



APPROVED BY THE BOARD ON JULY 11, 2017

**BURLINGTON BOARD OF SCHOOL COMMISSIONERS MEETING  
MINUTES  
Hunt Middle School Library  
June 13, 2017  
6 PM**

The meeting was called to order at 6:06 p.m.

*In Chair Porters absence, Vice-chair Stephanie Seguino has taken on the role of acting Chair.*

**1. Opening Items**

A. Pledge of Allegiance

B. Roll Call

**Commissioners:**

Lauren Berrizbeitia \_\_, Liz Curry X, Susanmarie Harrington X,  
Anne Judson X, David Kirk \_\_, Kat Kleman X, Mark Porter \_\_,  
Stephanie Seguino X, Jeff Wick X, Ryan McLaren \_\_, Kathy Olwell  
X, Mark Barlow X

**Student Representatives:**

Isabella Weston \_\_  
Jacob Bucci X

**Administration:**

Yaw Obeng, Superintendent X  
Brittany Nevins, Minute Recorder, Executive Assistant X  
Stephanie Phillips, Senior Director Teaching & Learning \_\_  
Nikki Fuller, Senior Director Human Resources & Equity Affairs X  
Paul Irish, Senior Director Infrastructure & Technology X  
Nathan Lavery, Senior Director of Finance X  
Marty Spaulding, Property Services Director X  
Erik Wells, Communications Specialist X

*The Board wishes to recognize, welcome and thank those that are providing language interpretation of the Board proceedings. The Board's commitment that all children receive equitable academic services must ensure that New American parents are welcome and can attend meetings, understand the process and be actively engaged. Interpretation of proceedings honors, respects and values our New American parents and students. The Board asks the public and media to respect and understand the importance of this interpretation.*

**2. Approval of Agenda**

*Motion (Commissioner Judson/ Commissioner Barlow) to approve agenda  
Unanimous Approval*

**3. Public Comment**

A. Comments/Questions from the Public

**Halle Newman-** Student raises the issue of a swastika on a student's social media and how it impacts her and her feelings of safety. Raises that she had written to the Diversity and Equity Committee regarding the administration's process around the issue. She states that she has not heard back from the committee yet.

**Karen Newman-** Halley's parent. Describes how they met with the Restorative Justice Board, which was a great experience for them, but has found the administration to not be acting on the recommendations put forward.

**Fran Brock -** Addressed the board about teacher needs and perspectives.  
(Testimony placed on file with District)

**Catherine Cadden -** Representative of Bava Tree international. Was a principal at one point and worked in a private school. They mentioned a presentation on June 21st at the Shop for Change in Winooski at 7 PM to discuss disparate suspension rates for students of color. Megan Carlile also speaks to the Board and reminds the Board that she has come to speak before. She is a member of Black Lives Matter and shares that the team has been researching restorative practices work.

**Ebony Nyoni-** Executive Director of Black Lives Matter Vermont. She speaks along with Katherine Kadin. She shares that eradicating racism in the schools is a

priority for the group and is possible with support. Meghan Carlyle and Madina Haji also signed up for public comment and were present with the group.

**Rich Nadworny** - addressed the Board about a student's use of swastika symbol as profile (testimony placed on file with district))

B. Board Reflection

**Commissioner Wick**- Believes that the District should respond in some manner to the swastika testimonies to show what progress has been made.

4. **Board Report**

A. **Recognition of Student Representative to the Board Jacob Bucci**- Student Representative Jacob Bucci was recognized by Commissioner Curry for his great work on the School Board and was given a plaque as appreciation for his service. Jake shares how great of an impact the experience has had on him.

B. **Update on Teacher Contract Negotiations**- Commissioner Seguino identified the Board's goals in these negotiations. The Board seeks an agreement that meets the following objectives:

Our overarching goal is a contract that allows the District to improve the educational opportunities and outcomes for kids.

