**Windham Elementary School Board Meeting Minutes**

**Date**: **August 10, 2020**

**Present:** Antje Ruppert, Beth McDonald, Russ Cumming, William Anton, Carolyn Partridge, Gail Wyman. Erin Kehoe, Howard Ires, Alan Partridge, Michael Simonds, Mary McCoy, Via meet.Google.com: Crystal Corriveau, Joyce Cumming, Tom Widger, Eileen Widger, Heath Boyer, Mary Boyer, Bill Dunkel, Maureen Bell, Kathy Jungermann

**Call to order:** 4:02 pm

**Additions or corrections to the agenda:** Antje asked to add a letter she wanted to read. Added as item (l).

**Members of the Public:**  None.

**Correspondence:** None.

**Approve minutes of June 8, 2020:** The June 8th meeting minutes were moved for approval by Beth and 2nd by Antje, motion passed.

The August 3rd meeting minutes were moved for approval by Beth, 2nd by Antje. Discussion of the August 3rd minutes followed. Antje asked for a correction to reflect her claim that Russ violated the Open Meeting Law by contacting her about the agenda and not including Beth. She also requested a correction to reflect Beth seconded the motion to adjourn. Russ replied that the tape showed he seconded prior to Beth. No vote taken.

**Old Business:** None

**New Business:**

1. Bills and Pay Orders: At the August 3rd meeting, Russ requested that pay orders 1 to 3 be moved for payment. Antje 2nd, motion passed.

Russ asked to speak to the pay order approval process. In the past, bills and pay orders have been referenced by number and a motion made to approve. Russ asked that the Treasurer prepare a summary of the pay orders listing the payee, service provided, and the amount to be paid, and share the information with all School Board members as a matter of clarity. At present, only Beth receives the information but all are asked to vote on approval. After a brief discussion, Beth agreed to supply the information she receives at future school board meetings. Russ asked that the information be available at the same time the meeting agenda is sent out to allow all members time for review before the meeting.

As a second request, Russ asked the Chair if she knew where the funds came from to meet this first set of pay orders. He noted that tax bills have not been issued yet for this year and the funds for the School Board to disburse will not be collected until October 30th. Russ feels that it is Important that the taxpayers in Windham understand how the school finances are met from July 1st to October 30th when taxes are collected. Antje deferred to Bill Anton to answer the question. Bill restated the question and replied he would speak with the CFO to get the answers for the next meeting.

1. Return to Work Rules: Bill Anton presented theReturn to Work and Leave Information 2020-2021 school year.The WCSU adopted the Rules on July 29th; and all school boards are asked to adopt the rules. Bill stated there was a standard protocol for returning to school that applied to all persons entering a school building and which included temperature checks, a series of questions, and mask wearing. All visitors are logged in so contact tracing may be done if needed. Antje moved to adopt the Rules, Russ 2nd, motion passed. A copy is included as an attachment.
2. Instructional Disposition Decisions: Bill explained that the purpose here is to empower the Superintendent to switch the instructional disposition (in-person, remote, or hybrid) for rapid turn-around if needed. Bill would make the decision after discussion with the Dept. of Health and the school administrator. In reply to a question, Bill confirmed that it was the revised version dated Aug.4th which was being discussed. Motion to approve was moved by Russ, 2nd by Antje, motion passed. A copy is included as an attachment.
3. School Lunch Waiver 16 V.S.A.1265: Bill Anton read the Statute provisions that allow Windham to opt out of the requirements of the National School Lunch Act and the National Child Nutrition Act to provide lunch and breakfast respectively. The School Board must vote at a meeting warned and held for the purpose of exempting itself from the requirement to offer either the school lunch program or the school breakfast program, or both, for a period of one year. The exemption must be reviewed annually. Bill recommended that the Board exempt itself. Antje motioned to exempt the School Board from the requirements; Beth 2nd. Beth and Antje voted to approve; Russ abstained, motion passed.
4. Bus Route: Carolyn explained the school bus route as planned for the summer school session. It may be necessary to modify the route. The middle school and high school route is still under development at this time. Lisa Beshay will be the school bus monitor. Bill explained that the same protocol as required when entering a school building will be followed on the bus. Antje moved to accept the bus route, Beth 2nd, motion passed.
5. After-School Program; Mickey Parker-Jennings was not present. This will be postponed until the next meeting.
6. Principal’s Report; Bill Anton read the report submitted by Mickey Parker-Jennings. Mickey reported that he and the staff were preparing for the week of summer school. They were focusing on personalized learning. Mickey noted that two temporary shelters have been donated for use as outdoor classrooms. Mickey also attended a Leadership Retreat. The summer school budget, including supplies and staffing, was covered by a Rural Education Assistance Program (REAP) grant.
7. Superintendent’s Report: Bill reported that classes are scheduled to start on Sept. 8, 2020, but everyone must remain flexible. The staff is scheduled to rehearse the safety protocols and review the learning management system 6 days before classes begin. If a situation develops where remote learning is needed, they will be prepared. A full copy of the Superintendent’s Report is available on the WCSU website.

