

Green Mountain Unified School District
Board
Tuesday January 17, 2018
GMUHS, Library Learning Commons
6:00 p.m.

I. ROLL CALL/CALL TO ORDER:

Board: Joseph Fromberger, Marilyn Mahusky, Tonia Fleming, Doug McBride, Jeff Hance, Kathy Muther, Erin Lamson, Deb Brown, Fred Marin, Kate Lamphere
Staff: Meg Powden, George Thomson, Katherine Fogg, Peggy Roberts, Tom Ferenc, Leslie Kenney, Christine Simmons, Sue Willis, Michael Ripley, Todd Parah, Amy Hamblett, Jenn Harper, Laurie Birmingham
Other Board Members: Michael Studin, Wayne Wheelock,
Public: Shawn Cunningham, Lisa Marks, Mary Alberty, Trevor Barlow, Denise Reilly Hughes, Sara Stowell

Ms. Mahusky called the meeting to order at 6:05 p.m. The board introduced themselves.

II. APPROVE AGENDA:

Ms. Fleming **moved** to approve the agenda with addition of approval of the warning for the upcoming vote under new business. Ms. Brown seconded and the motion to approve the agenda carried with no opposition.

III. NEW BUSINESS:

A. FY 2018-19 Budget

Mr. Fromberger reported that the finance committee met just prior to this meeting and after an hour of discussion the committee was unable to come to agreement on a number for the board to approve. Ms. Mahusky noted that the board still needed to vote on the budget even without a recommendation of the finance committee. Ms. Powden distributed a document that outlined the programming that the schools are currently doing, what programs are in progress and what they are aspiring to do. Ms. Fogg noted that this was a good process to go through and she invited the community to visit the school to see the programs in place. Mr. Thomson noted that this is a reflection of all the good programs they are working on. Mr. Ferenc reported on some of the programs that GMUHS is doing and welcomed everyone to come into "their" school. Ms. Mahusky welcomed the public and thanked everyone for their public participation in the meetings and the feedback has been positive and helpful. Ms. Mahusky noted that one of the outcomes is to schedule a board retreat in order to capitalize on some of the discussions that have begun and work to implement some of the educational opportunities and improvements that were discussed during the Act 46 process. She noted that this budget proposal reflects a bit of a "status quo" so they can take their time to make substantive changes in a well-thought manner.

Ms. Powden noted that the per pupil cost in this budget is 15,701.39 which is a reduction of about \$47 per equalized pupil from last week's draft. She outlined some of the changes in this budget, including the increase in the .83 Spanish teacher at GM to a 1.0 position to include work at coordinating foreign language instruction at the elementary level. Ms. Fogg noted that some of the thoughts are to bring some high school students down to the elementary school in order for them to get some community service while helping the elementary school students. Ms. Powden noted that Ms. Waite and Ms. Baker have been looking at other foreign language resources to bring into elementary schools. Ms. Powden reported that they removed \$3000 from regular education supplies & equipment. Under the co-curricular section, several of the lines have been reduced slightly. The guidance line item for supplies has been reduced by \$2000. The Library equipment section has been reduced by \$2500. The board of education legal services has been reduced by \$5000 since there is the feeling that since the Act 46 work is mostly done, this will be a lower expense. Ms. Powden noted that the facilities director will remain at GMUHS and not currently be a district-wide position.

Ms. Powden reported that the administrative structure proposed in this budget will be 3 principals (the one at CTES is interim), 1 assistant principal at GMUHS, and 1 teaching dean (interim at CAES). She noted that the interim positions are to give the board time to determine the best administrative structure. The food service has been decreased by \$10,000. She noted that the transportation director will be district wide and therefore there is a slight increase. Ms. Powden reported on the flex/capstone position going to a .5 fte position and the high school needs summer custodial help. There was discussion about the Field Trips expense at CTES since the PTO has traditionally supported the field trips in order for them to not be cut. Therefore, since CAES budgets money to support these enrichment opportunities, CTES will now have this funding. Ms. Fogg noted that CTES goes to Keewaydin every year at 6th graders while CAES goes every other year for 5th and 6th graders. Mr. Ferenc reported on the high school transformation funds. This year they used the funds for the wilderness immersion program. Ms. Powden noted that the math coach will still provide services, but the position will be funded from the new Title 4 grant. The local budget will be funding the Title 1 teachers in the amount of \$21,686 due to the cuts in the Title 1 funding.

