Southwest Vermont Regional Technical School District (SWVRTSD) Regional Governing Board Meeting Minutes: October 17, 2005

Assembly Room, Career Development Center

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Members Present: Jean Bacon; Bob Burgess; Mary Ann Carlson; Claude DeLucia; Kevin Goodhue; Leon Johnson; Frank Lamb, Vice-Chair; Ed Letourneau, Clerk; Lance Matteson, Chair; Jon Peaslee.

Staff and Others Present: Bill Burfeind, Treasurer; Wes Knapp, SVSU Superintendent; Greg Lewis, Business Manager; Donna Oyama, Director; Cindy Palmer, Asst. Treasurer.

Videotaping for CAT-TV: Matt Garland, CDC Student.

Recorder: Richard Bump

Matteson called the meeting to order at 6:03pm.

1. Public Comments: None presented.

Treasurer's Report: Burfeind briefly reviewed the CDC's first quarter financial activity as detailed in the Treasurer's Cash Flow and Account Balances Report as of September 30, 2005 (dated 10/03/05, a copy of which was included in the Agenda packet). Burfeind noted that interest rates have begun to rebound and that there is a closing cash balance for the period of \$1,290,729.14. Matteson thanked Burfeind for his report.

3. <u>Consent Agenda</u>: Peaslee moved and Lamb seconded a motion to approve the Consent Agenda. In response to a question about the costs associated with the DECA field trip to Burlington VT to attend DECA's North Atlantic Region Leadership Conference November 11-13, 2005, Oyama noted that the total field trip cost of \$2,321.50 cannot be directly correlated to the document attached to the field trip request listing registration, tour, room and other costs, because there are a combination of different rooms rented (the 6 students will be consolidated into as few rooms as possible while each of the two chaperones will have their own room). In an extended discussion, members and staff noted that

in the past, the board has not required a detailed breakdown of field trip costs
 the Finance Committee, rather than the full board, could review detailed cost

analysis for field trips, if desired
although taxpayer money is not funding the field trip, payments associated with

 costs for this trip will show up on a warrant
the field trip policy demands a specific student/chaperone ratio which has to be
met before the Board and the Assistant Superintendent for Curriculum can approve
the request.

 Johnson went on record to note that he did not recall the board voting on the contract for the CDC Director at the end of the 9/19/05 meeting (see the Minutes of that meeting, page 6, lines 51-52), and that he is sure that he did not vote on the contract. After Matteson further noted that the word "annual" should be inserted in line 7, page 3, before the phrase "net savings in energy costs" in the Minutes of September 19,2005, and after hearing no other comments, the motion passed 7 in favor, Lamb and Johnson abstained. The Consent Agenda, as approved, included

- the Minutes of September 19, 2005, as amended

CDC Payroll Warrants #15 and #16 in the combined amount \$57,683.49
 CDC Vendor Warrant #17 in the amount \$52,549.36

CDC Payroll Warrants #18 and #19 in the combined amount \$70,562.20

CDC Vendor Warrant #20 in the amount \$65,558.71
 The Revenue and Expense Reports for September , 2005

the DECA Field Trip Request to attend the regional DECA Conference in Burlington VT November 10-13, 2005.

4. Adoption of Policies

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- a. Policy #3215C School Parking Policy: Peaslee moved and Burgess seconded a motion to adopt Policy #3215C (a copy of which was included in the Agenda packet), and the motion passed unanimously and without discussion.
- Policy #4276C Supervision of Volunteers and Work Study Students: Peaslee moved and Burgess seconded a motion to adopt Policy #4276C (a copy of which was included in the Agenda packet). Peaslee then recommended that a formal criminal background check should be required for all volunteers (the policy itself places full responsibility on the CDC Director to ensure that a form is completed by all volunteers requiring them to disclose any and all "convictions...for criminal violations). In response, Johnson noted that formal criminal background checks (including fingerprinting) are completed for all paid employees of any SVSU district, and if Peaslee's recommendation is accepted. then other issues (who will pay for the background check as well as the impact created by the amount of time it takes to complete a check - sometimes ten weeks) need further consideration. Johnson suggested that the disclosure required of all volunteers should be sufficient, given that all such forms are also reviewed by the SVSU Personnel Director who, upon occasion, will then ask the Criminal Records Check Committee to further investigate any questionable information disclosed on the form by a volunteer. In contrast to Johnson's statements, Knapp reported that the issue was raised previously in another SVSU district, and that fingerprints are in fact taken for all volunteers, and that the Personnel Director refers forms with questionable information to him for review, and that he then decides whether or not to "stop it right there" or to refer the form onto the Criminal Records Check Committee. Knapp also noted that he has been informed that the state will continue to not charge for fingerprinting and background check for volunteers (there is a charge for paid employees) at least through the current school year. Knapp also noted that as a result of the recently upgraded fingerprinting technology, the lead-time on a background check has "diminished considerably". Knapp also noted that in a few instances discrepancies have occurred between what the volunteer has offered and what the state is saying, and in those instances, the volunteer is asked to resolve the issue with the state. After Oyama noted that the CDC tries to use paraprofessionals and other employees before relying on volunteers, the motion passed 9 in favor, Peaslee opposed.

