

**Board of Directors Meeting**  
**Windham School District**  
**October 5, 2020 at 4:00 p.m.**  
**ZOOM MEETING ONLY**

Call to Order

- |  |         |
|--|---------|
| 1. Additions or corrections to the agenda                                    | 4:01 pm |
| 2. Summary of special election on Nov. 3 <sup>rd</sup> 2020                  | 4:03 pm |
| a. Discussion of candidate forum   |         |
| b. Notice to voters by Town Clerk  |         |
| 3. Principals Report   | 4:10 pm |
| 4. Superintendents Report  | 4:20 pm |
| a. Legislative Report H.663 & S.354  |         |
| 5. Public comment (Limit 3 minutes per/person)                               | 4:30 pm |
| 6. Correspondence  | 4:35 pm |
| a. Letter from concerned citizen   |         |
| b. Code of ethics review   |         |
| c. Any additional letters  |         |
| 7. Review of and approval of Sept. 8 <sup>th</sup> & Sept. 14 , 2020 minutes | 4:45 pm |

Old business:

- |  |         |
|--|---------|
| 8. Update on building air quality & heating                              | 4:50 pm |
| 9. The Board consider okaying "up to \$2,000" for testing of air quality |         |
| 10. Update on ADM modifications for this year                            |         |
| a. Review of 11 year history of budgets                                  |         |
| b. Review of Real estate sales in Windham                                |         |
| 11. Bills and pay orders;  | 5:00 pm |
| a. Review of August and September bills                                  |         |
| b. Discussion of budgeting process                                       |         |
| 12. Review of adopting the new policy on sexual harassment               | 5:20 pm |

Adjourn

Russell Cumming is inviting you to a scheduled Zoom meeting.

Topic Windham School Board meeting  
Time: Oct 5, 2020 04:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81676411589?pwd=K2lIS2diSVRrRTNNZHUxZ0VyWW01Zz09>

Meeting ID: 816 7641 1589  
Passcode: hdp0zx

# **Windham School Board Special Election**

**Tuesday November 3, 2020**

**Location**

**Windham Meeting House**

**Site of National Election**

## **Australian Ballot**

**Ballots will be mailed to every registered voter in  
Windham and may be returned in the mail, or  
dropped off at the Town Office drop box or brought  
to the polling site on November 3<sup>rd</sup>, 2020**

# Cabinet Report to Boards

## October 2020

I am learning many, many new synonyms for *unprecedented*. Some of my new favorites are: *newfangled, outre, and anomalous*. We are truly living in *amazing* times.

I will attest to the dedicated work of our WCSU community. The Parents remain patient and engaged, the students are resilient and curious, the teachers are doing yeoman's work, and the principals are leading with students at the center of their decision making. The WCSU Central Office team is managing all the challenges that this pandemic is presenting with their usual teamwork and professionalism. It is a remarkable time to be a Superintendent. I so appreciate how we are all working together.

Schools Update:

- **Dover, Wardsboro, and Windham** are open for in-person instruction.
- **Marlboro** started open for in-person instruction (outside) to about 60% and are ramping up to fully in-person in the coming weeks.
- **Jamaica** will begin in-person instruction Oct. 5th
- **Leland & Gray, Townshend, and NewBrook** remain fully remote with the optimistic possibility that in-person instruction may begin in the elementary schools in Oct.

Attached to this report is the Final Education Legislative Report for 2020. Some highlights:

- The ADM for FY 22 budget building has been set at “***not less than the district’s 2019-2020 school year ADM***”
- Student attendance days for the 2020-2021 school year is **reduced to 170**
- The Tax Commissioner has been directed to “***disregard the projected deficit in the FY 2021 Education Fund when recommending the statewide education property tax rates***”

As always it is an honor to serve the WCSU communities as your Superintendent.

Sincerely,

Bill

P.S. I have been listening to some classic tunes by America. The mellow vibes are comforting.

# Education Legislative Report

September 29, 2020 – Issue #11

*As leaders of your school systems, you serve as a voice for public education. As your state associations, we work to strongly represent education officials' concerns. Yet, there is no substitute for contact by constituents with their legislators. We encourage you to read our Reports, keep abreast of issues, and stay in touch with your house members and senators. If you have questions regarding the content of this report, contact your Association's executive director or Sandra Cameron, Director of Public Policy at VSBA and author of the report at [scameron@vtvsba.org](mailto:scameron@vtvsba.org).*

## **2020 Legislative Session Concludes**

The 2020 legislative session was anything but “regular.” The General Assembly had begun work on several important topics, including the Weighting Study, however COVID-19 resulted in a change in course on several fronts. The General Assembly worked through the end of June in order to respond to COVID-19 needs and to develop a quarter 1 budget. Lawmakers recessed until August 25th, at which time they returned for a special (extended) session.