Ms. Powden noted that the equalized pupil cost is \$15701.39. The legislature sets the yield which is at \$9842 and that leaves an equalized tax rate of 1.5983. Then with the merger support tax incentives, this brings the tax rate to 1.5153. She reminded the board that Mr. Adams had predicted \$1.49 during the Act 46 work. She noted that this tax rate is even in light of the unanticipated \$414,820 that this budget has in it, including the change in the fund balance usage, the health care recapture, the Title I cuts impact and the affordable care act compliance.

There was discussion about current equalized pupil costs in the current budget and the variance between the schools. Ms. Lamson questioned the deficit in the food service budget. There was discussion about the food service budget. The food service committee has not yet held a meeting but the plan is to look very closely at the budget and the program itself to determine how to reduce costs and do an analysis of the budget to find the gaps to see if they can be overcome. Ms. Mahusky noted that the other side of the TRSU contracts for food service, but some people feel that the quality is significantly lower than the GM food service. There was also discussion about increasing the revenue for the program. Mr. McBride noted that the budget seems to reflect a 19.7% increase in special education and an 8% decrease in regular education and 12% reduction in preschool. Ms. Powden noted that there is a reduction in the preschool enrollment therefore the .8 fte preschool teacher is lowering to a .6 fte position. There was discussion about the student needs. Mr. McBride noted that the special education budget is approximately 1/2 of the budget and questioned if that is reflective in the student body or if that proportion is because educating a special education student is more expensive than a regular education student. There was discussion about the special education reimbursement of about 53% and 90% for the excess costs over \$50,000. This is netted to the schools in the special education assessment of the local budget. There was discussion about the para-educators reflected in the local budget. There was discussion about the para-educators at CAES being special education or 504 student, while at CTES has 1 regular ed para-educator. Mr. Thomson reported that the para-educators at CTES share the responsibility of special education and 504 and EST.

Mr. Hance questioned the After School Program expense and whether it was tuition funded. There was discussion about the program being mostly grant funded in some schools. CAES has applied for the grant but currently there is a line item on the budget. Mr. Thomson reported that there are various ways that the ASP is paid for, between tuition, child care subsidy, grant and scholarships. He noted that the grant is a 5 year grant.

There was discussion about the interim principal at CTES and the interim teaching dean position at CAES. Ms. Lamphere questioned if the teaching dean would be a 50/50 split. Ms. Fogg noted that that hasn't yet been fleshed out. There was discussion about the recommended ratio for principals. Ms. Powden noted that for 10 full time educators, there should be a full time administrator. There was also discussion about the new kindergarten teacher at CAES being an interim position. The board discussed the fte teachers at each school and the enrollment. Ms. Powden noted that some of the full time educators appear in the TRSU budget because they are special educators. Mr. Ferenc reported that there are 33 teachers, so he suspected that the fte should be 28.6 fte. This reflects a ratio of 1:15 administrator to fte teachers.

Mr. McBride noted that if they right-size CAES for \$75,000, they may be asked to right-size GMUHS next year for \$300,000. Ms. Powden noted that there are no plans to increase the administration at GMUHS. In addition to the principal and assistant principal, there is also a guidance director that serves some administrator functions. Mr. Ferenc note that while there are only 28.6 fte educators, there are about t60 employees between paras, custodians, bus drivers, etc.

