

2022-23 VSBA Resolutions - Board Report

August 10, 2022

According to the VSBA Bylaws, resolutions are "positions taken by the Association on issues of importance to Vermont school boards. They may include recommendations for action by the VSBA, local school boards, the Legislature, the Executive Branch...or other decision-making bodies." Resolutions provide guidance for staff and the VSBA board when they are working in the public policy arena or developing programs and services for VSBA members. Resolutions are not legislation.

All resolutions submitted by member boards will be submitted to the membership at our Annual Meeting, regardless of the recommendation of the Committee or the VSBA board. The VSBA Resolutions Committee and the VSBA Board make a recommendation to "Pass", "Do Not Pass" or "Take No Position" on any resolution submitted by a member school district board. After careful consideration of resolutions submitted by member boards, the VSBA Resolutions Committee developed the following Resolutions Report and presented it to the VSBA board at the August board meeting.

Respectfully Submitted,

Flor Diaz Smith, Central Vermont Region, Committee Chair

Martine Larocque Gulick, Western Chittenden Region

Mark Clough, Kingdom South Region

Colleen MacKinnon, Eastern Chittenden Region

Dave Sharpe, Addison Region

Gaston Bathalon, Kingdom North Region

Marc Schauber, Windham Region

Don Collins, Franklin Region

Jim Salsgiver, Bennington Region

Adrienne Raymond, Rutland Region

Amy McMullen, Windsor Region

**2022-23 Resolutions Submitted to
The Vermont School Boards Association**

New Resolutions Submissions:

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**Resolution Proposal #1:
Missisquoi Valley School District
Technical Education**

WHEREAS: 16 V.S.A. § 1571 defines a “Regional career technical center school district” and “regional CTE center school district” as a district that maintains a regional career technical center under a governance structure approved by vote of the electorate pursuant to this subchapter.

AND WHEREAS: Vermont based contractors and Vermont homeowners frequently reference a severe shortage of persons seeking employment in skill areas such as plumbing, electrical and energy systems, as well as food service, healthcare and childcare;

AND WHEREAS: Many of the current licensed employees in these fields are nearing retirement age adding to the potential employment crisis in those trades.

AND WHEREAS: The current funding and governance models of regional technical education are often a “roadblock” for interested students and at odds with the goal of increasing opportunities and access for Career and Technical Education.

AND WHEREAS: The quality and access to technical education in Vermont is key to the individual success of many Vermont students as well as being of prime importance to a robust Vermont economy.

BE IT RESOLVED: That the general assembly should require the Agency of Education to identify and propose new models of funding and governance structures to improve the quality, duration and access to career technical education in Vermont.

UPDATE: The MVSD withdrew this proposal and instead submitted a proposal to amend VSBA Resolution I.O. (see page 10).

**Resolution Proposal #2:
Missisquoi Valley School District
Section V, Subsection E
Surety Bonds**

WHEREAS: 16 V.S.A. §492 states that, “The powers, duties, and liabilities of the collector, treasurer, prudential committee, and clerk shall be like those of a town collector, treasurer, board of school directors, and the school board clerk, respectively. Before entering upon their duties, the collector and treasurer shall give a bond to the district conditioned for the faithful performance of their duties, in such sum as may be required.

WHEREAS: 16 V.S.A. § 706q states that, “Before entering upon the duties of their office, the board of school directors shall give a blanket bond and the treasurer shall give a personal bond to the district, conditioned upon the faithful performance of their duties. The treasurer's bond shall be in such sum as the board of school directors shall require. The board of school directors' bond shall be in such sum as shall be required by the Secretary of Education.”

AND WHEREAS: 24 V.S.A. § 832 states that, “Before the school directors, constable, road commissioner, collector of taxes, treasurer, assistant treasurer when appointed by the selectboard, clerk, and any other officer or employee of the town who has authority to receive or disburse town funds enter upon the duties of their offices, the selectboard shall require each to give a bond conditioned for the faithful performance of his or her duties:”

AND WHEREAS: It is the near universal practice in Vermont school districts and municipalities to utilize criminal liability insurance rather than a surety bond.

BE IT RESOLVED: The General Assembly should provide an additional mechanism in both 16 V.S.A. § 492, 706q and 24 V.S.A. § 832 that the school district or other municipality may choose to provide suitable crime insurance coverage in lieu of a blanket bond.

UPDATE: The MVSD withdrew this proposal due to the enactment of Acts 166, 176, 179 of 2022.

Resolution Proposal #3:

Burlington SD

Section II, Subsection B(5) (*amendment to current resolution*)

Remediation Funds for PCB & Radon Contamination in Schools

WHEREAS: Polychlorinated Biphenyls (PCBs) are human-made chemicals that were used in building materials and electrical equipment before 1980;

AND WHEREAS: School buildings renovated or built before 1980 are likely to have PCBs in their building materials;

AND WHEREAS: In 2021, the Vermont legislature passed Act 74 requiring all schools built or renovated before 1980 to test their indoor air for PCBs by July 2024;

AND WHEREAS: The Vermont Department of Environmental Conservation (DEC) has the authority to require schools to make fixes that will lower exposure to PCBs, if levels are found at or above the school action level;

AND WHEREAS: Students in Burlington had to vacate their high school and technical center buildings and were left with no school for months;

AND WHEREAS: An emergency evacuation of a school building due to PCB contamination causes a crisis within a community;

AND WHEREAS: There are currently no state funds allocated for schools to identify sources of PCBs or to pay to make fixes to reduce exposure to PCBs;

AND WHEREAS: Radon is a radioactive gas that can cause lung cancer;

AND WHEREAS: The US EPA has protocols for Conducting Measurements of Radon and Radon Decay Products In Schools and Large Buildings (ANSI/AARST MALB 2014 WITH 1/2021 Revisions);

AND WHEREAS: The US EPA has Radon Mitigation Standards for Schools and Large Buildings (ANSI/AARST RMS-LB 2018);

AND WHEREAS: Section 12 of Act 72 (2021) requires that on or before June 30, 2023 all schools shall perform a radon measurement;

BE IT RESOLVED: The VSBA advocates that the Vermont legislature allocate funds to assist school districts with PCB and radon remediation, including districts whose contamination was discovered prior to the legislation and irrespective of costs covered by capital bonding.