With that in mind, our specific goals for this teacher contract negotiation are the following:

1. Improved operational effectiveness and efficiency
2. Fiscal sustainability, which translates into a contract that is both fair to teachers and also reflective of our community's ability to pay
3. Expediency so that contract talks are concluded by summer
4. Increased transparency for the public

The Board had budgeted for 1.5% increase in salaries in its FY18 budget that was approved by voters in March 2017. At the end of mediation on May 31, 2017, the Board had increased the new money salary offer to 1.75% in year 1 of a contract and 2.0% in year 2. The additional funds to cover the gap between the budgeted and proposed salary increases would come from health care premium savings. The BEA ended mediation with a proposal of a 5.3% increase in new money for

salaries. The mediation ended with a significant gap in salary proposals.

We were also unable to make significant progress on the BSD and BEA's operational proposals. Finally, in the realm of health care, the Board proposed a 77/23 split in the cost of health care premiums (with the Board covering 77% of premium costs). Although the proposed BEA contribution is higher than in the current contract (where there is an 83/17 split), the sharp decline in premium costs negotiated by VHEI would result in no increase in the dollar cost of premiums. The Board also proposed contributing some of the health care savings to support HRAs for teachers.

Given that a settlement was not reached during mediation, the Board and BEA submitted arguments to the mediator/fact finder Michael Ryan on June 7. Mr. Ryan has 30 days to issue his report which is due on July 7. Following receipt of the report, there is a 10-day period in which the report is confidential and allows the parties to continue to mediate.

Vice Chair Seguino indicated the negotiations team is optimistic that the BSD and BEA will be able to reach a settlement well before school begins in the fall.

Director of Finance Lavery was asked to present some additional information to offer clarity on several negotiation issues.

- Using "teacher salaries as a percent of total budget" is a misleading way to understand District spending on teachers because many sources of new funds serve to increase the budget but cannot be spent on teacher salaries (examples include grants for limited purposes, donations from PTO).
- A more useful metric is to examine the budget for teacher salary spending per FTE compared to prior years.
- Under the Board's last offer, spending on teachers salaries is estimated to be \$28.6 million, a 5% increase over two years.
- This increase does not include an additional \$200,000 of stipends and over \$300,000 of Golden Handshake payments, the majority of which are paid to teachers in addition to regular salaries salaries.
- The Board's health insurance proposal would slightly lower premiums for nearly all employees. Since the new plans have higher out-of-pocket costs, the Board also proposed to pay a portion of these costs through an HRA (Health Reimbursement Arrangement).
- Because no agreement was reached with the BEA, it is likely that the landscape will change as a result of legislative action at the end of June.

**C. Student Report** - Representative Jacob Bucci shared that BHS won another state championship. Students have finished up the YES program and there will be a presentation on what they learned tomorrow (6/14). Also, high school students will be graduating on Friday.

**D. Burlington City Council Liaison Report** - Commissioner Curry summarized the Board's conversations with Mayor Weinberger about PILOT funds that formerly supported District's educational costs, but were used in ways that conflicted with Act 68/Brigham Decision. After initial proposals were rejected by the AOE, the District returned to the City with revised proposals that were aimed at all families regardless of whether they have students in the schools or not, and for non-educational services.

Met with Mayor and learned about his decision to use a portion of PILOT funds for an Early Learning Initiative (ELI) which will provide \$500k annually to increase the number of child care slots for Burlington children from birth to age 3. The District requested of both the Mayor and Board of Finance that the remaining PILOT funds support a number of initiatives that would align with both the Early Learning Initiative as well as summer programming for at-risk youth, and multicultural liaisons for all new Americans who need help navigating multiple municipal services.

In the end it was clear that the conversation began too late to make changes to the FY18 budget but that the Mayor has signaled his willingness to consider these proposals for FY19. Board of Finance members have committed to requesting quarterly reports that monitor the Administration's willingness to include the District's proposals in its budget considerations for FY19. Board of Finance members have committed to requesting quarterly reports that monitor the Administration's willingness to include the District's proposals in its budget considerations for FY19.