The 2020 regular legislative session concluded on June 26, with the General Assembly passing the following education-related bills:

- [H.959 \(Act 122\)](#): Education Property Tax (Yield) Bill
- [H.951 \(Act 108\)](#): Municipal Emergency Statewide Education Property Tax Borrowing Program
- [H.955 \(Act 139\)](#): Capital Bill - PFAS in Drinking Water
- [H.681 \(Act 92\)](#): Temporary Elections and Open Meeting Law Provisions
- [H.947 \(Act 105\)](#): Temporary Municipal Tax Rate Provisions
- [H.957 \(Act 133\)](#): Lead Testing
- [S.343 \(Act 112\)](#): Act 173 Delay

The special session concluded after five weeks with finalization of the FY2021 budget bill. H.969.

## **Education Funding & Education Policy**

[H.969](#) - the Appropriations Bill, also referred to as the BIG Bill, was negotiated in conference committee and the Conference Report was approved by the House and Senate on September 25.

### Inside this Report

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The bill provides the budget for the State of Vermont for fiscal year 2021, including Coronavirus Relief Fund (CRF) appropriations for PreK-12 education as noted below:

- \$103 million to the Agency of Education for CRF-eligible prekindergarten–grade 12 public and approved independent school expenditures in fiscal years 2020 and 2021 through December 30, 2020;
- of the total \$103 million appropriation, \$1.2 million is allocated to independent schools and \$13.5 million is directed to Efficiency Vermont to support and fund school district work to improve air quality in schools by upgrading heating, ventilation, and air conditioning systems (HVAC). The remaining \$88.3 million is to reimburse school districts for COVID-19 costs through the Coronavirus Relief Fund LEA Grant Program being administered through the Vermont Agency of Education:
  - if the appropriated CARES Act funding proves to be insufficient to cover all reimbursement requests, any costs for new pandemic expenses shall be fully covered to the extent of appropriated funds. If proration is necessary, it shall be on requests from school districts of repurposed expenses that freed up previously budgeted funds in fiscal year 2021;
  - as used in this section, “school district” means a school district or a regional career technical center school district;
  - of these funds, up to \$4 million may be distributed by the AOE for the purchase of CARES Act eligible supplies and equipment, including vehicles, freezers, and other capital assets, necessary to provide meals to children using the federal child nutrition programs during the COVID-19 state of emergency. These funds are restricted to costs that exceed the federal per meal reimbursement received for meals provided through these programs.
- reimbursement of allowable transportation expenditures incurred by a school district or supervisory union for the transportation of food and other aid to students, families, and members of the community during the COVID-19 state of emergency, provided that if these expenditures were already reimbursed by federal or State funds, they shall not also be reimbursed under these sections.

H.969 also addresses the following education policy issues for the 2020-2021 school year only:

- establish a count for average daily membership (ADM) for each school district not less than the district’s 2019–20 school year ADM;
- authorization of school boards to utilize the Australian ballot system for any or all of its annual meeting and special meetings by vote of its school board (note: [S.354](#) also covers this topic by stating “any municipality may apply the Australian ballot system to any or all of its municipal meetings held in the year 2021 by vote of its legislative body”);
- reduction to 170 student attendance days for 2020-2021 school year;
- waiver of the requirement for teachers to hold an endorsement for online teaching;
- expanded definition of “school district” to include a regional career technical center school district;
- sunset extension through July 2022 of a previous provision for a unified union school district to fill a vacancy until an election is held at an annual or special meeting;

- waiver allowing private PreK providers who held the status of prequalified prior to March 15, 2020 to retain that prequalified status despite the loss of licensed teacher; and
- creation of an Afterschool Task Force to make recommendations on the framework for, the costs of, and related long-term funding sources for access to universal afterschool programs, preferring solutions that do not draw upon the Education Fund.

### ***Addressing Potential Education Fund Deficit in FY2021***

Section E.111.1 of H.969 addresses the annual December 1 letter, which is a requirement of the Vermont Tax Commissioner to consult with the Agency of Education, the Secretary of Administration, and the Joint Fiscal Office when calculating and forecasting a property dollar equivalent yield, an income dollar equivalent yield, and a non-homestead tax.

