to the SBE and ask for a waiver for several default situations for SU operations, one of those being how many school district members are appointed to the SU board. She explained that Act 176 expands how the issue of SU representation can be addressed.

Lincoln School District: Chair Olsen asked if there was a way for LSD to rejoin the MAUSD and make a good local decision. Oldham said no, there is a moratorium on how long a school can stay open and this is not a viable option at this time; there is goodwill on behalf of MAUSD but there is some fractious history that would need to be addressed to rebuild trust.

Chair Olsen outlined four options: 1) deconstruct a local SD into a multi-district SU, 2) contingent on Ripton's vote and if it declines to return to ACSD, to create a joint SU with Ripton, 3) assign LSD to a multi-district SU and 4) designate LSD as its own supervisory district. Oldham spoke about the deconstruction of MAUSD, negotiations on staff sharing, challenge and disruption of deconstructing MAUSD, LSD has made its own determination that it cannot be its own supervisory district, and that the LSD shifts in preference are due to the reality that has evolved.

Chair Olsen asked for Oldham to narrow and summarize the USs or SDs to which LSD would prefer to be assigned. Oldham said she hasn't had access to people and information to assess how things would work. There was discussion on closer geography being better, need assurance that their school will remain open, more time and access to information is needed, why the vote hasn't been warned, Lincoln voters have been removed from MAUSD and don't have a voice in that merger, rationale for not creating the opportunity for the community to vote, LSD using its best judgement, and LSD voted to leave MAUSD. There was discussion on legal options for MAUSD and LSD to get together and mediate a resolution, not waiting for voting results to find information and work towards a resolution, and guardrails for school closures.

Chair Olsen summarized that the SBE doesn't have enough information nor does LSD and there is not a lot of time. He encouraged LSD to start conversations as soon as possible and to continue research into other options. In parallel, he will ask AOE to do some research and come back in November with a recommendation. Secretary French suggested pulling annual reports of other districts to create a model on the structure that exists and that might eliminate some options as undesirable. Secretary French clarified that the AOE wouldn't be able to do that research for Lincoln, but the AOE could formulate a recommendation. SBE members were agreeable to seeking a recommendation from Secretary French. Oldham asked for a timeline. Chair Olsen clarified that everyone needs to be planning for contingencies and emphasized that the timeline was set by LSD, not the SBE. The SBE will not be able to decide until it has a recommendation from Secretary French.

Olsen acknowledged that things continue to shift, and it is unfortunate that we are in the position we are in. McClain made the point that the SBE should not be conditioning the withdrawal on a clear plan for an SU assignment or how to provide SU services. He noted the Legislature's intent is clear and towns have the right to withdraw, and schools have a right to remain open, even if the SBE vehemently disagrees. McClain clarified that LSD did not say it wouldn't come back and ask for an SU assignment. Time is of the essence and so is the statutory mandate. Chair Olsen asked if a joint SU with Ripton was off the table. Oldham said that timing is an issue and, as it stands today, that is off the table.

Clark spoke about budgets and planning for contingencies and that budgets are voted on in October. He asked if there are any SUs or SDs that can come off the list of potential SUs and SDs to which Lincoln could be assigned, otherwise, his SU/SD will need to start on this tomorrow. He wanted to be sure that the SBE is aware that this will waste thousands, if not hundreds of thousands, of taxpayer dollars on this exercise.

Chair Olsen asked Oldham if she could take any SUs/SDs off the list. Oldham said she could provide a list tomorrow. Gleason commented on the decision to withdraw with no plan, that this feels like a concern for LSD students, how other districts might be impacted, and the SBE's responsibility to all students in Vermont. Kinnarney spoke about needing to prepare 7 budgets with one business manager and one accountant, while being audited by the AOE, and that this is an incredibly heavy lift. Kinnarney said his priority is his 1300 students. He also said that WRVSU didn't know it was on the preferred list until LSD's letter was shared with him by the SBE. There was discussion on the responsibility of LSD, that LSD be thoughtful and provide a list of realistic candidates; it is the responsibility of LSD to get this information and it is not fair to other superintendents to be engaged

in this process in this way. Oldham said she had no direction on what was to be provided today and that they had no part in inviting superintendents to be here today to speak.

Chair Olsen moved to Item J.

Item J: Independent School Approvals

Red Fox Community School: Lovett moved that the State Board of Education grants renewal of general independent school approval to Red Fox Community School, Montpelier, VT, to serve students in grades K-4. This approval is for five years, through June 30, 2027. This approval is conditional on the requirement that the school reports to the Agency of Education within five business days whenever any changes occur in enrollment, programs, policies, facilities, financial capacity, staffing or administration during the approval period. Lovett amended the motion to be for grades K-5 (typo) and a correction that the school is located in Manchester Center, not Montpelier. Jepson seconded. Samuelson commented favorably on the format and content of the report. Chair Olsen called the vote. The vote passed unanimously.