**E. State Legislative Liaison Report** - Commissioner Barlow reported that the advocacy work around ELL Funding has been well received and progress has been made. In particular, there will be an effort to look at the equalized per pupil funding formula.

Commissioner Barlow also noted that in discussions with legislators, it emerged that it would be helpful to the Burlington delegation to have an official position

from the Board on the state budget impasse, in order to support us and vote with our interests in mind.

Generally, without regard to any specific proposal, we would like better coordination of cost containment efforts coming out of Montpelier with our school budget calendar cycles. Commissioner Barlow proposed a resolution for consideration that advises the Vermont General Assembly that any legislation passed in the upcoming June 2017 session should not constrain or impact our voter-approved FY 2018 budget, and further advises that any cost containment measures for FY 2019 should be understood before we begin budget development in October 2017.

*Commissioner Barlow moves that the Board adopt the following Resolution Advising the Vermont General Assembly on State Budget Deliberations (See below for full resolution)*

*Resolution Advising the Vermont General Assembly on State Budget Deliberations*

*WHEREAS, the Burlington Board of School Commissioners recognizes that long-range strategic planning is one of our best tools for cost containment over time by allowing the careful alignment of educational programming with sustainable budget decisions, and*

*WHEREAS, the Burlington School District (BSD) developed their Fiscal Year (FY) 2018 budget through a comprehensive and rigorous process from October 2016 to January 2017 involving multiple occasions of community outreach and consultation with stakeholder groups, alignment of spending decisions with district long-range strategic planning objectives, and with full knowledge of new Vermont Education Health Initiative (VEHI) health insurance plans and potential for changes to health insurance benefit structure in 2018; and*

*WHEREAS, the Burlington Board of School Commissioners, after extensive deliberation, adopted the BSD FY 2018 budget on January 10, 2017, and the voters of Burlington approved the BSD FY 2018 budget on Town Meeting Day, March 7, 2017; and*

*WHEREAS, loss of anticipated FY 2018 revenue or new spending restrictions placed on the voter-approved BSD FY 2018 budget would undermine BSD*

*planning, may result in cuts to programs and personnel, or may have adverse impacts to collective bargaining efforts underway:*

*NOW, THEREFORE, BE IT RESOLVED, that the Burlington Board of School Commissioners, on June 13th, 2017, advises the Vermont General Assembly to refrain from passing legislation during their June 2017 session that would have the effect of reducing state Education Fund payments to school districts in FY 2018 in an effort to contain costs by capturing theoretical savings that districts may realize as they implement new VEHI health insurance plans; and*

*BE IT FURTHER RESOLVED that the Burlington Board of School Commissioners advises the Vermont General Assembly that any cost containment legislation affecting school districts in FY 2019 should be clearly understood by October 2017 when many districts will begin their FY 2019 budget development.*

*Commissioner Harrington seconds motion*

Commissioner Seguino notes that the Legislative Liaison Role is a new one for the Board and that it will be beneficial to the District. She thanked Commissioner Barlow for taking on this role.

*Motion Passes Unanimously*

**F. PTO Report** - Commissioner Judson paid tribute to the work of the PTO's that have been engaged in a variety of activities to support our schools, including fundraising to support school projects and co-curricular activities. She indicated this was a mere snippet of the work our PTOs do and thanked them for their contributions.

*Commissioner Harrington makes a motion to send message of gratitude to PTO's for their work*

*Commissioner Wick seconds motion*

No discussion

*Passes Unanimously*

Commissioner Harrington has offered to draft and send the message.

**G. Policy Governance Report**

Commissioner Harrington reviewed the revised ends and limitations policies. She invited Board members to send her comments by the Board Retreat, which is scheduled for the 24th of June, as there will be a proposal to adopt the proposed Ends policies as well as suggested additions to the policies. Please see [boarddocs.com](http://boarddocs.com) for more details.

## **H. Diversity & Equity Report**

Commissioner Seguino, who chaired the most recent D&E Committee meeting in the absence of Commissioner Berrizbeitia, stated that the committee identified two public forums, to be scheduled during the coming academic year: special education and New Americans.