Mr. McBride noted that the prediction for the tax rate was \$1.4699 not \$1.49. He noted that the model was based on a 2% increase in spending and a 1% reduction in employees. Ms. Mahusky reminded the board about the unanticipated costs of \$414,820 before they began the budget. Mr. McBride noted that the benefit equalization should have been known. He suggested that when putting the two parties together, they can create the same benefits or negotiate them. Ms. Mahusky noted that the affordable care act indicates that all employees in a certain class be eligible for the same insurance. There was discussion about the current teacher contract being the same for all three schools. The Ludlow and Mt. Holly schools had sidebars for their salaries and benefits. Ms. Fleming noted that at CAES there was not enough para educators to require that they receive benefits, but when they came together as a single employer, they no longer qualify as an employer with a low number of employees and therefore have to provide health coverage. Mr. McBride noted that he felt that the models should have included this and this should have been known. Ms. Powden noted that this figure doesn't reflect the same benefits, but rather similar benefits. This assumption is that all of the eligible employees will take that benefit, so there might be some savings there if all the employees don't take it.

Mr. McBride questioned what changed since March to lead the administration to think that CAES needs additional administration. Ms. Powden noted that this budget only reflects a few months of work preparing for the next year, as opposed to prior years beginning thinking about the budget and programming when the last budget is voted.

Mr. McBride noted that the merger report indicates a modest savings because of spending money on educational improvements. He felt that this budget does not reflect many of the educational improvements that were discussed, and instead focuses on teachers and administrators. Ms. Powden noted that the budget

attempts to look systemically at the improvement, such as hiring a teaching dean in order to help the principals with instructional leadership. They will start the budgeting process sooner with the retreat in June to help build those opportunities.

Mr. Thomson noted that the governor announced a few months ago an increase in the tax rate of 9 cents. Had that not happened this budget would reflect a tax rate of 1.42. Mr. Cunningham questioned when the board members received this budget. The board responded that they had received their budget in the email yesterday. A teacher questioned if the TRSU has discussed moving their offices to unused space in one of the schools. Ms. Powden noted that there has been discussion about moving it, but it hasn't been finalized. Mr. Ferenc reported that there are some unused spaces in the high school building "hither and yon". He noted that the TRSU has 8 offices and would need spaces together. He noted that they could possibly move it to the school, but only after proper analysis had been done. Mr. Fromberger noted that they had done this study a few years ago. For a few reasons, it was not thought to be in the best interest of the high school nor the SU. Ms. Powden noted that there have also been discussions about moving the SU offices to the BRHS building.

Mr. Fromberger noted that he will not approve the budget as it currently stands. He noted that at a very minimum he would like to see more foreign language and remove some of the things in the budget that have nothing to do with students that cost a lot of money. He suggested that they need to look at the structure of the programs they have now, specifically the food service. Mr. McBride noted that he would have the same pause and felt that it is difficult to expand learning by adding administrator. Ms. Brown noted that the elementary school has wanted an assistant principal for years but the budget couldn't tolerate it. There was discussion about there not being significantly more students, but the students they have, have significantly more needs. There was discussion about the capstone flex coordinator being an enrichment opportunity in the budget. Ms. Fleming noted that while the improvements aren't as much as they would like, it is a good start. There was discussion about the hazards of not approving a budget. Ms. Mahusky noted that they agreed to have an annual meeting on February 27 and a budget to the voters on town meeting day. Ms. Mahusky noted that because the dates were agreed upon when they organized, they are obligated to follow them this year. They could present a warning to hold the vote and meeting on a different date next year, but they cannot change the date this year.

