

MISSISQUOI VALLEY SCHOOL DISTRICT TRANSITION BOARD (MVSD)
INFORMATIONAL MEETING MINUTES
MISSISQUOI VALLEY SCHOOL LIBRARY
April 27, 2019
10:00 AM

Present: Transition Board members: Board Chairperson, Chris Shepard (Highgate), Board Clerk, Terri O'Shea (Swanton), Bob Berger, (Franklin), Denis Boucher (MVU), John Ho (MVU) Absent from the meeting: Steve Scott from Highgate, Don Collins from Swanton and Devin Bachelder from Franklin

Others Present: Lora McAllister, Pierrette Bouchard, School Board Secretary, and Channel 15/16 cameraperson. Community Members Gerald Gates, Connie Beyor, Kim Gates-Maynard, Lynn Calderwood, Connie Beyor, Ty Choiniere, Jim Sullivan, Jay Denault, Missy Forey, Jim Messier, Ronna Messier, Jay Hartman, and other community members.

Call the Meeting to Order-Chris Shepard called the meeting to order at 6:05pm.

Chris explained that as part of the presentation they will go over the process, what will be on the ballot, the Articles of agreement and When, where and how to vote.

Process bringing us to this vote • Default Articles of agreement were issued in November by the State Board of Education • There was a process to amend articles and an Amendment Committee was formed in January • The committee considered many drafts and community input and voted to forward articles to the MVSD transition board. The Transition board organized on 3/25/19 and voted to formally approve these articles and bring them to the voters for approval.

What is on the ballot?

ARTICLE I : To elect from the legal voters of said District the following officers:

A School Director from Franklin for a 2 year term: Devin Bachelder
A School Director from Franklin for a 1 year term: Eric D. Beauregard or Wesley Gates
A school Director from Highgate for a 3 year term: Chris Shepard
A School Director from Highgate for a 1 year term: Steven Scott
A School Director from Swanton for a 3 year Term: Don Collins
A School Director from Swanton for a 2 year term: Meaghan Conley

Article II

On the condition that the forced merger is upheld creating the Missisquoi Valley School District, shall its voters replace the entire Default Articles of Agreement, imposed by the State Board of Education order with the attached Articles of Agreement, amended by the Missisquoi Valley School District Board (Approval of this Article does not imply approval of a forced merger)?

Who is on the Transition Board?

Terri O'Shea, Meaghan Conly, Don Collins, John Creelman Transition Board
Bob Berger, Devin Bachelder Denis Boucher, John Ho Chris Shepard, Steven Scott Terri O'Shea, Don Collins

Article I Creation of a New Union District

A. Forming Districts • The Franklin School District, the Highgate School District, the Swanton School District, and the Missisquoi Valley Union High School District (collectively "the Forming Districts") are merged to create the New Union District. B. Temporary Legal Name • The New Union District shall be known by the name "The Missisquoi Valley School District, (MVSD)." C. Resident Students • The Missisquoi Valley School District is responsible for the prekindergarten through grade 12 education of students residing in the towns of Franklin, Highgate, and Swanton.

Article 2 Grades Operated

Missisquoi Valley School District shall operate schools from PK through 12th grades in the configuration which the Forming Districts operated schools in academic year 2018-2019.

Article 3 Attendance

As of July 1, 2019, each student in the grades for which the Missisquoi Valley School District operates multiple school buildings will attend the school that a student residing in that town would have attended in academic year 2018-2019; provided however, that the MVSD Board may grant a parent's or guardian's request for student enrollment in a different school operated by the Missisquoi Valley School District based on a policy of limited school choice.

Article 4 Restructuring of Grade Configurations

A. Restructuring of Grade Configurations

i. For purposes of these Articles, the words "restructuring of grade configurations," "restructuring," and any grammatical variations mean

eliminating all classrooms for any grade or grades, prekindergarten through grade 12, operated at one or more schools requiring children in the grade or grades to attend classrooms in a different school. ii. The Missisquoi Valley School District Board shall not restructure the grade configuration of any school building conveyed to it by a Forming District without the approval of the electorate of the Town in which it is located.