BOARD RECOMMENDATION: PASS as a REGULAR RESOLUTION

Resolution Proposal #4: Burlington SD
Section II (Finance), Subsection W
Public Funds Accountability

WHEREAS: Vermont Supreme Court’s 1997 decision in Chittenden Town School District v. VT Dept. of Education, establishes that under the Vermont Constitution, “...that a school district violates Chapter I, Article 3 when it reimburses tuition for a sectarian school [...] in the absence of adequate safeguards against the use of such funds for religious worship.”

AND WHEREAS: All Vermont public schools are subject to the Vermont Public Accommodations act, 9 V.S.A. § 4502 (a), “An owner or operator of a place of public accommodation or an agent or employee of such owner or operator shall not, because of the race, creed, color, national origin, marital status, sex, sexual orientation, or gender identity of any person, refuse, withhold from, or deny to that person any of the accommodations, advantages, facilities, and privileges of the place of public accommodation.

AND WHEREAS: VSBA Resolution (2021-2022) II D, USE OF PUBLIC FUNDS [2000], states: “The VSBA does not support funding private independent educational institutions with public funds in districts that operate public schools for the education of local students, except at the discretion of local school boards. The VSBA opposes indirect public support to private independent educational institutions through the granting of tax credits or tax subsidies for tuition or expenses. Public education funds in Vermont districts that operate schools should be directed to the improvement of those public schools.”

AND WHEREAS: School choice is engrained in and a beloved aspect of Vermont education;

AND WHEREAS: Tuition paid to private and independent schools by Public School Districts comes from the statewide education fund to which all taxpayers contribute;

AND WHEREAS: In non-operating districts or those that tuition certain grades, Parents and Guardians may choose to send their children to any public school in Vermont or to any school approved by the Board of Education to receive public funds;

AND WHEREAS: Diverting public school tax dollars to private and independent schools creates a circular problem where fewer funds are being invested in public schools; which in turn causes a reduction in the quality of education in our public schools; which then causes more students to choose to attend private and independent schools, draining ever more money from our public schools. Over time more and more Vermont children are denied the high quality education through taxpayer funded public schools to which they are entitled;

AND WHEREAS: The continued draining of public funds from the public education system for private institutions continues to increase the divide between the education one can get in public schools as compared to private and independent schools;

BE IT RESOLVED: The VSBA advocates that all rules, regulations, policies, quality standards, reporting requirements and laws regarding public schools in Vermont must apply to any school that receives funds from the statewide education fund, for any reason or for any purpose.

BOARD RECOMMENDATION: PASS as a CONTINUING RESOLUTION

**Resolution Proposal #5:
VSBA Resolutions Committee
Section I (Governance, Local and State), Subsection Q
Governance Standards**

BE IT RESOLVED: The VSBA advocates for significant input on the school district quality standards adopted by rule of the AOE regarding the business, facilities management, and governance practices of school districts.

BOARD RECOMMENDATION: PASS as a REGULAR RESOLUTION

Resolution Proposal #6:
VSBA Resolutions Committee
Section V (Miscellaneous), Subsection E
Universal Meals

BE IT RESOLVED: The VSBA supports Universal School Meals in Vermont schools. The funding should come from a source other than the education fund.

BOARD RECOMMENDATION: PASS as a REGULAR RESOLUTION

Review of Regular Resolutions

CODE	SUBJECT	Board Recommendation
I.L	TIMELY AND RELIABLE INFORMATION & IMPLEMENTATION (Chart of Accounts & Acting system)	Continue
I.M	MONITOR OUTCOMES FROM ACT 46 GOALS	Continue
I.O.	GOVERNANCE OF CAREER & TECHNICAL EDUCATION (CTE) SCHOOLS	Continue with the following amendment (proposal from MVSD): A study should be conducted to better understand the variety of CTE governing models, operations and budgeting structures that exist across the State. The study would examine any inconsistencies that impact student learning and outcomes, in addition to the ways that host districts and sending districts have a voice in the governance and operations of the CTE. <u>and identify and propose new models of funding and governance structures to improve the quality, duration and access to career technical education in Vermont.</u>
I.P.	AUSTRALIAN BALLOT FOR DISTRICT VOTES	Delete
II.E	COMMON LEVEL OF APPRAISAL	Continue
II.F.	REFORM THE EDUCATION TAX SYSTEM	Continue
II.O.	FAIRLY DISTRIBUTED PRE-EXISTING DEBT	Delete
II.P.	BROADBAND ACCESS FOR EDUCATION	Continue
II.T.	SHARED SCHOOL DISTRICT FINANCIAL SOFTWARE SYSTEM	Continue
II.U.	EDUCATION FINANCE	Continue
III.J.	SCHOOL STABILIZATION: STUDENT MOBILITY AND RESILIENCE	Continue <i>(*correct typo in resolutions document)</i>