There was discussion about the board being responsible to present a budget to the voters, but it doesn't have to be the number on the presentation. Ms. Hamblett noted that there has been an incredible turnover in administration in past few years. She has been there for 8 years and has had 5 principals. No principal has been there long enough to document the needs. Ms. Stowell felt that it would be irresponsible to present a budget they don't agree on to the voters. She asked that the board tell the voters what they need to do to go to the state to change the date. Ms. Fleming noted that she wasn't sure that more time would make a difference given the constraints they have. She noted that if the voters vote it down, the board gains a little more time, but they don't have the

Mr. Fromberger **moved** to approve presenting a budget of \$12,547,513 to the voters which reflects a reduction of \$30,000 from the proposed budget. Mr. Marin seconded. Mr. Fromberger noted that this would give the board and administration time to work on reductions. Ms. Mahusky noted that this budget reflects a lot of work done by the administration to listen to the Act 46 work and the community. She felt that this budget doesn't make major permanent structural changes, but gives them time to develop goals and objectives with the stakeholders in the schools and communities. She felt that the board should pledge to continue the conversation and she thanked everyone for coming to these meetings and giving their feedback. She noted that this budget reflects a bit of a status quo. There was discussion about the finance committee not making a recommendation for the budget.

B. Renewal of Limited School Transfer Program

The board received the program documents in their packet and has had the chance to review it. Mr. Fromberger **moved** to approve the program as presented for both the elementary level and middle school level. Ms. Muther seconded. There was discussion about the Ludlow and Mt. Holly governance structure and how that is reflected in the signatures. There was discussion about the program limiting the number of students coming in and leaving a school and whether that causes harm to this district. There will only be one opening next year to the middle school. Ms. Powden advised that she would not recommend allowing more students to come in to GMUHS from BRHS in order to keep BRHS viable in the event that the vote is not overturned. Mr. McBride noted that some students from BRHS would want to begin to transition to GMUHS and the cap of 6 students might actually hurt this school. Mr. Thomson noted that the program modeled the RSSU program that limits 6. Ms. Fleming noted that if they raise the number, they could lose too many students from one school. There was discussion about the cost of meeting a student's needs and the receiving school only gets half of the ADM. There was discussion about the tuition that will follow these students when/if BRHS closes. Mr. McBride requested that the administration look at whether increasing the number of students would benefit the GMUSD schools. There was discussion about the students being able to transfer between elementary schools within the GMUSD.

Mr. Fromberger's motion carried with no opposition.

C. Complaint from the Chester Telegraph

The complaint from the Chester Telegraph was included in the email to the board members. Ms. Mahusky noted that the complaint is based on the alleged violation of open meeting laws. Ms. Powden noted that she has consulted with Chris Leopold and read aloud the official response to the complaint:

Under Title 16 Section 706(g) GMUSD was designated as a union school district with “all the powers incident to such a district as herein provided.” The GMUSD Board and respective Committees are legally obligated to plan and prepare to be fully operational by July 1, 2018. The Board is legally obligated to the employees of the existing schools and on July 1 the Board will be inheriting all contractual employees and their collective bargaining agreements unless otherwise negotiated. The Board must make decisions about staffing and issues related to staffing and stands in the same position as any other school district regarding staffing decisions and related contractual obligations for the year beginning July 1, 2018.

There was no intentional violation of the Open Meeting Law on November 14 or November 29 due to the GMUSD’s contractual obligations to several categories of employees and employees who could potentially be laid off. Title 16 Section 1802 references the transition of employees to a newly created employer. In our situation the current Master Agreements with Teachers and Support Staff are in effect until new agreements are negotiated. The motion to enter Executive Session should have been more explicit with its purpose and made the express finding “that premature public knowledge would clearly place the public body or a person involved at a substantial disadvantage.”

This complaint does highlight the need for us to improve in two areas, warning for public comment and being more descriptive as to why the Board is entering into Executive Session. At times the Public Comment item has been left off the agenda (as it was for tonight’s Finance Committee meeting). It was clear it was intended to be there because we went from item II to item IV on the agenda. Also, our Board Chairs typically recognize the public throughout our meetings but we need to make sure Public Comment is on every warned meeting.