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- 5. Warning of Policies: Peaslee moved and Burgess seconded a motion to warn
 - Policy #5011C Parental Involvement
 - Policy #5030C Attendance
 - Policy #5050C Discipline of Students, Suspension and Expulsion of Students
 - Policy #5085C Search and Seizure.

After Johnson agreed to review the reasons why there is no difference in the penalty for a student who is absent between five and nine times (see Policy #5030C, page 2, lines 15 and 16), the motion passed unanimously.

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6. Chair's Report: Matteson commented on his thoughts about the CDC's "place in the world" and as prompted by his reading of Tom Friedman's book, The World Is Flat. Matteson noted that Friedman's basic thesis is that, due to the globalization of the world's economy, the "playing field" for all countries and all working people has become essentially level or "flat"; and that because of the convergence of information and other technologies, the United States and other 'developed' countries are now facing serious competition from countries that not too long ago were not even part of the "ball game". Matteson further noted that Friedman's major themes are that

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 global competition within the world's marketplace is no longer a possibility but a fact

54 55 those countries, communities, companies, and individuals who understand this will prosper, and those that do not will fail

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- this 'threat' is at the same time, an enormous 'opportunity'

and that there are lessons to be learned from Friedman when considering his themes in

conjunction with programs and services provided by technical education in general and the CDC in particular. More specifically, Matteson suggested that people in technical schools should

- rekindle the work ethic within the current and rising labor force and place greater emphasis on soft skills development
- help students discover the opportunities available in the new economy (via teachers, advisories, field trips, etc)
- embrace, not fear, the new global economy, and become more internationally aware and collaborate/partner with international students and other resources
- further emphasize within the local community that the investment made in technical education is of high value in preparing students for effective and successful careers
- invest more in special and professional development for the teaching staff.
- Superintendent's Report: Knapp noted that many of Friedman's themes are consistent with topics covered by Richard DuFour, presenter of a recent in-service, who stressed collaboration between the education and the private sectors, and especially as it relates to technical education. DuFour stressed that in order to create a successful educational environment, teachers and staff need to become part of professional learning communities which rely on collaborative efforts of all involved. In other business, Knapp further noted that although the technical center is independent of the SVSU, the CDC has contracted for certain services through the SVSU, and that Central Office staff have the expertise and are ready to assist CDC administrators in various ways, including helping to determine at what level employees should be placed on the salary grid. In subsequent discussion, Johnson noted that students should also be collaborating with each other as peers working collectively on group projects, or as older mentors working with younger students. Knapp, responding to a concern from Matteson about losing some important educational concepts and material if teachers only "teach to the test", suggested that the teachers should work together initially to define what it is that students should know, and then to design tests that show whether or not the student has learned those defined items.
- 8. Director's Report: Oyama reported on the following items

- business students in the FBLA organization will attend a training session in Montpelier 10/18/05
- the CDC has been awarded a \$50,000 Program Innovation Grant which will support efforts of the teachers in the engineering, manufacturing and artificial intelligence programs working collaboratively with math and science teachers in MAU and the surrounding area to strengthen math and science programs in those schools such that students will be better prepared to meet the demands and expectations of the CDC technical courses previously listed, and to determine ways in which faculty and students in the various schools can work collaboratively on projects in these technical areas. Oyama also reported that the grant will also cover the acquisition of special equipment and supplies, if needed; and further noted that the Vermont Department of Education has hired a consultant to work with math and science teachers around the state to accomplish essentially the same goals as defined in the locally awarded grant, and that the state consultant will also attend the 11/21/05 all day meeting. Oyama also noted that several CDC teachers and administrators will attend the 11/16/05 School to Workforce Partnership meeting during which there will be discussion of many of these same issues
- three CDC teachers will develop a CDC website for common use by all CDC teachers and staff and to be used as a vehicle to exchange and comment on information throughout the year
- all technical programs include state-mandated competencies which were developed collaboratively by educators and members of the workforce.