The committee also reviewed monthly suspension data, and heard a report from the principal and assistant principal at Hunt Middle School. Suspensions at Hunt Middle School have fallen by 40% this year, a substantial and noteworthy decline.

Commissioner Seguino noted that there were two spikes in the suspension data, both occurring just before vacations. The assistant principal said that during vacations, some children have increased anxiety that affects behavior, due to concerns over lack of food at home and other family stresses. The behavioral challenges in schools reflect the influences of poverty and trauma, among other factors. Other commissioners who were present agreed and shared their reflections.

Superintendent Obeng also emphasized the significance of the 40% decline in suspensions, and believes that there is much to be learned from the Hunt experience. The administration is appreciative to be able to demonstrate the complexity around suspensions and restorative practice work.

Commissioner Curry states that Burlington has a real opportunity to be a leader on this given our acute needs as a District and examples like this can be shared with other Districts and legislators to show what's possible.

**I. Overview of Board Functions: City Charter and Policy Governance-**  
*District attorney was unable to be present at the scheduled time in the agenda. This item was tabled until the July board meeting.*

## **5. Superintendent Report**

- A. **Good News: Recognition of Anders Ode, 2017 U.S. Presidential Scholar.** Due to timing of the arrival of the recipient, this item was last presented within the Superintendent Report and came after the Consent Agenda portion of the agenda.

When the presentation of the award came, Superintendent Obeng presented BHS senior Anders Ode with an award of achievement for his work to be named 2017 U.S. Presidential Scholar. Anders is one of two in the state of Vermont to receive this award.

- B. **Deferred Maintenance of Capital Update-** Director of Property Services Marty Spaulding discusses the Capital Bond Projects that are currently underway. See Boarddocs.com for more details. Superintendent Obeng notes the importance of considering accessibility needs throughout this process.

Commissioner Curry requested an update on addressing accessibility in the high school renovation process.

- C. **BHS Renovation Update**

There are four members of the BHS Renovation Steering Committee. Chair of the committee, Kate Stein, a parent in the school district, gives an update. The Steering Committee is committed to doing this process with community input. They are analyzing some of the basic plans and are hoping to come to the Superintendent with a suggestion of a proposal in August. The group is determining roles, how to incorporate stakeholders into the process, and how to balance all of the tasks at hand. Community outreach, financial considerations, and academic pedagogy work groups will be created through the support of the Resource Committee.

June 19th will include a tour at 7 PM. The group will be meeting in the lobby of Burlington High School. Board members and community members are welcome to join.

Commissioners thank the committee for its work.

Commissioner Curry has asked if students and teachers will be included in the process. Kate says that this is definitely a goal of the group. They have just begun their work.

**D. Website Update** - Communications Specialist Erik Wells and Executive Assistant Brittany Nevins give website update (see boarddocs.com for presentation).

Commissioner Curry asks if there will be beta-testing where teachers, students can try it to work out bugs? Erik states yes.

Commissioner Curry also asked about a regulatory review to assure that website complies with any language required on the site. She mentions that a parent last year offered IT expertise as a volunteer who might help with website tasks task and will pass on their information to Erik.

Commissioner Barlow requests that the use of different devices be considered in the design of the website. He also requests that Erik and Brittany look into the possibility of upgrading Board Docs or looking into different platforms that can be used.

Superintendent Obeng shares that this research is already underway regarding Board Docs.

**6. Consent Agenda**

- A. Licensed Employment Contracts
- B. Draft May 9, 2017 School Board Minutes
- C. Draft May 10, 2017 Negotiations Committee Minutes
- D. Draft May 10, 2017 Diversity & Equity Committee Minutes
- E. Draft June 6, 2017 Diversity & Equity Committee Minutes
- F. Routine Financial Reports
- G. Health Insurance Item (Motion Within)
- H. Sanding and Refinishing of BHS Gymnasium (Motion Within)
- I. Purchase of a New School Bus (Motion Within)
- J. Waste Service "Trash, Recycling and Compost" (Motion Within)
- K. Desktop Bidding (Motion Within)

Commissioner Harrington reviews the Consent Agenda Process. Commissioner Olwell asked if the licensed teacher contracts needed to be on the Consent Agenda.