In Act 122, the General Assembly expressed its intent to address any projected deficit in the Education Fund for fiscal year 2021 by using federal funds, applying reversions, drawing down the stabilization reserve, using other sources of revenue, reducing costs, borrowing, or using any other source of funding, including making appropriations from the General Fund or other funds. This provision in Act 122 was intended to relieve school boards of the responsibility for responding to a projected fiscal year 2021 deficit through school budgeting decisions for fiscal year 2022.

Section E.111.1 of H.969 applies the Legislature's intent in Act 122 by calling on the Tax Commissioner to disregard the projected deficit in the FY2021 Education Fund and to maintain the stabilization reserve at 5% when recommending the statewide education property tax rates.

### ***Labor Relations***

The Senate and House passed S.254, a bill which makes several changes to the unit determination, certification and representation processes of a union and gives employees who are members of the union the right to automatic dues deductions. The bill also provides unions with an opportunity to meet with new hires to discuss union membership and service, as well as provides unions with contact information for those new hires and requires employers to present unions with a list of employees in the bargaining unit and their contact information on at least an annual basis, to the extent that the employer is in possession of the contact information. This bill was approved by both the House and Senate on September 25.

### ***Expanding Access to Contraceptives***

H.101 passed in the Senate and the House on September 25. Section 4 of this bill would require school districts to make over-the-counter contraceptives (condoms) available free of charge to all students in grades 7-12 in locations that are safe and readily accessible to students, including the school nurse's office. The bill provides an exemption of mandated reporting solely on the basis of making condoms available to a secondary school student. The bill would also direct the Department of Health to coordinate with stakeholders to make free over-the-counter contraceptives available in a variety of settings statewide. This section of the bill would take effect on July 1, 2021.

### ***Using Australian Ballot in 2021***

S.354 addresses the requirement of voters of a municipality to vote to apply the provisions of the Australian ballot system to the annual or special meeting of the municipality by allowing any municipality to apply the Australian ballot system to any or all of its municipal meetings held in the year 2021 by vote of its legislative body. Further, S.354 removes the requirement of a person seeking to be named on a ballot as a candidate for a local election that is held at a 2021 municipal meeting to collect voter signatures.

The Secretary of State would have the authority to waive statutory deadlines or other statutory provisions, or provisions set forth in a school district's articles of agreement, related to a municipal election as necessary in order for a municipality to apply the Australian ballot system to its meeting. This waiver authority applies to statutory provisions set forth in a municipal charter or provisions set forth in a school district's articles of agreement if the waiver is requested by that municipality. This bill would take effect upon passage.

### ***Uniform Licensing Standards***

S.233 simplifies the process of obtaining a Vermont Professional Educator's license by directing the Standards Board for Professional Educators (VSBPE) to develop new rules to address applicants with three or more years of practice in good standing in another state and to prescribe a process to assess the equivalence of an applicant's professional credentials earned outside the United States. This bill also amends Section 6., 16 V.S.A. § 1694 by introducing a new pre-application criminal background determination that would allow potential applicants to know the outcome of the required criminal background checks for licensure, and to know whether the potential applicant would be eligible for a license based on the outcome of that check. The bill does not make amendments to current laws requiring criminal background checks for licensure or employment. S.233 was signed by the Governor on September 23 and takes effect on April 1, 2021.

# VERMONT

## SCHOOL BOARDS ASSOCIATION

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Podcasts

### VERMONT SCHOOL BOARDS ASSOCIATION

#### Code of Ethics for Vermont School Board Members

As a member of my local school board, I will remember that my primary concerns must be the educational welfare of the students in my district and excellent return on investment for taxpayers. I agree to conduct myself in accordance with the following commitments. I will:

##### Act within the scope of my official role:

- Act only as a member of the board and not assume any individual authority when the board is not in session, unless otherwise directed by the board
- Give no directives, as an individual board member, to any school administrator or employee, publicly or privately
- Avoid making commitments that may compromise the decision-making ability of the board or administrators

##### Act within the scope of my fiduciary role:

- Ensure prudent use of the district's assets, including facilities, people, and good will.
- Ensure that the district follows applicable laws, policies and resolutions or actions adopted by the board.
- Refrain from engaging in activities that harm the district's ability to pursue its mission.
- Provide oversight to ensure activities of the district advance its effectiveness and sustainability.

