

**BARRE CITY SCHOOL DISTRICT
BARRE TOWN SCHOOL DISTRICT**

ACT 46 2018 MERGER STUDY COMMITTEE

AGENDA

June 6, 2018

Spaulding High School Library

6:00 p.m.

- 1. Call to Order**
- 2. Additions and/or Deletions to Agenda**
- 3. Approval of Previous Minutes**
- 4. Act 46**
 - 4.1. Review of Ballot Warning & Revised Articles of Agreement
 - 4.2. Committee Decision on Vote of the Communities
 - 4.3. Discussion about tentative vote date
 - 4.4. Committee Work Plan & Timeline
- 5. Communication Plan**
- 6. Public Comment**
- 7. Adjourn**

COMMITTEE MEETING NORMS

- **Keep the best interest of the schools and children in mind, while balancing the needs of the taxpayers**
- **Make decisions based on clear information**
- **Honor the committee's decisions**
- **Keep meetings short and on time**
- **Stick to the agenda**
- **Keep remarks short and to the point**
- **Everyone gets a chance to talk before people take a second turn**
- **Respect others and their ideas**

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BARRE SUPERVISORY UNION #61 SCHOOL DISTRICT
ACT 46 - 706 STUDY COMMITTEE
Spaulding High School – Library
May 24, 2018 – 6:00 p.m.

MINUTES

COMMITTEE MEMBERS PRESENT:

Gina Akley – (BT Community Representative) - Co-Chair
Tyler Smith - (BC Board / BC Community Representative) – Co-Chair
Jeff Blow - (BT – Community Representative)
Giuliano Cecchinelli - (BC Board / Community Representative)
Paul Cook (BC – Community Representative)
Sarah Costa - (BC – Community Representative)
Guy Isabelle – (SHS Board – BT Community Representative)
Rebecca Kerin-Hutchins - (BT – Board Representative)
Michaela Martin - (BT Community Representative)
Jessica Vest - (BC – Community Representative)

COMMITTEE MEMBERS ABSENT:

Marcia Biondolillo - (BT - Community Representative)
Michael Deering - (BC Board / Community Representative)
Ed Rousse - (BC – SHS Board / BC Community Representative)
Kim Whitcomb - (BT Community Representative)

ADMINISTRATORS PRESENT:

John Pandolfo, Superintendent

GUESTS PRESENT:

Video Vision Tech Dave Delcore – Times Argus Paul Malone

1. Call to Order

The Co-Chair, Mr. Smith, called the Thursday, May 24, 2018, meeting to order at 6:01 p.m., which was held at the Spaulding High School Library.

2. Additions and/or Deletions to Agenda

None.

3. Approval of Minutes – May 10, 2018 Act 46 Consolidation Study Committee Meeting

On a motion by Mr. Isabelle, seconded by Mrs. Kerin-Hutchins, the Committee unanimously voted to approve the Minutes of the May 10, 2018 Act 46 – 706 Study Committee Meeting.

4. Act 46

4.1 Review of Articles of Agreement

A document titled 'Articles of Agreement – Barre Unified Union District Proposed Revisions for Discussion', (dated 05/24/18) was distributed. Discussion started on Article 14 (Redistricting/Choice). Mr. Smith voiced concern regarding who should make decisions for the district. Mr. Smith is concerned that the Article, as proposed, would take power away from the Board. Mr. Smith feels that Board Members are able to make a less biased and more informed opinion. Mr. Blow advised that he agrees with Mr. Smith's concern, but feels that the Articles of Agreement must be marketable to the communities. Mr. Blow believes that the merger, which failed twice in Barre Town, needs to be more palatable for the voters, and believes the Committee should craft the Articles in a manner that encourages community members to vote in favor of it. Brief discussion was held regarding Site Based Councils that could be implemented to give the community more of a voice. Mrs. Kerin-Hutchins does not believe the Board should be solely responsible for making redistricting decisions. Discussion was held regarding changes to Articles of Agreement, by the Board, after a successful vote. Three documents printed from 'The Vermont Statutes Online' were distributed. Mr. Pandolfo provided background information and highlighted 16 V.S.A. §706f (Contents of warning on vote to establish the union) and 16 V.S.A. §706n (Amendments to agreements reached by establishment vote, organization meeting, or final report). 16 V.S.A. §706n clearly states that any Article of Agreement clearly stated or referenced in the warning, ballot and vote of the public can only be modified in a future public vote; items not clearly stated or referenced on the ballot may be changed by the Board in the future without a public vote.