B. Closure of School Buildings

i. The Missisquoi Valley School District shall not close any school building conveyed to it by a Forming District or cease using the building to provide direct education in at least one grade, prekindergarten through grade 12, unless first approved by a 3/4 vote of the Missisquoi Valley School District Board, and approved by a majority of the voters residing in the town in which the school is located. At least one district-wide informational meeting will be held, followed by two informational meetings held in the town where the school is located.

ii. Moving all grades to another school or schools would be considered "closure" and so would be subject to these protections identified in Article 4 Bi., even if the school were to be used for another school related purpose.

Article 5 Finances

A. Indebtedness, Including Capital Debt • The Missisquoi Valley School District shall assume all indebtedness that may exist on June 30, 2019, including capital debt and including both principal and interest, of the Forming Districts. Finance cont. B. Operating Fund Surpluses • The Missisquoi Valley School District shall assume all operating surpluses, deficits, and fund balances of the Forming Districts that may exist at the close of business on June 30, 2019. • The Missisquoi Valley School District shall apply any reserve fund for the fund's specific purpose, if identified, unless otherwise determined through appropriate legal procedures. Article 5 Cont.- Finance C. Transfer of Debt and Funds • The Forming Districts shall transfer the debt and funds specified in this Article to the Missisquoi Valley School District on or before June 30, 2019 in accordance with procedures and timelines established by the Board. Dedicated funds such as scholarships and endowments shall remain committed for their original purpose in accordance with policies of the Missisquoi Valley School District Board.

Article 6 Personal Property

A. Transfer of Property to the Missisquoi Valley School District • No later than June 30, 2019, the Forming Districts shall convey to the Missisquoi Valley School District, for the sum of one dollar, and subject to the encumbrances of record, all of their school-related real and personal property, including all land, buildings, and contents.

B. Subsequent Sale of Real Property to Town in which it is Located, in Any Year in the Future • Subject to any requirements relating to school building closure in Article 4 and to the sale of buildings in Title 16 or any other Title of the Vermont Statutes Annotated, if the Missisquoi Valley School District Board determines, in its discretion, that the real property, including land and buildings, conveyed to it by one or more of the Forming Districts will not be used for direct delivery of education in at least one grade or for any other purpose related to operation of the Missisquoi Valley School District, then the MVSD shall offer for sale such real property to the town in which the real property is located, for the sum of one dollar, subject to all encumbrances of record, the assumption or payment of all outstanding bonds and notes, and the repayment of any school construction aid or grants required by Vermont law. The conveyance of any of the above school properties shall be conditioned upon the town owning and using the real property for community and public purposes for a minimum of five years. If the town elects to sell the real property prior to five years of ownership, then the town shall compensate the Missisquoi Valley School District for all capital improvements and renovations initiated after July 1, 2019 and prior to the sale to the town. • If a town elects not to acquire ownership of such real property, then the Missisquoi Valley School District shall sell the property pursuant to Vermont statutes and upon such terms and conditions as established by the Board.

C. Subsequent Sale of Real Property Conveyed by Forming District that was a Union School District, in Any Year in the Future • Notwithstanding Paragraph (B) of this Article 6, and subject to any requirements relating to school building closure in Article 4 and to the sale of buildings in Title 16 or any other Title, if the Missisquoi Valley School District Board determines, in its discretion, that the real property, including land and buildings, conveyed to it by a Forming District that was a union school district on June 30, 2019, will not be used for direct delivery of education in at least one grade or for any

other purpose related to operation of the Missisquoi Valley School District, then the MVSD shall sell the property pursuant to Vermont statutes and upon such terms and conditions as are established by the Missisquoi Valley School District Board.