##### Uphold the highest ethical standards:

- Not receive anything of value, by contract or otherwise, from the school district or supervisory union unless it is received:
  - as a result of a contract accepted after a public bid
  - in public recognition of service or achievement
  - as a board stipend reimbursement or expense allowed by law for official duties performed as a member of such board;
- Not solicit or receive directly or indirectly any gift or compensation in return for making a recommendation or casting a vote;
- Agree to recuse and remove myself from board deliberation and votes when necessary to avoid the appearance of conflict of interest;
- Not agree to the hiring of a superintendent, principal, or teacher already under contract with another school district unless assurance is first secured from the proper authority that the person can be released from his or her contract

##### Respect my peers and constituents, and uphold confidentiality:

- Voice opinions respectfully and treat with respect other board members, administrators, school staff, and members of the public;
- Maintain confidentiality of information and discussion conducted in executive session and uphold applicable laws with respect to the confidentiality of student and employee information;
- Attend all regularly scheduled board meetings insofar as possible.

***I agree to abide by the expectations outlined in this Code of Ethics and will do everything in my power to work as a productive member of the leadership team.***

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

	A	B	C	D	E	F	G	H
1	Comparison of Windham Tax rates and the WES budget to							
2								
3	Data source: Town annual reports & school budgets							
4								
5	Year	Education Non-Res tax rate	EducationR esidential Tax rate	WES Budget	Equalized # of student	Student graduat ed	Excess spending limit	
6	2010	1.662	1.5233	\$ 405,191	22.8	3	\$ 13,984	
7	2011	1.6057	1.5852	\$ 311,599	19.19	1	\$ 14,549	
8	2012	1.636	1.6107	\$ 329,984	17.65	3	\$ 14,773	
9	2013	1.7283	1.7739	\$ 341,810	20.22	3	\$ 14,841	
10	2014	1.5837	1.7153	\$ 381,059	20.45	1	\$ 15,450	
11	2015	1.4977	1.5828	\$ 363,208	18.75	0	\$ 16,166	
12	2016	1.4977	1.5487	\$ 363,332	19.69	0	\$ 17,103	
13	2017	1.5255	1.6666	\$ 378,842	19.59	3	\$ 17,256	
14	2018	1.547	1.7808	\$ 462,025	16.83	0	\$ 17,386	
15	2019	1.5229	2.1507	\$ 450,039	18.08	3	\$ 17,816	
16	2020	1.5925	1.7586	\$ 408,591	18.97	6	\$ 18,311	30% +
17	Sum>	17.399	18.6966	4,195,680	212.22	23		
18								
19	Eleven year averages are based on budget amount not audited							
20								
21	Non-Res tax rate			1.582				
22	Homestead tax rate			1.700				
23	Proposed budget			\$ 381,425.45				
24	Equalized students			19.293				
25	graduated students			2.091				
26								
27								
28								
29	Dover has enrolled 31 new elementary students and 7 secondary student The							
30	Wardsboro school has enrolled 6 new secondary students. There has been little or							
31	no additional students in the other WCSU schools. Home study is running about							
32	5% to 6 % according to the AoE. Windham has a 30% + home schooled rate							
33	considering all home school age children.							

Comparison of towns that tuition school grades K-12 and Windham  
Prepared September 15 by Frank Seawright

Some people assert that sale/purchase of residential property will be severely hurt if Windham loses the elementary school. Others claim that towns that do not operate a school and tuition all students have better residential home sales.

What's the truth? I searched the web and found that the state does have data on annual property transfers here: <https://tax.vermont.gov/data-and-statistics/ptt> . And I also found the Vermont state tuitioning list here: <https://education.vermont.gov/documents/data-town-district-tuitioning-list> .

From the tuitioning list I selected only the towns that tuition K-12 and do not operate a school. Unincorporated towns and Gores were excluded from the analysis and only seasonal and residential property transfers were used in the analysis which is presented in four pivot tables<sup>1</sup> included in this report. The numbers are small as one would expect, but it is all the data we have to make any claims about whether operating a school helps or hurts sales of homes.

The tables show that Windham had only five residential sales during those four years, but did have good sales of seasonal properties ( Seasonal and Residential are Lister terms ). The towns that tuition K-12 had better sales.

The last page of the report shows all Vt towns with the towns in the analysis colored green and labeled with the town name. The companion image shows the town, area, population and pop'n density.

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1 A pivot table is a statistics tool that summarizes and reorganizes selected columns and rows of data in a spreadsheet or database table to obtain a desired report.