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Mr. Pandolfo provided an overview of the proposed revisions to the Articles of Agreement that were drafted based on previous discussions;

Articles 2 and 4 (Additional Districts and Proposed New School Construction) – the wording ‘at this time’ may be removed.

The Committee moved to discussion of the more controversial Articles of Agreement;

Article 7 (Real and Personal Property) – Regarding debt being broken out and being made separate – once a municipality is formed, this form of a separation is not possible. Mr. Malone advised that there are no large Capital debts, and he believes the Operating Fund Balances are close, but can never be exact. It was noted that loans need to be approved by voters. The fiscal picture at the end of FY19 is what will need to be figured out. Debt load and Capital Improvement funds are fairly equal.

Article 13 (School Restructuring and Closing) – The 5 year limitation has been removed. The Article is written such that reconfiguration of the schools (to one elementary and one middle school) would require approval of the Board. Regarding closure of a school, Mr. Pandolfo queried regarding the Committee’s preference to require Board approval or Town/City approval. No decision was made.

Article 14 (Redistricting/Choice) – The proposed revision makes no reference to requiring a vote, and is written such that no student will be required to attend a school outside of their city/town of residence. Mr. Pandolfo advised that ‘meet-up’ places for students to switch buses would probably not achieve much in the way of savings. Mr. Pandolfo provided examples of circumstances/scenarios where minor ‘restructuring’ might be beneficial, including the new Autism Spectrum Disorder Program being implemented at BTMES that will serve a mix of students from both the City and the Town. The revised proposed wording for Article 14 is more about ‘choice’ than redistricting.

It was noted that the Agency of Education’s Recommendation for the Draft Plan, will be released 06/01/18. More information will be known once the Draft Plan is reviewed. It is not known if Barre City/Barre Town are included in the Plan.

Article 15 – (Local Input) – This Article has been revised to include reference to Site-Based Councils. Mr. Smith is concerned that if there is no guarantee of Site-Based Councils, community members will still fear loss of control. It will be difficult to guarantee that Site-Based Councils can be formed, as there is no guarantee that community members would join those councils.

The Committee moved to discussion of the remaining Articles;

Article 9 (Initial Directors Terms of Office) – If /when the Committee decides to put a merger to a vote, their Final Report will need to be submitted to the AOE for approval, then possible candidates will need to meet required timelines for running for Board seats. If/when the Committee decides to put a merger to a vote, Board configuration will need to be discussed further to finalize the configuration of the make-up of the Board, such that the Board is configured in a manner that alleviates concerns regarding the perception of loss of local control.

Some Committee Members feel that the Article ‘names’ may be causing some of the communities’ concerns. Mr. Pandolfo will check to see if the Article names can be removed.

The Committee would like to view a draft Warning that identifies Articles of Agreement that cannot be changed (Articles 8, 9, 13, 14, and 15). Mr. Pandolfo will mock up a draft version.

4.2 Committee Decision on Vote of the Communities

The Committee began discussion to determine if they were ready to vote as a Committee, on whether or not a vote should be put before the communities. Mrs. Kerin-Hutchins would like to know some of the education quality improvements that could be achieved in a consolidated district. Mrs. Kerin-Hutchins would also like to see additional information relating to cost savings under consolidation. Mr. Cook would like Agenda Item 5.1 (Review History of Previous Committee Public Outreach) discussion included as part of the decision making process. Mr. Blow advised that the district schools are, for the most part, above the state average in test scores, and queried regarding the benefit of merging. Mr. Smith advised that he doesn’t believe that potential quality improvement can be proved at this point. Mr. Smith queried regarding what people feel are the negative aspects to merging. Mr. Smith reiterated that some Committee Members have been asked several times, to express their opinions regarding negative aspects to merging, and have yet to provide a response. Mr. Blow believes it will not be easy to pass a merger vote in Barre Town, and feels that improvements can be made without merging. Mr. Pandolfo advised that the projected financial savings are most conservative, and proceeded to provide some examples of ways that consolidation could provide additional opportunities and improve performance. Committee Members were again queried regarding what they believe are the negative aspects of merging, and who they feel is best served by not merging. There were no responses to the query.

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4.3 Committee Work Plan & Timeline

No discussion was held regarding a Work Plan or Timeline.

