

**ORANGE SOUTHWEST SCHOOL DISTRICT (Unified)
BOARD MEETING**

**WEDNESDAY, MAY 11, 2022 @ 6 P.M.
RANDOLPH UNION HIGH SCHOOL**

To be approved at the June 8, 2022 board meeting

MINUTES

BOARD MEMBERS PRESENT: Anne Kaplan, Katja Evans, Rachel Gaidys, Hannah Arias, Megan Sault, Chelsea Sprague, Sarah Haupt & Scott Clouatre
ADMINISTRATORS PRESENT: Layne Millington, Heather Lawler, Caty Sutton & Lisa Floyd
GUESTS: See attached list of remote people, ORCA Media Video Taping, Jamaica Kelley, Laurie Sargent, Mike Sargent, Mary Larson, Heidi Schwartz, Joseph Morse, John Helfant, Kara Merrill, Dana Decker, Kristin Chandler, Wes Gibbs, Jen Tabor, Troy Tabor, Chris Hurley, Dennis Tabor, Kathleen Mason, John Klar, & Jacqueline Klar

I. Opening

The meeting was called to order by Chair, Anne Kaplan at 6:11 p.m.

Board Attendance: Ensuring a Quorum
Meeting Purpose: Policy Discussions & Decisions
Choose Meeting Evaluator: Chelsea Sprague

II. Board Education and Ownership Linkage

a. Public comment (4.2.1) (Recognize e-communications to the Board)

Following is a summary of the public comments:

Kara Merrill - Thanked community for 15 years of support and read one essay a student of color wrote for their college acceptance essay which expressed that the student hoped to help create change. The BLM flag shows support for all students which was student motivated and reflects their input.

John Helfant - Thinks the board should adopt the policy for protection for all. The board will not be able to pick and choose. Emotions don't matter. Should allow only the US & VT flag. School has to be careful to either open it all the way up or shutting it down.

John Klar - All sides have to be heard. Can't favor one side over another. BLM has a whole sentiment. Free speech for all. Rights have been violated.

Dana Decker - Letter at the end of April - should have a special option for student lead work - procedure took a lot of time. Should consult with other organizations such as VPA, etc. Private speech verses public speech. Taking down the flag may seem divisive. She is requesting time to meet - slow down - discuss with students first. With passion comes love, openness & change.

Chris Hurley - The flag has been up since 2019 - haven't we seen enough.

Jamaica Kelley - She agrees with Dana. Find ways to work together so not isolated or uncomfortable for the kids.

Kathleen Mason - Concurs to slow down to see how the policy will impact all.

Joseph Morse - A student spoke in support of the BLM flag. He read a long quote regarding the first amendment & supreme court regarding flags that could be flown.

- b. Policy Governance Review & Update on Wed. - June 1st 5:30 - 8:00 p.m.
Reminded board of Policy Governance professional development on Wed. - June 1, 2022 at RTCC College & Career Lab from 5:30 to 8:00 p.m. Will have food available.

III. Monitoring: Organization

- a. Discussion re: Auditor
There are very few auditors available to do school districts, large turnover which many getting out of the business so choices may be limited. Our current firm will audit us again this year. At our June 8th board meeting they will present their audit report.
- b. Review EL 2.7 Compensation and Benefits Report (enclosed with agenda)
First reading of this EL report. This controls agreements which are outside of the union. This would give authority to the superintendent to change pension benefits. The board may want to be more specific on this provision.
- c. District COVID Operating Plan (2.8)
Recent Changes - There are no changes since the last update. We are following the VT Department of Health guidance.
- d. Monthly Financial Report (enclosed with agenda) (2.3) was reviewed.
Negative numbers mean we are still waiting for reimbursements. We are very much in the black. The technology expense line reflects the purchase of a lot of infrastructure for the school buildings. Robin concurs that the financials look good.
- e. Legislative Update
Update included in Layne's superintendent report. VT Digger reported results of a study which looked at school facilities. OSSD was reported as one of the school districts in the worst conditions. They did not take into account the maintenance work that has been done. It is possible that we may receive some funding for RUHS & RTCC. There was a brief discussion on S.162 & ACT 173. ACT 173 may be delayed due to some budgetary changes and how students would become eligible.
- f. Facility Reserve Fund Request (see enclosed form)
Request for funding to build an outdoor classroom space for Brookfield.

A motion to approve \$20,500 from the OSSD Facilities Reserve Fund for construction of the Outdoor Classroom at Brookfield Elementary School.

By: Katja Evans
Seconded by: Sarah Haupt
Motion passed: Yes, unanimous

IV. Policy Decisions: District Governance

- a. Second Reading of EL 2.6 Asset Protection Suggested Policy Change (enclosed)
The board reviewed the proposed change to EL 2.6 provision #5 which was a change in the amount required for bids.

A motion was made to change the amount in EL Policy 2.6, provision 5, to \$40,000 as was proposed.

By: Rachel Gaidys
Seconded by: Hannah Arias

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Motion passed: Yes, unanimous

- b. Second Reading of the Flag Policy (enclosed)

Much more discussion amongst the board regarding the Flag Policy is summarized as follows:

Hannah - Expressed concern about school culture - putting value on lives that have not been valued - can't vote for policy due to fear of litigation - don't think it is impossible to have a Flag Policy.

Sarah - Feels should wait and do more research - if flying the government flags out front, could they fly the BLM flag somewhere else - come to a compromise.

Layne - Told the board that they are conflicting their own policies. He explained that we would have to accept other flags and he has to protect the school district for liability and public image. Would be open for flags that could be morally &/or socially repugnant. The board will need to help him out so he is not in conflict with their own policies. Other school districts are in the same boat due to the allowance of a non-governmental flag.