In subsequent discussion, members and staff noted that

- students may be involved in the creation of the website mentioned above

- the CDC website still does not include several items, including board membership, board code of ethics, etc
- the Perkins grant will underwrite the cost of time spent by Barb Gorbaty, CDC Teacher, in updating and maintaining the CDC website
- the Board meeting is always the 3rd Monday of the month, and that if a meeting is not listed or is listed incorrectly in the local newspaper, CDC administrators contact the local radio station to broadcast the correct information.

9. Facilities

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- a. CDC/MAU Lease Agreement. Lamb read aloud a proposed change to the MAU/CDC draft lease agreement which requires the Commissioner of Education to resolve disputes between the CDC and MAU which can not be settled locally between the boards of the two institutions. Lamb also noted that the decision of the Commissioner will be final. After Matteson noted that this new language replaces the arbitration clause in the working document, and Johnson noted that the MAU board appears to be in favor of the change, Burgess moves and Peaslee seconded a motion to approve the language as read, and the motion passed unanimously.
- Wood Chip Heating Facility: Peaslee moved and Goodhue seconded a motion to approve the wood chip heating system as proposed during the 9/19/05 meeting (see item 3, pages 2-4 of the Minutes for that meeting). Johnson noted that a revote on the wood chip system may not be necessary, and that this would be dependent on how the issue raised during the September meeting in which the board chair disallowed Johnson's vote due to a perceived conflict of interest on Johnson's part (Johnson is a member of both the SWVRTD and the MAU boards) was resolved. In response, Matteson noted that he has received written legal opinion from the local RGB attorney (a copy of which was distributed during the meeting) supporting the Chair's position about a real or perceived conflict of interest on Johnson's part, and that although specific reference in Vermont educational law cannot be cited, common law does provide a supportive analogy within contract and commercial law. Matteson also noted that although there have been differences of opinion on this issue between attorneys with whom he has spoken informally, the only opinion he has in writing is the one from the local RGB attorney. Given that, Matteson suggested that a second vote on the wood chip system could be taken without "relying on the vote in controversy" and that a policy should be developed which clearly outlines when and where conflicts of interest may arise. After Peaslee urged the chair to move forward with the vote, Johnson noted that the board had agreed to obtain a written opinion from the SVSU attorney, which it did not do, and that he, Johnson, has in his possession a 23-page document about a similar situation in Shaftsbury and which states that the Board Chair has no right to deny a board member a vote. Johnson also noted that board members have the right to challenge the decision of the board chair, and can do so by forcing a vote on the action of the chair. After Bacon read aloud a portion of the written legal opinion discussed by Matteson, and after Peaslee recommended that the board should read Robert's Rules of Orders (page 68-69), and after Matteson noted that the issue still needs resolution and that although he has asked for a written opinion from the SVSU attorney as well as from the Department of Education nothing has as yet been received, Matteson then agreed to review whatever documents Johnson may have or whatever other documents may come in, and that, given that a policy will be developed which defines conflict of interest in this particular area. Matteson then recommended that the board move forward on the wood-chip system proposed by MAU. In subsequent discussion, members and staff noted that
 - no additional information has been received from MAU (Matteson, Oyama)
 - some members are still concerned that there was no formal public bid for architectural services for the project (Bacon)
 - it is unclear what the physical impact of the structure will be (DeLucia)
 - the voters have final authority on this issue (Matteson)
 - MAU can go ahead with this project regardless the RGB position (Goodhue)
 - if MAU goes ahead without RGB approval, the CDC shouldn't have to pay any

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MAU should have included the RGB in this discussion much earlier on, and both boards should learn from this failure (Lamb)

action taken during the September board meeting required the board to reconsider the wood-chip system if legal opinion supported the chair's position at that meeting (Matteson).

At one point during the discussion, Johnson again raised the issue about having his vote disallowed in September (if his vote was allowed to stand, then the motion would have carried, five in favor, four opposed, and there would be no need for discussion at this meeting). In response to a comment from Burgess, Johnson clarified that he felt that board members were not sufficiently "versed" with the conflict of interest policy, and that this is the reason there has been so much discussion and confusion. Knapp noted that

- MAU brought the project to the RGB "only as a courtesy"
- many questions about the project will not be known until the engineering studies have been completed
- the middle school has experienced significant savings with its wood chip system
- having a wood chip system as the primary heating system provides a degree of security in an age when fuel oil may suddenly not be available or be prohibitively expensive
- MAU should have 'partnered' earlier with the RGB on this issue
- the entire project has been rushed due to the need to take advantage of the 90% state reimbursement, which although currently guaranteed, could be changed at any moment
- the Department of Education indicated to the MAU board that there was no need to bid publicly for architectural services, and the timing constraints also played into the decision not to go out for bid
- the architect who did develop the services is the same firm that won the bid for the project at the MAU Middle School.

