

**REGULAR MEETING OF THE
SOUTH BURLINGTON SCHOOL BOARD
WEDNESDAY, MAY 3, 2017
Executive Session at 6:00 P.M.
Regular Meeting at 7:00 P.M.
Frederick H. Tuttle Middle School Library**

PRESENT

Elizabeth Fitzgerald, Martin LaLonde, Bridget Burkhardt, Alex McHenry, Steve Wisloski

ADMINISTRATION/STAFF

David Young

GUESTS

Attorney Pietro Lynn

EXECUTIVE SESSION

The Board entered executive session at 6:00 p.m. to consider confidential attorney-client communications made for the purpose of providing professional legal services to the school board concerning the ballot initiatives and a student matter, and added that it would be significantly disadvantageous to the district not to do so in executive session. The Board requested that Mr. Young and Attorney Lynn attend executive session. The motion was approved.

Consider confidential attorney-client communications made for the purpose of providing professional legal services to the school board concerning the ballot initiatives and a student matter.

In: 6:01 p.m.
Out: 6:54 p.m.
No action.

The executive session was closed at 6:55 p.m.

PRESENT

Elizabeth Fitzgerald, Martin LaLonde, Bridget Burkhardt, Alex McHenry, Steve Wisloski, Isaiah Hines, and Alex Escaja-Heiss

ADMINISTRATION/STAFF

David Young, John Aubin, Stuart Weiss, Mark Trifilio, Joanne Godek, Susie Merrick, Karsten Schlenter, Holly Rouelle, Meg Collins and several teachers and staff.

GUESTS

Approximately 150 guests

REGULAR SESSION

The meeting was called to order at 7:00 p.m.

COMMENTS FROM THE PUBLIC

The Board listened to comments from the public regarding items not on the agenda, among these were questions regarding board policies that govern communication and diversity programming.

AMENDMENTS TO THE AGENDA

There were none.

STUDENT REPRESENTATIVE REPORT/ANNOUNCEMENTS

Ms. Escaja-Heiss and Mr. Hines reported the following announcements:

- Students were welcomed back to school on Monday, following the spring break.
- High School students competed at the National DECA competition in California during vacation week and were very successful.
- Today was Freshman Community Service Day.
- AP exams are taking place this week and will continue thru the next two weeks.
- Mr. Young thanked SBHS students, staff, administrators and families for being a caring community in a time of great challenge as well as FHTMS students, staff, administrators and families for the same. Additionally, he thanked all Chamberlin, Orchard, RMCS, FHTMS, and SBHS students, staff and families who have offered actions and words of support. He stated that we are immeasurably grateful for the hard work of the South Burlington Police and the FBI, our SBSD information Technology staff, the City of South Burlington, Senator Patrick Leahy Center for Digital Investigations at Champlain College, the Vermont State Police, and the offices of the US Attorney and State's Attorney. He also thanked Robert Evans, Vermont School Safety Liaison.
- Chamberlin School held its Walk-and-Bike-to-School event today. WCAX did a piece on the celebration.
- Orchard School Walking Club is going strong. Grade 2-5 students who arrive to school early spend their time between 7:45 am – 8:00 am walking outside instead of waiting in the cafeteria, and staff are joining them as well.
- Steering Committee Meeting at 6:30 p.m. on May 24 at City Hall.

CITY AND SCHOOL COLLABORATION

Mr. Young and Ms. Fitzgerald met with Mr. Dorn and Ms. Riehle and established a Steering Committee meeting date and time, which is May 24 at 6:30 p.m. at City Hall. They also discussed budget and the solar project on the landfill which is moving forward and will likely get a credit because of the delay. The city is doing some work on Market Street over the summer so an alternate route to the school will need to be coordinated. Ms. Fitzgerald added that they discussed the implications to the tax bills based on the timing of the approved school budget. She stated it isn't a concern yet, they just need to be aware of this.

CITIZEN PETITION REGARDING REBEL NAME

Ms. Fitzgerald introduced the Board's attorney, Pietro Lynn, and asked him to provide an overview of Board and electorate authority and the roles and responsibilities of each.

Attorney Lynn stated that he was asked by the Board to examine the legal issues raised by the petition that was filed by 5% of the electorate. He stated that under 17 VSA

section 2643, there is a requirement where such a petition is filed for the municipal entity to warn, within 60 days, a special meeting where the electorate would vote on the petition item.

What rights and responsibilities does the Board have to deal with that issue?