2016

2016 Property Transfers in Towns with no school compared to Windham					
Town	Residential		Seasonal		Total
	>= 6 acres	< 6 acres	>= 6 acres	< 6 acres	
Baltimore					
Bloomfield	1	1			2
Brunswick		1			1
East Haven		5			5
Granby			1		1
Granville	3	3	1		7
Hancock		2			2
Ira		2			2
Kirby	5	2			7
Lemington	1		1		2
Maidstone				4	4
Norton	1				1
Pittsfield	1	8		1	10
Plymouth	9	7		1	17
Sandgate	5	1	2		8
Searsburg	1	2			3
St. George	5	5			10
Stratton	5	12		1	18
Victory					
<b>Windham</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>5</b>	<b>11</b>
Winhall		5	4	29	38
<b>Total</b>	<b>38</b>	<b>57</b>	<b>13</b>	<b>41</b>	<b>149</b>

2017

2017 Property Transfers in Towns with no school compared to Windham					
Town	Residential		Seasonal		Total
	>= 6 acres	< 6 acres	>= 6 acres	< 6 acres	
Baltimore		1			1
Bloomfield		5		1	6
Brunswick				1	1
East Haven	2	3			5
Granby	1		2		3
Granville		1	1		2
Hancock		1			1
Ira	2	5	1		8
Kirby	6	2			8
Lemington	1	2			3
Maidstone		1	1	7	9
Norton	5	3	4	7	19
Pittsfield	3	12		1	16
Plymouth	16	23		2	41
Sandgate	8	4	2		14
Searsburg	1	2	2	1	6
St. George		5			5
Strafford	16	12			28
Victory	1				1
<b>Windham</b>			<b>6</b>	<b>15</b>	<b>21</b>
Winhall	3	8		41	52
<b>Total Result</b>	<b>65</b>	<b>90</b>	<b>19</b>	<b>76</b>	<b>250</b>