The next two meeting dates were announced:

Wednesday, June 6, 2018 at 6:00 p.m. in the SHS Library

Monday, June 18, 2018 at 6:00 p.m. in the SHS Library

5. Communication Plan

5.1 Review History of Previous Committee Public Outreach

Mr. Pandolfo directed Committee Members to Page 43 (Appendix 7) of the original Study Committee Final Report. Mr. Pandolfo provided an overview, which included; publicly warned Committee Meetings, Public Forums (attendance was noted as being low), Public Surveys, presentations to local service clubs, media outreach (on-line, in print, and on the radio), informational tables at school and other public events, post cards, lawn signs, an Exit Poll, and post vote on-line survey. Mr. Cook queried whether or not it would be worth holding another vote, and believes that financial backing will be necessary to promote a third vote. Mr. Isabelle advised that some individuals have reported that they voted against the merger because they were given 'bad' information from those who were opposed to the merger. Mr. Blow believes that Barre Town voters are antagonized by the thought of a 3rd vote. Brief discussion was held regarding a possible vote date that would result in a large voter turn-out (November elections). Mr. Pandolfo advised that it is unclear/unknown if a forced merger by the State allows for any local control of the Articles of Agreement.

6. Public Comment

None.

7. Adjournment

On a motion by Mr. Isabelle, seconded by Mrs. Kerin-Hutchins, the Committee unanimously voted to adjourn at 8:14 p.m.

Respectfully submitted,

Andrea Poulin

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4.1

WARNING

The voters of the Barre Town School District are hereby notified and warned to meet at Barre Town Middle and Elementary School on [INSERT DATE HERE], to vote by Australian ballot between the hours of 7:00 a.m., at which time the polls will open, and 7:00 p.m., at which time the polls will close, upon the following articles of business:

Article I

Shall the Barre Town School District, which the State Board of Education has found necessary to include in the proposed union school district, join with the Barre City School District, which the State Board of Education has found necessary to include in the proposed union school district, for the purpose of forming a union school district to be named the Barre Unified Union School District, as provided in Title 16, Vermont Statutes Annotated, upon the following conditions and agreements:

- **Grades.** The Barre Unified Union School District shall operate and manage schools offering instruction in grades Pre-Kindergarten through Grade 12.
- **Board of School Directors.** A member town's representation on the School Board of the Barre School District will be closely proportional to the fraction that its population bears to the aggregate population of the Unified District. Initial fixed composition is based upon the most recent Federal Census (2010), and shall be recalculated promptly following the release of each subsequent decennial census. However, at no time will a member town have less than one school director on the District Board. Subject to the previous sentence, each proportionality calculation shall be rounded to the nearest whole number.
- **Assumption of debts and ownership of school property.** The Barre Unified Union School District shall assume the indebtedness of member districts, acquire the school properties of member districts, and pay for them, all as specified in the Final Report.
- **Final Report.** The provisions of the final report proposed to the State Board of Education for approval on the [__th day of _____, 2018], which is on file in the town clerk's office, shall govern the Barre Unified Union School District. Upon approval of the Barre Unified Union School District, Articles 8, 9, 13, 14, and 15 of the Final Report Articles of Agreement can only be changed by a majority vote of the Barre Unified Union School District.

Article II

To elect five (5) school directors to serve on the proposed Barre Unified Union School District from the date of the organizational meeting for the following terms and seats:

- One (1) school director from Barre Town for a term ending March 2019 from the following nominees: _____, _____,
- Two (2) school directors from Barre Town for a term ending March 2020 from the following nominees: _____, _____,
- One (1) school director from Barre Town for a term ending March 2021 from the following nominees: _____, _____,
- One (1) school director elected at-large from Barre City and Barre Town for a term ending March 2021 from the following nominees: _____, _____,

Articles of Agreement
Barre Unified Union District
Proposed Revisions for Discussion
May 24, 2018

The Barre Supervisory Union Act 46 Study Committee recommends the following Articles of Agreement for the creation of a Pre-Kindergarten through grade 12 unified union school district, to be named the Barre Unified Union School District. The forming districts are the Barre City School District, Barre Town School District, and the Spaulding Union High School District. As Barre City and Barre Town are the only members of the Spaulding Union High School District, an affirmative vote in both town districts shall bring it into the merged district.

Article 1: Necessary Forming School Districts

The School Districts of Barre City, Barre Town, and the Spaulding Union High School District are necessary for the establishment of the Barre Unified Union School District. The above referenced school districts are hereinafter referred to as the “forming districts”.

Article 2: Additional Districts

No additional districts are included in the proposed Barre Unified Union School District at this time.

Article 3: Grades to Operate

The Barre Unified Union School District will operate grades Pre-Kindergarten through grade 12, including the Central Vermont Career Center.

Article 4: Proposed New School Construction

No new schools are proposed to be constructed at this time as part of the formation of the Barre Unified Union School District.