Pacem School: Lovett moved that the State Board of Education grants renewal of general independent school approval to Pacem School, Montpelier, VT, to serve students in grades 6-12. This approval is for five years, through June 30, 2027. This approval is conditional on the requirement that the school reports to the Agency of Education within five business days whenever any changes occur in enrollment, programs, policies, facilities, financial capacity, staffing or administration during the approval period. Samuelson seconded. There was discussion on five years being a standard approval. Chair Olsen called the vote. The vote passed unanimously.

Southshire Community School: Lovett moved that the State Board of Education grants renewal of general independent school approval to Southshire School, Montpelier, VT, to serve students in grades K-8. This approval is for five years, through June 30, 2027. This approval is conditional on the requirement that the school reports to the Agency of Education within five business days whenever any changes occur in enrollment, programs, policies, facilities, financial capacity, staffing or administration during the approval period. Jepson seconded. There was discussion on a typo on the town the school is located in – it should be North Bennington. Chair Olsen called the vote. The vote passed unanimously.

Green Mountain Montessori: Lovett moved that the State Board of Education grants renewal of independent kindergarten approval to Green Mountain Montessori School, Essex Jct., VT. This approval is for two years, through June 30, 2024. This approval is conditional on the requirement that the school reports to the Agency of Education within five business days whenever any changes occur in enrollment, programs, policies, facilities, financial capacity, staffing or administration during the approval period. Samuelson seconded. There was no discussion. Chair Olsen called the vote. The vote passed unanimously.

Mountainside: Lovett moved that the State Board of Education grants renewal of tutorial approval to Mountainside House in Ludlow, VT, to serve a maximum of twelve male and female youth, 13-18 years of age, who are in need of crisis stabilization. This approval is for a two-year term through June 30, 2024. This approval is conditional on the requirement that the school reports to the Agency of

Education within five business days whenever any changes occur in enrollment, programs, policies, facilities, financial capacity, staffing or administration during the approval period. Brown seconded. There was no discussion. Chair Olsen called the vote. The vote passed unanimously.

Lovett said that he anticipated that there would be an update from East Burke and Mt. Snow at the next meeting.

Chair Olsen returned to Item H.

Item H: Addison County SU Configuration (continued)

Oldham said that, in her testimony, she referenced three preferred options: WRVSU, CVSU, and MAUSD. Chair Olsen clarified that Ripton is not a preferred option for LSD but still remains an option for the SBE's consideration. Chair Olsen outlined five possible options for LSD: 1) assignment to WRVSU, 2) assignment to CVSU, 3) deconstruction of MAUSD and assignment to it as an SU, 4) creation of an SU with the Ripton School District and 5) designation as its own SD. Oldham added that LSD, like everyone else, is doing its best, and in May did something perfectly legal, and things have shifted, and she wanted to say that there seems to be sentiment that LSD is misleading or trying to be selfish, or hiding true intentions. LSD was faced with the possibility its school being closed and that is why it embarked on this path.

Chair Olsen explained that legislation was crafted for LSD's specific situation and noted that it did not avail itself of the option to delay that was provided and now there is a very aggressive timeline that has been self-imposed by LSD. There was discussion on LSD being part of MAUSD when the merger vote happened, and motivation to leave MAUSD before the merger committee made its decision, thereby avoiding Lincoln getting caught up in the merger.

Item M: Public to be Heard

Steve Cash and Molly Witters, Ripton School Board (RSB): Cash said there is a vote on September 28 in Ripton and asked for confirmation that, from the SBE's perspective, a joint SU with LSD is still on the table, but from LSD's perspective, that is not on the table. Chair Olsen confirmed. Witters asked how to represent this to the community. Chair Olsen explained that this has never been taken off the table, that the preparedness statement was on the *school district* and did not assess a joint SU. The statement of preparedness/risk was in any configuration. He continued that the situation is fluid and Ripton School District's (RSD's) viability as a school district was what was evaluated.

There was discussion on the statement of preparedness, RSD's responsibility to go back to the voters on how to proceed, support from positions of power (SBE), limited power of the SBE, 39 school board meetings for RSD in the last ten months, that the process is broken, need a better place to work through these issues, school closure is a difficult topic and one in which the SBE has no role, pattern of declining enrollment, and that there's not enough movement toward compromise.

Witters spoke about coming full circle, and feeling powerless, and asked the SBE to consider moderation help or otherwise putting some force behind the tiny voices of RSD as that might have helped because they got nowhere with their conversation with ACSD.

Item N: Election of Chair/Vice Chair

Chair Olsen announced that he will be stepping down as Chair after this meeting. He opened nominations for Vice Chair. Jepson nominated Kolbe. There was no discussion. Chair Olsen called the vote. The vote passed unanimously. Gleason nominated Samuelson for Chair. There were no further nominations or discussion. Chair Olsen called the vote. The vote passed unanimously.

Adjourn

Gleason moved to adjourn; Kolbe seconded. The vote was unanimous to adjourn. The meeting adjourned at 6:18 p.m.

Minutes prepared by Maureen Gaidys.