

MINUTES



**Addison Central School District
Policy Committee
Committee Meeting
Tuesday, June 25, 2024, 5:30 pm - 6:30 pm
208 Charles Avenue, Middlebury VT & Virtual Connection**

ACSD District Vision and Mission

OUR VISION

Our vision is for all ACSD students to reach their full learning potential, have a sense of belonging in our schools, and enrich our community and the communities where they live in the future.

OUR MISSION

Our mission is to provide high-quality, equitable, and varied learning environments that inspire a passion for learning and growth among our students.

A. Call to Order Upon Reaching a Quorum

Jamie called the meeting to order at 5:53 pm.

1. Introductions - Board Members, Administrators and Staff

Introductions: Jamie McCallum, Steve Orzech, Ellen Whelan-Wuest, Laura Harthan, Wendy Baker, Pietro Lynn.

B. Public Comment - Agenda Items

Ammendment of the agenda to include discussion of policy E20.

Move: Jamie McCallum Second: Steve Orzech Status: Passed

C. Recommendation to Approve Minutes of 6/4/2024

Move: Ellen Whelan-Wuest Second: Laura Harthan Status: Passed

D. Committee Discussion:

Jamie reminded everyone that Wendy asked for a special meeting regarding E20 as quickly as possible since ACSD may receive requests over the summer, and Jamie asked Pietro to join to provide some background and advice related to the policy.

Pietro reminded everyone that other districts have had challenges related to facility use, and that our ability to limit the speech of other organizations based on their beliefs is limited because they have constitutional rights. So a policy on this needs to be content neutral. We cannot craft a policy based on picking and choosing because we may lose lawsuits.

Steve asked if we can carve out not allowing groups to use the facilities if their presence makes LGBTQ students or others feel unsafe. Pietro says this is still "picking and choosing" and it will not hold up in court.

Ellen asked for clarity on whether we could retain the sentence in our current E20 policy that state “No use that conflicts with the districts vision and mission will be approved.” Pietro says that this will not stand if we decide that a group goes against our mission and values.

Ellen asked if we could point to prior disruptions related to protests as a reason to deny use of a facility, and Pietro said no, it would not hold up in court. We would have to show that it would make it hard to operate the school.

Jamie asked if we can create a rule that wholly limits the use of ACSD facilities, and then create exceptions? Pietro says no.

Jamie also asked if we can approve for use of facilities for a group at an arduous time, such as 2-3 am. Pietro says not, unless it is equally applied.

Steve asked about prior use of buildings that were for for-profit organizations. Ellen pointed out there is language in the VSBA recommended policy that restricts use for “events or meetings of private for-profit entities.” Pietro pointed out that commercial speech is not protected as political or religious speech is. Also, the ability to restrict use during school hours is robust in the sample policy.

Ellen asked about whether we could limit use during school hours for groups on the more political and religious spectrum. Pietro says we have a lot of flexibility to deny during school hours, but that should be universally applied. Jamie asked about school calendar, and Pietro said that it’s essentially the same. We can’t pick and choose.

Wendy asked if we write it to focus on trainings, but Pietro says that any group would have to have equal access for that purpose.

Ellen asked if should pass a policy that closes the use of the facilities while we try to figure out a stronger policy or the full impact of a new policy that might lead to the use of our facilities by a group that we are worried about.

Wendy said this would create more disruption than we might anticipate and it would be preferable to keep the current policy and over the summer Wendy will follow the current process for evaluating any and all requests.

Steve also pointed out that we don’t have the ability to do the double reading necessary in order to change the policy. Laura pointed out that Wendy can change procedure, but the policy would have to stay.

Jamie pointed out that the current policy is out of date, and according to Pietro it is unconstitutional. So we cannot just readopt that policy. The alternative is adopting the VSBA recommended policy. And everything about E20 that Pietro is telling us is also true about E21. Pietro confirmed that the principals are the same. He’s confronted the issue of distribution of materials at least 5 times in the last year. His position is the same on that as it is with the facilities use. Pietro is more skeptical of handing out materials, and he thinks its more likely that a group we would disagree with would utilize that policy to circulate their own materials.

Laura asked if there are ways to distinguish between different types of groups in our language. Pietro said we would have to really think about how to do that.

Wendy offered we could restrict by number, meaning size of event. Wendy would guess that the fire department or knitting groups probably don’t have more than 25 people who come.

We could say “athletic, recreational or municipal use.”

Ellen asked if we could get a list of the current requests for use of the buildings so we understand how a more restricted or a changed policy might affect current groups. Wendy said it would be possible to get a list of requests but it will take time and may not be fully complete.

Jamie asked what happens if we have an out of date policy? Pietro explained that she can continue operating under the current policy but will not make approval or disapproval decisions based on political or religious beliefs.

Jamie asked if we should bring this issue to the board meeting in August. Ellen suggested the policy committee work more on this as a committee to determine where there might be options for more defined types of groups that can use facilities while remaining constitutional, before bringing it to the full board.

Steve pointed out that we won’t be able to fully prevent everything we may want to even if we

define around athletic, recreational or municipal uses. Pietro said asked what would happen if a group of Nazis want to play basketball, and maybe its best to embrace that bigger events may happen and letting that occur. Ellen said she feels strongly that the type of the event does matter and if we can constitutionally prevent large, political or religious rallies that do harm to people, we should do that.

Jamie suggested that we work to get more information and work through different options that we can bring to the board at a future meeting.

Jamie also agreed that we might consider treating E21 and E20 differently because the distribution of literature is different than community use.

Wendy asked if it would be possible to craft something about “buildings are for use by community residents”? Pietro said this is possible.

1. E21 Distribution of School Sponsored Literature

No discussion was had on E21

E. Public Comment - Any Topic

No public comment

F. Adjournment

Meeting adjourned at 7:00pm.

Respectfully submitted by Ellen Whelan-Wurst

Move: Steve Orzech Second: Laura Harthan Status: Passed

*Public Comment Guidelines:

Public comments are encouraged and welcome at each regular board meeting during the period designated for public comment. Comments are limited to three minutes per person. Citizens will be called to make their statement by the board chair. Public comments regarding personnel, students or legal matters will not be heard by the Board.