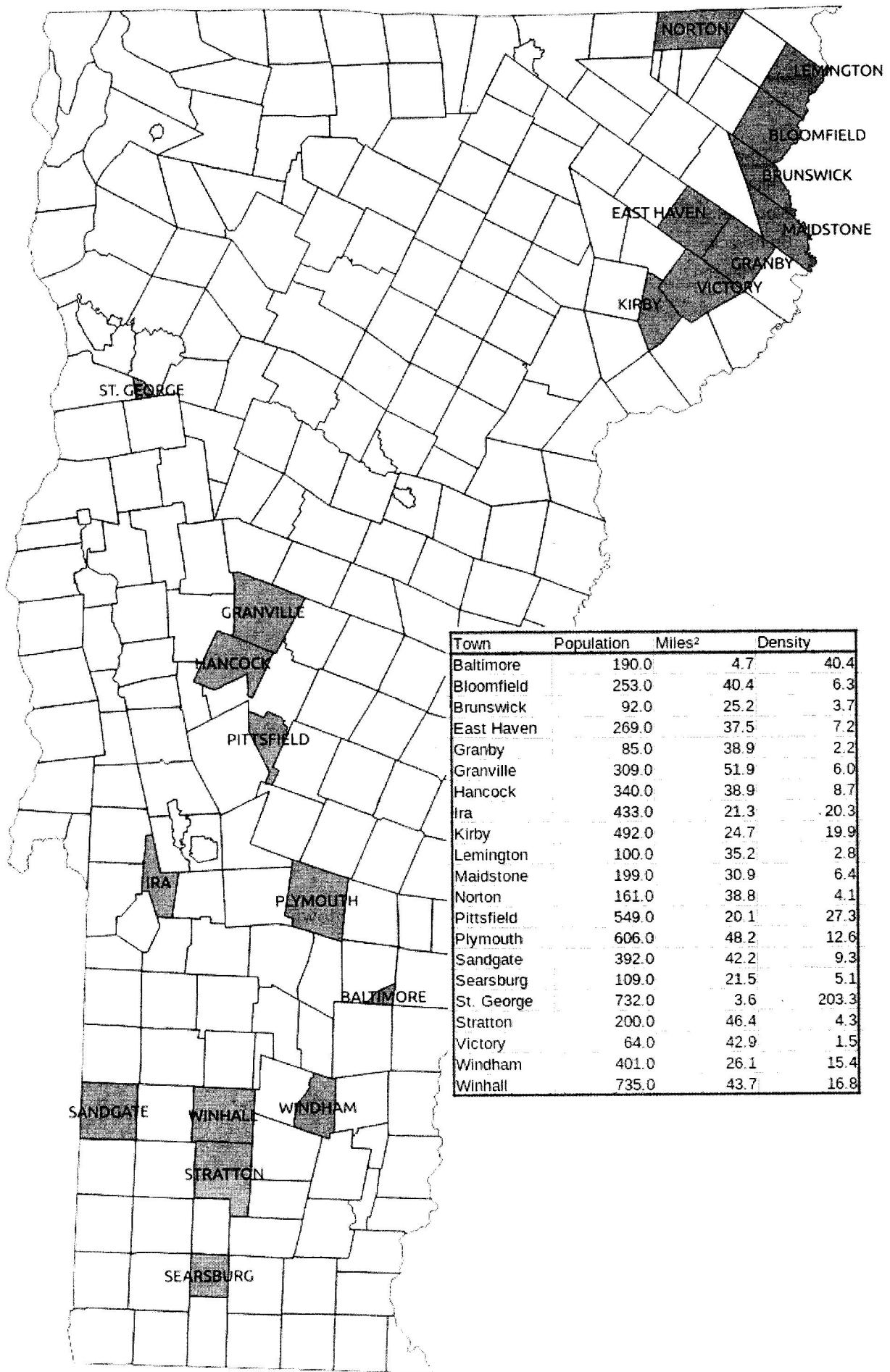


2018

2018 Property Transfers in Towns with no school compared to Windham					
Town	Residential		Seasonal		Total
	>= 6 acres	< 6 acres	>= 6 acres	< 6 acres	
Baltimore	1				1
Bloomfield	3	7			10
Brunswick	2			1	3
East Haven	2	7		2	11
Granby	1		1		2
Granville	1	4	2	1	8
Hancock	4	9			13
Ira	6	4			10
Kirby	8	3	3		14
Lemington		1			1
Maidstone	1	3		9	13
Norton	3	1	1	2	7
Pittsfield	4	7		2	13
Plymouth	12	29	1	2	44
Sandgate	5	2	1		8
Searsburg	1	2		1	4
St. George	2	16			18
Stratton	2	14			16
Victory	1				1
<b>Windham</b>			<b>7</b>	<b>12</b>	<b>19</b>
Winhall	3	10	3	38	54
<b>Total Result</b>	<b>62</b>	<b>119</b>	<b>19</b>	<b>70</b>	<b>270</b>

2019 Property Transfers in Towns with no school compared to Windham					
Town	Residential		Seasonal		Total
	>= 6 acres	< 6 acres	>= 6 acres	< 6 acres	
Baltimore	1	1			2
Bloomfield	4	6			10
Brunswick		1		1	2
East Haven	2	4			6
Granby				1	1
Granville	7	2			9
Hancock	2	5			7
Ira	1	2			3
Kirby	7	3	4	1	15
Lemington		2	1		3
Maidstone			1	10	11
Norton	2	2	2	1	7
Pittsfield	3	7			10
Plymouth	19	31	1		51
Sandgate	5	2	1	1	9
Searsburg	2	3	1	2	8
St. George	5	8			13
Stratton	6	10			16
Victory	1	1	2		4
<b>Windham</b>	<b>3</b>		<b>10</b>	<b>9</b>	<b>22</b>
Winhall	3	11	4	57	75
<b>Total Result</b>	<b>73</b>	<b>101</b>	<b>27</b>	<b>83</b>	<b>284</b>

The image below shows Vermont with town boundaries and the towns in the comparison shown in green. The companion image shows the towns, population, area in miles<sup>2</sup>, and density.



Town	Population	Miles <sup>2</sup>	Density
Baltimore	190.0	4.7	40.4
Bloomfield	253.0	40.4	6.3
Brunswick	92.0	25.2	3.7
East Haven	269.0	37.5	7.2
Granby	85.0	38.9	2.2
Granville	309.0	51.9	6.0
Hancock	340.0	38.9	8.7
Ira	433.0	21.3	20.3
Kirby	492.0	24.7	19.9
Lemington	100.0	35.2	2.8
Maidstone	199.0	30.9	6.4
Norton	161.0	38.8	4.1
Pittsfield	549.0	20.1	27.3
Plymouth	606.0	48.2	12.6
Sandgate	392.0	42.2	9.3
Searsburg	109.0	21.5	5.1
St. George	732.0	3.6	203.3
Stratton	200.0	46.4	4.3
Victory	64.0	42.9	1.5
Windham	401.0	26.1	15.4
Winhall	735.0	43.7	16.8