Article 7 Transportation, Employees and Contracts in Academic Year 2019-2020

In academic year 2019-2020, and in accordance with 16 V.S.A.723, the Missisquoi Valley School District shall provide for the transportation of students, assignment of staff, and implementation of curriculum in a manner that is consistent with the contracts, collective bargaining agreements, and provisions of law that are in effect during that academic year. The rest of this article references statutes and directs how master agreements will be negotiated or honored in the first year of operation

Article 8- MVSD Initial Board of School Directors

A. Initial Representation on Missisquoi Valley School District Board • The members of the Missisquoi Valley School District Board shall be composed of a total of nine (9) individuals elected pursuant to the "Hybrid Model" of board representation, which the United States District Court for the District of Vermont has endorsed as meeting constitutional requirements of proportionality.² • Three seats on the Board are allocated to each town identified in Article 1, with individuals elected to fill those seats by a vote of the electorate of the entire Missisquoi Valley School District. Article 8 Continued B. Length of Term of Initial Board Members • The terms of office for the initial members of the Missisquoi Valley School District Board elected at the meeting warned for that purpose by the Transitional Board. The terms are staggered for the initial board, when re-elected seats will be for 3-year terms.

C. Election of the Initial Board Members if the Voters Decide at the Organizational Meeting to Proceed by Australian Ballot • Nominations • Preparation of Ballot • Counting of Ballots

D. Swearing-In and Assumption of Duties • Process for swearing in • Timeline for first meeting • Electing chair and clerk

E. Preparation and Presentation of Proposed Fiscal Year 2020 Budget

F. Any amendment to article 8 A., shall require a 3/4 vote by the elected members of the MVSD Board and a majority vote by the electorate of the Missisquoi Valley School District.

Article 9 Representatives on Missisquoi Valley School District-On and After the District's Annual Meeting in 2020

The Missisquoi Valley School District Board shall be composed of individuals elected pursuant to the "Hybrid Model" of board representation, Except as provided for the election of the initial members of the MVSD Board in Article 8(B), each Missisquoi Valley School District Board member shall serve for a period of three (3) years • Each member of the Missisquoi Valley School District Board, who serves after the expiration of terms of the initial Board members, shall be elected at an annual or special meeting of the District. Terms of office shall begin and expire on the date of the Missisquoi Valley School District's annual meeting. • Any amendment to this article shall require a 3/4 vote by the elected members of the Missisquoi Valley School District Board and a majority vote by the electorate of the District.

Article 10 Commencement of Operations

The Missisquoi Valley School District, through its Board, has and shall exercise all of the authority that is necessary for it to prepare for full educational operations beginning on July 1, 2019. On or before June 30, 2019, the Missisquoi Valley School District Board shall perform all planning, transitional, and other related duties necessary to begin operations of the Missisquoi Valley School District on July 1, 2019, including preparing for and negotiating contractual agreements, and transacting any other lawful business that comes before the Board, provided however, that the exercise of such authority by the Missisquoi Valley School District shall not be construed to limit or alter the authority or responsibilities of each Forming District, which shall remain responsible for providing for the education of its resident students until July 1, 2019.

Article 11 Dissolution of Forming Districts-Supervisory Union

A. Dissolution of Forming Districts

On July 1, 2019, when the Missisquoi Valley School District becomes fully operational and is solely responsible for providing for the education of its resident students, the Forming Districts shall cease all educational operations on July 1, 2019 and shall remain in existence after that date for no more than six months for the sole purpose of completing any audits or any other task that the Missisquoi Valley School District is legally unable to perform. Such business shall be

completed as soon as possible; provided, however, that upon completion or on December 31, 2019, whichever is earlier, the Missisquoi Valley School District shall supplant the Forming Districts and the Forming Districts shall cease to exist.

A. Supervisory Union The Vermont State Board of Education assigns the Missisquoi Valley School District to the Franklin Northwest Supervisory Union pursuant to 16 V.S.A. § 706h as of the date of these Articles until the Missisquoi Valley School District is fully operational on July 1, 2019. The Vermont State Board of Education designates the Missisquoi Valley School District a supervisory district pursuant to 16 V.S.A. § 261(c) as of July 1, 2019. The Franklin Northwest Supervisory Union (the "SU") will transfer its funds, debt, and property to the Missisquoi Valley School District in the same manner as the Forming Districts in Articles 5 and 6. The SU shall cease to exist on December 31, 2019.

Chris explained the major differences between the amended articles and the default articles of Agreement. If the amended articles are defeated, then the state imposed default articles of agreement will become in effect for the merged district. The major differences is that the board seats go from six to nine board members but with equal representation for each town. The process for changing grades offered in schools and closing schools in the State imposed Default Articles is less stringent than what the board proposes. The process for changing equal representation on the school board is also less stringent in the Default articles than those proposed by the school board.