Article 5: Plan for First Year of Operation

The Barre Unified Union School District will provide for the transportation of students, assignment of staff, and curriculum that is consistent with the practices, contracts, collective bargaining agreements, and provisions of law that are in effect during the first year that the new Union District is providing full educational services and operations.

The board will comply with the 16 VSA Chapter 53, subchapter 3, regarding recognition of the representatives of employees of the respective forming districts as the representatives of the employees of the union school district and will commence negotiations pursuant to 16 VSA Chapter 57 for teachers and 21 VSA Chapter 22 for other employees. In the absence of new collective bargaining agreements on July 1, ~~2017~~ 2019, the Board will comply with the pre-existing master agreements pursuant to 16 VSA Chapter 53, subchapter 3. The Board shall assume all individual employment contracts that are in place in the forming districts on June 30, 2017 until their termination dates.

Article 6: Indebtedness of Member Districts

A. Capital Debt

The Barre Unified Union District shall assume all capital debt of the forming districts as may exist on June 30, ~~2017~~ 2019, including both principal and interest, of the forming school districts that joined the new union district.

B. Operating Fund Surpluses, Deficits and Reserve Funds

The Barre Unified Union District shall assume any and all operating deficits, surpluses, and fund balances of the forming districts that may exist on the close of business on June 30, ~~2017~~ 2019. In addition, reserve funds identified for specific purposes will be transferred to the Barre Unified Union District, and will be applied for lawful district purposes unless otherwise designated through lawful conditions of use.

C. Restricted Funds:

The Barre Supervisory Union and the forming school districts will transfer to the Barre Unified Union District any preexisting specific endowments or other restricted accounts, including student activity and related accounts, held by school districts that may exist on June 30, ~~2017~~ 2019. Scholarship accounts or similar accounts, held by school districts prior to June 30, ~~2017~~ 2019, that have lawful specified conditions of use will be used in accordance with said provisions.

Article 7: Real and Personal Property

A. Transfer of Property to the Unified District:

No later than June 30, ~~2017~~ 2019, the forming districts will convey to the Barre Unified Union District, for the sum of one dollar, and subject to the encumbrances of record, all of their real and personal property, including all land, buildings, and content.

B. Subsequent Sale of Real Property to Towns:

In the event that, and at such subsequent time as, the Barre Unified Union Board of Directors determines, in its discretion, that continued possession of the real property, including land and buildings, conveyed to it by one or more of the necessary forming districts will not be used in direct delivery of student educational programs, the Barre Unified Union School District shall offer for sale such real property to the town/city in which such 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, in addition to costs of capital improvements subsequent to July 1, ~~2017~~ 2019. Article 13 of these Articles of Agreement addresses the conditions under which a building may be closed.

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 minimum of five years after conveyance to the municipality. In the event the town elects to sell the real property prior to five years of ownership, the town/city shall compensate the Unified District for all capital improvements and renovations completed after the formation of the Unified District prior to the sale to the town. In the event a municipality elects not to acquire ownership of such real property, the Unified District shall, pursuant to Vermont law, sell the property upon such terms and conditions as established by the Barre Unified Union School District Board of School Directors.

Article 8: Board of School Directors Representation

The Board of School Directors shall have nine (9) members, with four (4) residing in and representing Barre City; four (4) residing in and representing Barre Town; and one (1) elected at-large by the voters of both municipalities. The Barre Town and Barre City specific numbers of directors are consistent with current census figures. Each time there is a new decennial census, the proportionality of the Barre Town and Barre City specific numbers of directors shall be aligned to the new counts if necessary.

The Board member elected at-large shall be subject to voting by the electorate in both forming districts, with the candidate receiving the highest vote total prevailing. The eight Board members representing a specific municipality shall be subject to voting only in their municipality of residence, with the candidate(s) receiving highest vote totals prevailing.

Article 9: Initial Directors Terms of Office

School Directors will be elected by Australian ballot for three year terms, except for those initially elected at the time of the formation of the new Unified District (Barre Unified Union District). In the initial election of School Directors, the terms of office will be as follows:

Town	Term ending March <u>2018 2020</u>	Term ending March <u>2019 2021</u>	Term ending March <u>2020 2022</u>
Barre City	<u>1 2</u>	<u>2 1</u>	1
Barre Town	<u>2 1</u>	<u>1 2</u>	1
At- Large	0	0	1

The terms of the initial school directors indicated above will include the months in between the organizational meeting and the first annual meeting.