Hannah - Asked about if it is disruptive to learning or profane would it be qualified immunity and could say "No".

Layne - The flag pole is representative - Layne's actions are based on the board policies - Shirts would be allowed as long as not disruptive or profane.

Scott - Board needs more legal advice.

Chelsea - Wondering if the board can observe the racial justice class - spending some time and funds for free speech. Give a little more thought - respect for people who put so much in to the work - wondered if there is another space in school for alternative expression.

Katja - Concerned about racial slurs & students not feeling safe - need to recognize - what are we going to do for all students to feel safe?

Caty Sutton - RUHS has had staff professional development to create classroom norms and equity work.

Layne - If we open up a space in the school it might fall under free speech definition - will check with legal advice.

Dana - Wants to slow down - discuss with class - share experiences. Let's listen to everyone before we come to a decision.

Anne - The board has been looking at the flag policy for a while - ? how to manage this. Pietro also proposed a second possibility.

Sarah - Has any other school district voted on this?

Katja - Concerned that whatever happens - it will feel like a win or a loss - don't want to take sides.

A motion was made by Katja Evans and seconded by Sarah Haupt to create a sub-committee to investigate more before voting on a Flag Policy. Motion passed.

Dana - There was a lot of work and process to get the BLM flag up. The board asked Dana if the previous principal talked with legal counsel regarding it.

The board looked at policy 2.6 Asset Protection provisions #4 & #9 and discussed their policy that governs Layne. Layne feels the policy is unclear and could reasonably be interpreted both ways. Needs to protect the district image.

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A motion was made by Hannah Arias and seconded by Megan Sault to hold Layne Millington harmless as per EL Policy 2.6 provisions #4 & #9 for liability and image until a Flag policy is in place. Motion passed.

The board discussed doing an emergency meeting, maybe tomorrow evening with Pietro via Google Meet for guidance.

A motion was made by Sarah Haupt and seconded by Megan Sault to disregard the sub-committee motion until the meeting with Pietro. Motion passed.

Rachel - Policies can be amended - we need a policy - worry about leaving this meeting without a policy.

Scott - Also is concerned about not having a policy.

Katja - Asked the RUHS principals what they are seeing at the school level.

Lisa Floyd - Stated this is a hard lesson for some students.

Caty Sutton - Asked what are other districts are doing and would like to see solidarity with others working on the same issue - lots of schools grappling with the same issues. Administration will look at any protocols.

Megan - We have gone through two readings and no one has said anything - we've talked about it multiple times - she is torn - doesn't feel fair to leave it up to Layne & Administrators.

Layne - Told the board that he spends all of his time managing these issues of controversy.

Megan - Can we make a public statement to the community that the board doesn't want to take sides?

Katja - This was first approached as a "protective policy". The act of taking the flag down feels punitive.

Anne - Let's not move too fast - gray area - could get side tracked on push button issues.

Chelsea - Feels need more time due to unknowns - good idea to get info from other schools.

A motion was made by Megan Sault and seconded by Chelsea Sprague for Layne to reach out to other superintendents tomorrow regarding their policy and forward that information to the board. Motion passed.

c. State/Fed Required Policies Updated 1st Reading

Layne emailed the board the whole bunch of State/Fed required policies for their review. Two policies regarding the board are not required. The condom policy is required, but wasn't vetted. Discussed the equity policy and it was explained that the board had asked students for more of a process as it was a generic policy.

d. Discussion of Professional Staff MOU Tentative Agreement

The board sub-committee - Chelsea, Hannah & Megan - felt the board should move forward on the Professional Staff MOU Agreement.

A motion was made to approve the Professional Staff MOU Agreement as presented

By:	Katja Evans
Seconded by:	Megan Sault
Motion passed:	Yes

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V. Consent Agenda (4.2)

- Approve Minutes from OSSD Regular meeting on 4/13/2022 (enclosed with agenda)
- Approve Administrative Contracts for 2022-2023 (consent form enclosed)
- Approve Professional Contracts for 2022-2023 (new hire list & consent form enclosed)
- Authorize Layne Millington to sign new hire contracts

Motion to approve the Consent Agenda

By:	Katja Evans
Seconded by:	Megan Sault
Motion passed:	Yes

VI. Closing

- a. Superintendent's report (2.8) (enclosed with agenda) was reviewed. Reported on legislative updates that were talked about previously.
- b. Director & Principals reports (2.8) were sent out previously.
- c. Update on Teacher's Appreciation
The gift cards went out to staff last week and were well received.

Action Items Recap - Anne will contact Pietro to arrange for a special meeting on the flag policy. Layne will contact other school districts and superintendents regarding their flag policies. June 1st is the Policy Governance training evening.

Meeting Evaluation - Chelsea reviewed her evaluation of the meeting.

VII. Executive Session: Student Appeal & Personnel Issue

8:49 p.m. A motion was made by Katja Evans & seconded by Hannah Arias to enter Executive Session to discuss Student Appeal & Personnel Issue with the superintendent present. Motion passed. The motion passed unanimously.

9:20 p.m. The board exited Executive Session. No Action was taken.

Respectfully submitted,

Linda Lubold, Board Clerk

Next Scheduled Meetings:

Agenda Planning Meeting: Monday, May 23, 2022 - 6:00 p.m. @ OSSD

Policy Governance Training: Monday, June 1, 2022 - 5:30 p.m. @ RUHS Media Center

Regular Meeting: Wednesday, June 8, 2022 - 6:00 p.m. @ RES