Superintendent Obeng indicates that putting licensed teacher contracts on the consent agenda is a statutory obligation.

The Board discusses the process of how things go on the consent agenda, how they are taken off, and how Board members prepare for consent agenda votes.

Commissioner Seguino suggests that the Board continue to discuss the question of what should and should not go on the consent agenda.. Superintendent Obeng recommends that Board members research how other school districts do this process. In his research he has found the process to be very different across Districts. For example, some Districts will put highly complex items on the consent agenda.

Commissioner Seguino asks if Board members have any items that they would like removed from the consent agenda.

Commissioner Curry asks to remove Board minutes of May 9th (Item B) and D & E May 10th Committee Minutes (Item D).

Commissioner Wick asks to remove item G

*Commissioner Curry moves to accept remaining items (Items A, C, E, F, H, I, J, K) on the consent agenda*

*Seconded by Commissioner Kleman*

*Unanimously approved.*

*Commissioner Harrington moves to table agenda items B and D*

*Seconded by Commissioner Barlow*

*Unanimously approved.*

*Commissioner Harrington moves to approve agenda item G as proposed*

*Seconded by Commissioner Judson*

Senior Director of Finance Nathan Lavery clarifies the consent agenda item G, which is related to Flex spending account calendar vs fiscal years.

*Unanimously Passes.*

## **7. Executive Session**

A. *Motion to consider Executive Session to discuss Contract Negotiations where premature disclosure to the public could put the District at a disadvantage (Commissioner Harrington/Commissioner Olwell)  
Passed Unanimously*

B. *Motion to consider personnel matter (Commissioner Harrington/Judson)  
Passed Unanimously*

*Motion to leave executive session (Curry/Barlow)*

Resume public meeting at 9:17 p.m.

*Commissioner Curry Moved/Seguino seconded to affirm Superintendent's decision to suspend teacher as follows:*

*Having received no timely notice of appeal in accordance with 16 V.S.A. § 1752, the School Board Affirms the May 8, 2017 personnel action decision of Superintendent Obeng to impose a 5-day unpaid suspension with the dates of the suspension to be chosen at the discretion of the Department of Human Resources.”*

Discussion:

Commissioner Judson commented that she believes that students will not be harmed

Does this mean that suspension will be part of personnel record - yes

If went to another school would this remain on record - yes unless there were some sort of mediation or agreement to.

7 in favor

1 opposed (Wick)

Item 4.I.

Board agreed to take up item partially and table the remaining issues that rely on the District's Attorney

Question about how to formalize a process for Superintendent to share information with board related to complaints from students and parents that are voiced during public forum, since public forum does not allow for Board or Superintendent response.

D&E did respond to student and they were offered a restorative session. The issue & petition came to the D&E Committee meeting, and the Committee discussion included an update on Administration's approach to handling this situation. No one from the public showed up at meeting. D&E Board member called the student following the meeting and was not aware that this response was unsatisfactory.

Administration is watching situation closely due to fragility - physical safety of student body must be assured. Student was prepared to take symbol down but community uproar resulted in student being on defensive again. Public discussion of issue inflames situation and could pose danger to students. Board agreed that it would be best to allow Superintendent & Administration to follow through rather than get involved personally.

Other students have come with complaints as well, such as plagiarism, wi-fi in library and variety of other complaints. Board will work with Superintendent to develop process for getting information to Board when complaints come forward.

*Kelman/Harrington motion to postpone item 4.a.*

*All in favor*

## **8. Adjournment**

*Motion to adjourn 9:37 p.m. (Commissioner Olwell/Commissioner Wick)*

Respectfully Submitted by Brittany Nevins