Chris asked each board member to express their thoughts regarding what was important to them on the Articles of Agreement. Chris explained that equal representation on the board was important to Highgate. Denis Boucher stated that equal representation and working together as three towns was important. Terri O'Shea stated that they went through a lot of work to compromise and voted to bring these Articles for the public to vote on. She has heard from community members and she feels that in many ways, they will not be acting merged. With the closure protection when only the town where the school is located can vote, it is not always in the best interest of students. She is concerned about the student/staff ratio and that each town will not work with the other schools especially if they have a smaller student staff ratio. She views this as a hindrance to working

together. We should work together with a lot of give and take. Bob Berger explained that when they went out to the communities with the governance process during the AGS process, the input that they received is that people did not want to merge and wanted to keep local control over our schools. When they revised the Articles of Agreement, they tried to represent the community and include some of the same local controls. The final decision to change the composition of the grades or school closure that the final decision lies within the town that it impacts. In the Articles of Agreement, with a $\frac{3}{4}$ board vote, no single town can steer what happens, they must work with other towns to make changes. The board members can work together to ensure that student/teacher ratios are equitable. John Ho echoes Bob's thoughts that he does not see the protections in the articles as a hindrance on working together. Each town has a say and moving forward towns can work together. No town has a full majority on the board so they have to work together. He went on to explain that they worded the Article in the Warning so that the voters would understand that approving the Amended Articles that not mean that the voter agrees with a forced merger. The merger is a separate issue than a forced merger and these articles are better than the default articles of agreement.

Chris Shepard thanked Channel 15 for making the video available for everyone to see by Monday afternoon.

Chris is now giving the public an opportunity for questions and comments.

Public Comments and Questions

Kim Gates introduced herself as a Franklin community member who has graduated from MVU. She commended everyone who worked so hard on these Articles and the amount of time and effort spent on them. She likes these amended articles. She stated that we must come together and work together. We do not always get our own way and this is a good compromise. Please support these articles because it is a result of team work. Gerald Gates asked where this was warned? Pierrette Bouchard responded that it has been posted in the town clerks' offices, two other public places in each town and on the fnwsu.org website.

Lynn Calderwood asked about Article 6 if the State's Default Articles has the selling back of the property back to town as it the revised articles? If not what is different? Chris Shepard explained what was different in Article 6 is that they took out the sunseting date and section b is unchanged except for the school name. Terri pointed one discrepancy in

article 4 that talks about school closure regarding the union school, a sentence was omitted that should have remained. MVU can not be closed by the town it resides in with the omission being if already a New Union District, then MVU shall not be closed unless first approved by electorate of the new union district. Chris stated that Julie Regimbal explained that even though it is not in the articles, statute and legal practice would take over. She explained that that the article speaks to a town school who conveyed the school to the new district. Title 16 section 822 states that the electorate of the district would authorize the board to close a high school. In the case of a former union school that would mean the 3 towns would vote. Terri stated that MVU is a forming district and it falls under the rule regarding MVU school closure would mean Highgate would vote on MVU's school closure. It was pointed out that MVU is located in both in Swanton and MVU. Ty Choiniere asked where is the default articles of agreement located so that we can make the comparison. It is located on the fnwsu.org website. Bob said that we can ask to have both sets of Articles available at the town polling places. Terri pointed out that the amended articles are more stringent than the default articles of agreement. It takes $\frac{3}{4}$ board vote and the electorate of the specific town must vote to make the changes from school closure or grade configuration. Bob explained said that the $\frac{3}{4}$ board vote is for a vote driven decision. It does not prevent the electorate from submitting a petition to request a vote to make this happen. John explained that theoretically without this, Swanton having more votes than Highgate and Franklin put together, could vote to close another school. Bob explained that if it makes sense to the town to close their school, it should be their decision. Terri went on to state that all the towns have the same tax rate but what are the protections for Swanton in these amendments. Everyone is paying the same tax rate and we have no say in what is affecting Swanton's tax rate. The fact that Swanton has two board members and it takes $\frac{3}{4}$ board vote. Bob said that everything has to work together, each town has two people so the board has to work together. She understand how we got here but we have no say in 2/3 of the other schools in this district. Ty Choiniere in his opinion the Articles of Agreement give a fair role for every town believes that in response to Terri that Swanton has just has much say in the district as anyone has, actually has more say because Swanton had 400 more voters than Highgate and Franklin combined in the last election so they could vote budgets up or down. With these safeguards, the boards will need to work together. Ty suggested that if a board member was available to be at the polling place to explain Article II, it would be a good idea because people are confused about Article II. Kim is not sure it will be allowed in the polling