Carolyn Partridge asked Bill if her grandchildren would be able to attend WES if they ended up living with her. Bill indicated they would have to follow V.S.A.1075, the law that deals with residency and guardianship. Bill indicated that in the hypothetical situation she was referring to, if the parent or guardian lived outside the state of Vermont and outside Windham it would not comply with the Statute.

1. Act 46 Expenses for Legal Work: Carolyn Partridge explained that back in 2018 the School Board hired an attorney, Mark Oettinger, past General Counsel for the Vermont Agency of Education. The School Board hired him to help find a path through the Act 46 morass and to craft ballot language for voting. Carolyn’s initial conversation with him was on July 3rd, 2018. She received a Letter of Engagement on September 17th, 2018 and signed it electronically. At that point, the School Board paid a retainer of $1,500 which was approved by the School Board at its 9/8/18 meeting. Carolyn received an email on 7/24/20 from Michelle Mraz, the business manager of the law firm Montroll, Backus & Oettinger asking for payment of an outstanding balance. Carolyn stated she was surprised at the balance and she was unaware of many of the charges.

Carolyn stated that a provision in the Letter of Engagement stipulated that the billing would be by email unless paper copies were requested. Carolyn explained that she was unaware of the billing, which was sent through a third party billing service, Practice Panther, and attributes the confusion to her spam filter blocking the emails. Carolyn requested and received paper and electronic copies of the invoices. In summary, the invoices totaled $2,400 after the $1,500 retainer was depleted.

Carolyn said she reviewed the invoices and realized that Atty. Oettinger was billing for time he spent communicating with other attorneys who were representing Windham in the Act 46 lawsuit, funding for which Windham residents contributed through a separate fund. She said that was unnecessary and asked that those charges be removed. Carolyn read her email to the attorney’s office dated July 31, 2020 and asked that it be included in the minutes. The email is included as an attachment.

Upon receiving Carolyn’s email request, Atty. Oettinger’s office agreed to reduce the balance due to $1,400. Carolyn asked for a further reduction and was granted an additional discount so that the balance due is $1,200. Antje asked whether action was required at this time. Carolyn recommended the Board wait until the revised final invoice is issued before considering it for payment.

1. Act.46 Lawsuit Dismissal and How it impacts WES: Bill stated that he put this item on the agenda as a request from Russ who had received inquiries from several residents regarding what impact the dismissal would have on WES. Bill stated that he does not see any change at WES. Windham had gone through the process with West River Modified Unified Education District (WRMUED) to remain a Pre-K through Grade 6 entity and that will not change. Carolyn added that Atty. Oettinger helped Windham craft ballot language for a vote with 4 other towns to allow Windham not to join the WRMUED. Carolyn stated that back at that time in 2018, several people in the room today helped her send out over 4,000 pieces of mail to residents in the other towns to get them to vote to allow Windham to remain as is.

Russ asked Bill if the Act 46 decision would eliminate the offsetting revenue of the Small Schools Grant. Bill’s reply was that WES would need to re-apply each year for the grant. Bill believed it was a topic in the August or subsequent session in Montpelier. Carolyn added that as she understood it, if five percent or more of your students lived more than15 miles from the next nearest school, you would receive the grant.

1. Board Member Conduct: Beth asked Bill to include professional behavior between board members as a topic for discussion. Beth asked for a level of courtesy in communication which will require a concerted effort by all members. She said she doesn’t enjoy attending School Board meetings or coming to the school. Bill offered copies of other Boards’ guidelines for meeting decorum.
2. Added: Reading of Letter: Antje read her letter of resignation from the Windham School Board due to personal and health reasons. She thanked the public for their support. Members of the public expressed appreciation to Antje for her service to the Board.

Bill Anton provided copies of the statute (16 VSA Section 424) on resignation of a School Board member. The remaining Board members have 30 days from the date of the vacancy to select from individuals who express an interest in serving. The process is for the interested party to send a letter to the School Board or the Superintendent’s office. The new member will serve from Sept.7th (next meeting) until Town Meeting in March. Members of the public may express support for a candidate, but the remaining board members do the voting. If no individual is acceptable, then Bill will contact the Secretary of State for advice on how to proceed.

**Adjourn:** The meeting adjourned at 5:15 p.m., moved by Russ, 2nd by Beth, motion passed.

Respectfully submitted,

Russ Cumming