Nominations for the office of Barre Unified Union School Director representing a specific town shall be made by filing, with the clerk of that district/town proposed as a member of the Unified District, a statement of nomination signed by at least 30 voters in that district/town or one percent of the legal voters in the district/town, whichever is less, and accepted in writing by the nominee. A statement shall be filed not fewer than 30, nor more than 40 days prior to the date of the vote.

Nominations for the office of the at-large School Director shall be made by filing a statement of nomination signed by at least 60 voters from one or more of the forming districts with the clerk of any district/town proposed as a necessary member of the Unified District. A statement shall be filed not fewer than 30, nor more than 40 days prior to the date of the vote.

Pursuant to the provisions of 16 V.S.A. – 706j(b), directors initially elected to the new district shall be sworn in and assume the duties of their office.

Thereafter, members of the Board of School Directors will be elected by Australian ballot at the unified school district’s Annual Meeting. Terms of office shall begin and expire on the date of the school district’s annual meeting. In the event the district’s annual meeting precedes Town Meeting Day, the Director’s terms shall expire on Town Meeting Day.

Article 10: Submission to Voters

The proposal forming the Barre Unified Union School District will be duly warned and presented to the voters of each town school district on November 8, 2016 [INSERT NEW DATE]. The vote shall take place in each of the school districts by Australian ballot.

Article 11: Commencement of Operations

Upon an affirmative vote of the electorates of the forming districts and upon compliance with 16 VSA – 706g, the Barre Unified Union School District shall have and exercise all of the authority which is necessary in for it to prepare for full educational operations beginning on July 1, 2017 2019. The Barre Unified Union School District shall, between the date of its organizational meeting under 16 VSA – 706j and June 30, 2017 2019, undertake planning and related duties necessary to begin operations of the new

unified union school district on July 1, 2017 2019, including preparing for and negotiating contractual agreements, preparing and presenting the budget for fiscal year 2018 2020, preparing for the Barre Unified Union School District annual meeting and transacting any other lawful business that comes before the Board, provided however, that the exercise of such authority by the Barre Unified Union School District shall not be construed to limit or alter the authority and/or responsibilities of the school districts that will form the new unified union school district and that will remain in existence during the transition period for the purpose of completing any business not given to the Barre Unified Union School District.

On July 1, 2017 2019, when the Unified District becomes fully operational and begins to provide educational services to students, the school districts of the forming towns shall cease all educational operations and shall remain in existence for the sole purpose of completing any outstanding business not given to the Unified District under these articles and state law. Such business shall be completed as soon as practicable, but in no event any later than December 31, 2017 2019. Upon the completion of outstanding business or December 31, 2017 2019, whichever date is earlier, the forming school districts shall cease to exist pursuant to 16 VSA §722. The Barre Supervisory Union shall cease all operations within a reasonable timeframe of the completion of all outstanding business of its member school districts, but in no event any later than January 31, 2018 2020.

Article 12: Australian Ballot Voting

The Barre Unified Union School District shall vote the annual school district budget and public questions by Australian ballot. In the Australian ballot voting, the ballots shall not be commingled between Barre City and Barre Town, with each merging district's votes to be counted separately before a determination of total combined votes.

Article 13: School Restructuring and Closing

Any proposal by the district's new unified board of directors to restructure the district's current elementary school configuration into one elementary and one middle school may not be considered for 5 years without the approval of the electorate of the Barre Unified Union School District. Any proposal by the district's new unified board of directors to close any school in the district may not be considered without the approval of the electorate of the Barre Unified Union School District. Additionally, per Act 153, Section 3(d) no school may be closed during the first four years of operation of a new Regional Educational District without the approval of the electorate of the town in which it is located.

Article 14: Redistricting/Choice

For the first five years of the operation of the Barre Unified Union School District, students in elementary schools (Prek-8) will attend school in their current town of residency; provided however with parental consent, the Board may adjust student enrollment based upon individual circumstances and the needs of the Unified District. After the first five years the board will have the authority to adjust school attendance boundary lines with a 2/3rds (supermajority) vote of the

Board. Students in elementary schools (PreK-8) will not be required to attend school outside of their current town of residency. Students and their families may voluntarily request assignment at another elementary school (Prek-8) according to policies on intra-district choice established by the Board.

Article 15: Local Input

The new unified board shall ensure ongoing opportunities for local input on policy, **and** budget development, **and other topics relevant to the operation of the school.** Structures to support and encourage public participation within the Barre Unified Union School District, **such as site-based or school-based councils,** will be established by the Board **on or before June 30, 2017.**