In regards to Executive Session-Typically we warn for a personnel or student matter to go into Executive Session. The Chester Telegraph is correct; we need to provide a more detailed explanation for the Executive Session, recognizing that “personnel” does not sufficiently meet the requirements of the statute. Additionally, if the purpose of the Executive Session requires the Board or Committee to make a specific finding “that premature public knowledge would clearly place the public body or a person involved at a substantial disadvantage”, the Board will comply with this provision of section 313. For instance, if the Executive Session is to discuss the contractual consequences and ramifications of a potential RIF we will need to warn the session as “Discussion pertaining to a potential Reduction in Force in support staff or teaching staff.”

To summarize, there was no intentional violation of the Open Meeting Law. The Board or one of its Committees is legally empowered to enter an Executive Session so long as it is for one of the legally recognized purposes and there is adherence to legal requirements and procedures. However, we do need to improve in two areas; always warning for Public Comment on our meeting agendas and providing more detail for Executive Sessions.

Mr. Cunningham noted that the board is not in negotiations with any employees at this point, therefore premature knowledge of the discussions would not have caused the board harm and premature knowledge would only help such employees who might be RIF’d.

Ms. Powden noted that the transition board should not refer to itself as the transition board and rather as the board. Ms. Mahusky thanked Mr. Cunningham for bringing his concerns to the board. It has given the board an opportunity to remember their obligations to the community and to open meeting law. Mr. Cunningham suggested that there is training from the VLCT for board members. Ms. Mahusky noted that the VSBA offers training as well as a statutory requirement for the board chair. Mr. Cunningham noted that knowingly violating open meeting law opens the board members up to a misdemeanor and a \$500 fine. The board secretary suggested that the board may want to consider changing the title on the approved minutes from GMUSD Transition Board to GMUSD Board.

D. Approve the warning for the annual meeting

Ms. Mahusky read aloud the warning to be presented, noting some typographical corrections. Mr. Fromberger suggested that the warning should also include remuneration for the treasurer as well. The language followed the language in the articles referring to the honorarium for the directors and by consensus set the honorarium at \$500 for the treasurer. She noted that because the budget amount has been changed, the equalized pupil rate in the warning will change. Ms. Brown **moved** to approve the warning as read with the addition of the treasurer honorarium. Ms. Lamson seconded and the motion carried unanimously.

IV. PUBLIC COMMENT:

Mr. Barlow noted that he appreciated the work that went into the budget and he is incredibly disappointed in the way the board approved the budget, including arbitrarily removing \$30,000 from a budget that is trying to hiring an extra principal and a dean. Denise Reilly Hughes noted that she is also disappointed by the budget approval process. She has tried to learn about the education funding process and she appreciates the time that the board spends on this work. She sees Ms. Powden as the CEO, the board is the board of directors, the teachers are the employees and the students are the customers. She noted that the tax payers are the shareholders in this business. She felt that the principals submitting all their work to the board should have happened in September. She suggested that if they were delivering the education that they should, they wouldn't lose students.

V. OTHER BUSINESS:

A. Annual Meeting on Tuesday February 27, 2018:

There will be another board meeting between then. Ms. Powden noted that there was no article to change the annual meeting date for the next year. Mr. Fromberger noted that the other business is severely limited on the annual meeting. If a change is requested it needs to be warned, and there was no such offer in the board's motion. There was discussion about the thought to change the date of the annual meeting was due to the timeline.

VI. AGENDA FOR NEXT MEETING:

The GMUSD board will be meeting on February 13, 2018 at 6:00 p.m. at CAES. The agenda will include discussion about the board retreat. Mr. McBride suggested that they need to discuss the goals for the school and how to determine how they are meeting those goals. He suggested that some initial discussions will help to build a foundation for the retreat. There was discussion about keeping up on the rotation of schools hosting the board meeting.

VII. ADJOURNMENT:

Ms. Brown **moved** to adjourn at 8:02 p.m. Ms. Lamson seconded and the motion carried unanimously.

Respectfully Submitted,

Amber Wilson
Board Recording Secretary