After Letourneau recommended that MAU should develop a comprehensive energy plan and expressed concern that taxpayers may have to pay for the entire project if the state changes its position on reimbursement, and after Johnson again iterated his concern about board chair's abnegation of member's voting rights, Lamb called the question. Bacon then asked for clarification of the need to even vote on the project, given that MAU will move forward regardless the opinion of the RGB; to which Peaslee responded that there is a motion on the floor needing action. Matteson then called for the vote and the motion passed Carlson, Goodhue, Lamb, Matteson, and Peaslee in favor, Bacon, Burgess, DeLucia, and Letourneau opposed, Johnson abstained. In response to a request from Bacon, Knapp agreed to provide board members copies of all supporting documents as well as "everything MAU has" on the project.

10. Finance Committee: Lamb reported on the following agenda items discussed at the most recent Finance Committee meeting

- Mike Lawlor, Computer Instructor, presented an in-depth analysis of the CDC hardware and software, and noted that all computer terminals in the CDC are aging, and that he agreed to return to the committee with a prioritized list of replacement needs
- Lawlor also discussed future applications for technology use at the CDC including distance learning, upgraded website, e-mail, internet, etc
- committee members discussed staffing issues in the computer center (to be discussed later in the meeting) and also agreed to contact the SVSU technology department to see if they can provide an hourly rate for technical support
- the CDC needs more bandwidth in its internet connection with SVSU, and the committee agreed to bid out for costs for an internet connection independent of the SVSU. Matteson also noted that Jim Boutin is in agreement with this approach,

and noted that the CDC is still in the information gathering stage of this project payment schedules for the wood chip system will be worked out with the MAU Finance Committee

- the budget cycle begins in November and a meeting schedule will be announced. And in response to a comment from Lamb, Oyama reported that she anticipates that \$5,000 of the \$20,000 state equipment grant will be distributed soon, but that receipt of the remaining \$15,000 is dependent on the sale of a state owned building.

11. Negotiations Committee: No report presented.

12. Education Committee/'Alignment' Work Group: Bacon reported that the CDC has been approached by both Brattleboro and Rutland technical schools (both of which offer fire fighting programs) to see if the CDC is interested in selling its fire fighting equipment. Although enrollment appears to be declining in the one-year fire fighting program (which is now offered in alternating years with the one-year law enforcement program), the committee decided to decline the offer and to allow the program to run for a few more years to see whether it meets community needs in a viable way. Bacon also noted that the committee is reviewing enrollment history for all programs and comparing that enrollment to maximum capacity figures for each program. That discussion will also coincide with a larger analysis undertaken by the Alignment Work Group which is focused on aligning CDC programs with areas either of high current employment or anticipated high growth in the region, and then to determine whether or not personnel resources are being used effectively.

 13. Marketing Committee/Promotion' Work Group: DeLucia reported that this committee is trying to determine ways to encourage local teachers, administrators, residents and board members to attend meetings held in the outlying districts as well as at 'home' meetings at the CDC. Location of the November meeting has yet to be confirmed. Oyama reported that the Vermont Commissioner of Education will tour the CDC 11/7/05 and will talk with teachers and staff at some point during the day. Oyama suggested that RGB members should also attend that session, and that she will invite board members and administrators in the outlying districts to attend the meeting as well.

14. <u>Policy Committee</u>: Johnson reported that he has met with Bruce Lee-Clark, CDC Instructor and advisor to the Policy Committee, and they have reviewed the current status of all policies currently under consideration (and items 4 and 5 above reflect some of that discussion).

15. 'Leadership' Work Group: No report presented.

16. Other: Johnson reported that MAU is proposing that tuition charges assessed to non-SVSU students who are enrolled at the CDC and want to take academic courses at MAU will be based on a per credit cost. More specifically, the formula would be to take the announced tuition (currently \$7,858), and multiply that by four (four years of high school) and then divide the product by the number of credits required to graduate (currently 26). Johnson noted that, using that formula, the current per credit cost would be \$1,208 and would be subject to change if there are fluctuations in the announced tuition or number of credits required to graduate. Oyama agreed to review this further with the MAUHS Principal.

At 8:00pm, Burgess moved and Peaslee a motion to enter Executive Session to discuss contractual and personnel issues and the motion passed unanimously.

At 8:50pm, the board returned to Open Session whereupon Peaslee moved and Burgess seconded a motion to approve the Nomination of Joshua Clark as CDC Systems Administrator as presented and the motion passed unanimously.

At 8:55pm, Peasley moved and Burgess seconded a motion to adjourn, and the motion passed unanimously.