Attorney Lynn stated the authority of the electorate as reflected in Title 16, which is the part of Vermont law that has to do with education, has a very narrow set of powers of authority. At a meeting of the electorate, there can be a vote on:

1. a moderator
2. a district clerk
3. authorizing the hiring of an accountant
4. school board member salaries
5. decisions about long term leases
6. decisions about the purchase and sale of real estate
7. the district borrowing money
8. must approve bonding
9. electing board members

The remainder of the powers to operate a school district are vested in the School Board. Under 16 VSA Section 563, the School Board has broad authority. Anything that was not identified under the power of the electorate is within the authority of the School Board. The Board makes every other decision when it comes to operations of the school district.

The Board asked Attorney Lynn, where there is this valid petition, under Title 17, what are the Board's obligations?

Attorney Lynn stated that, as he reviewed Vermont law as interpreted by the Vermont Supreme court, the conclusion is that there is no legal obligation for the Board to place these petition items on the ballot. That is within the Board's discretion. If the Board chooses to put them on the ballot and they are approved by the electorate at a special meeting of the electorate, the Board is not bound to follow those approved petition items.

Ms. Fitzgerald asked Attorney Lynn to clarify special meeting.

Attorney Lynn stated that under Title 16, where there is a desire for the electorate to take some action, you have either an annual or a special meeting of the district.

Mr. LaLonde asked, "Is that done by Australian ballot?"

Attorney Lynn responded that is the Board's decision, it could be done by Australian ballot or by voice vote at the meeting.

Attorney Lynn left the meeting and the Board discussed the citizen petition regarding the Rebel name and then took public comment on this item.

This item will be placed on the agenda for action at the special meeting of the school

board on Wednesday, May 10.

CONSIDER THE REVISED SCHOOL DISTRICT BUDGET FY 2018

Mr. Young provided a budget packet to the Board and displayed budget information on a big screen for the audience. Mr. Young reviewed the revised budget proposal and stated that it would be posted on the district website. The Board asked several questions and took public comment. This item will be brought back to the Board for action at the special board meeting on May 10.

FY 18 BUDGET COMMUNICATION

This item will be placed on the agenda of the May 10 special school board meeting.

MASTER PLANNING AND VISIONING

Committee Structure Update

Mr. Young continues to work on a packet of information and does not have an update at this time.

CONSIDER AND APPROVE SPECIAL MEETING WARNING

This will be placed on the May 10 special school board meeting agenda for action.

EXECUTIVE LIMITATIONS POLICY MONITORING

2.5 Financial Planning and Budgeting

Mr. Aubin provided an update to policy monitoring report 2.5 Financial Planning and Budgeting. There was discussion. The monitoring report was approved.

Mr. Aubin also provided each board member a copy of the SEI report which is a private pension plan. It exists to manage the benefits of support staff who were hired prior to 2013. Each board member can review the report and the report can be added as a future agenda item for discussion.

UPDATE ON NEGOTIATIONS

Ms. Burkhardt noted that she and Mr. LaLonde have a planning meeting on Monday, May 8 with the administrative staff that has been supporting them and another negotiations meeting with the support staff union that same evening.

Ms. Fitzgerald reported that mediation with the South Burlington Educators Association is on May 15, and if needed, fact finding will take place on June 6. She also mentioned there has been quite a bit of activity at the State House on the possibility of a state wide contract on teachers' health care, but is not sure where that currently stands.

REVIEW TOPICS FOR OTHER PAPER ARTICLES

Mr. Young provided a copy of a letter that will be published in this week's Other Paper. The June 1 Board article in the Other Paper will be written by Ms. Burkhardt and will be related to budget. Mr. Young was asked to bring the updated list of articles to the May 17 board meeting.

SET AGENDA FOR THE MAY 17, 2017 MEETING

The Board discussed the agenda for the Board meeting of May 17, 2017.

FUTURE AGENDA ITEMS

The Board discussed future agenda items.

CONSIDER THE MINUTES OF THE MEETINGS OF APRIL 13, APRIL 19, AND APRIL 28, 2017.

Ms. Fitzgerald announced general consensus of the Board to approve the minutes of the April 13, April 19, and April 28, 2017 meetings as amended. There were no objections.

ACCOUNTS PAYABLE ORDERS #40 and #41.

The Board reviewed accounts payable orders #40 and #41.

ACCOUNTS PAYABLE ORDER CHECK TO BELLCATE IN THE AMOUNT OF \$53,526.65

Ms. Burkhardt moved that the Board approve the check to Bellcate in the amount of \$53,526.65. Mr. Wisloski seconded the motion. All were in favor. The motion was approved.

ADJOURNMENT

The regular meeting was adjourned at 10:02 p.m.

Elizabeth Fitzgerald, Chair

Martin LaLonde, Clerk