place. The board members felt that a board member could stand outside of the polling place and answer questions if needed as long as they do not impede the voting process. They can not sway peoples' vote. . *Connie explained that we should have a sign that states that is not a vote for merger because people are confused. Kim responded that the sign could say this vote is not about merger but voting for the Articles. You can not be inside the polling place. Jim Sullivan stated that the major concern is the kids. We are expecting that 10-12 board members to do everything and you should go to the board meeting and give your input. The kids are our future and we need to get along and do what is best for kids. This has been a big transitional time and community input is critical.*

Jim Sullivan said the main concern is the education of the students. If people have concerns, they should attend the board meetings to express them. We should look out for the kids because they are our future. Go to the school board meetings and give your opinion whether it is liked or not. People need to get along. Whether you are from Swanton, Highgate or Franklin, you should be looking out for all kids. Denis Boucher said Jim is right, community input is critical. A voter asked what Terri meant about the services in Swanton and having no say? Terri pointed out that if Swanton has more services, there are policies that only so many kids can change schools. So if there is an overcrowding in Swanton school, we can only send a limited number to another school to help out with this. She is concerned about the student/teacher ratio. If you go to one school, you may have a smaller student/teacher ratio and so for example if you are in Highgate and you are happy with your student/teacher ratio you would not want to allow the change and accept students from another school. Bob explained that configuration is what grades that are being offered, not the student /teacher ratio. Terri pointed out that possibly Swanton may have over crowding and want to have the school for Grades 4-6 and another school could be grades K-2 etc. Everyone will want the smallest ratio possible. Missy Forey asked than how would the reconfiguration happen? Terri explained that with the revised articles of agreement, any changes must be approved by the electorate of the town in which the school is located in. Kim thinks things are still possible, it means that people will need to have open discussion and we will all have to work together. It is all uphill and it is not a perfect solution. Terri said she realized that we will have to work together. She wanted to provide this Terri is explaining this only to provide information for the public. Connie stated that history is important, there is lots of examples of elementary schools working together for the benefit of the students. For example, Highgate did not have a

program to accommodate a student so another Elementary School took the student in their school to provide what the student needed. She thinks that after we get over the initial phases, we can make it work and we can work together for the benefit of students. Terri asked what can she tell the public if they have concerned about the ratios for Swanton? Kim suggested that they come to the school board and express their concern about student ratio and voice your solutions. You should not complain to your friends but go to the board meetings to express your concerns to the board. Jim Sullivan explained that he may disagree with board members but after leaving the school board meeting, you treat the other human being with respect. Lynn Calderwood if there is a ratio issue, you can distribute kids here, there and everywhere and you lose your sense of community. Connie is the first is that MVSD is the guiding principle all kids can learn and we want the best for all of our kids. We need to make sure that we are all giving them the best that we can give them. It would be a great injustice if we don't do

Chris explained that nobody wanted the merger and this is the hand we have been dealt. We need to move forward and his goal is to develop a new community of MVSD and not separate towns and do what is best for all kids. This is the hand that we have been dealt and we should make the best for our kids.

Chris thanked everyone for coming. Chris reminded everyone about the vote on April 30th from 7am to 7pm in each town polling place.

Future Meeting Agenda and Dates

The first MVSD meeting is scheduled for May 1st at Highgate School Library at 6:30pm. The Vote for the board of directors and the Articles of Agreement is scheduled for April 30th in the towns of Franklin, Highgate and Swanton.

Adjournment

Chris Shepard declared the meeting adjourned at 11:20 AM.

Respectfully submitted,

Terri O'Shea, Board Clerk

Submitted by Pierrette Bouchard, School Board Secretary