

DRAFT

DRAFT

MEETING OF THE
MONTPELIER BOARD OF SCHOOL COMMISSIONERS

April 11, 2018
MINUTES

Minutes Approved:

Present

Board: Bridget Asay, Becky Bowen, Michele Braun, Tina Muncy, Jim Murphy, Nancy Reid, Peter Sterling (arr. 6:35 p.m.)
Administration: Superintendent Brian Ricca, Principal Pam Arnold, Director of Student Support Services Mary Lundeen, Director of Facilities Thom Wood, Business Manager Grant Geisler
Student: Omeed Fallahi
Public: Steve Avery, Elmira Behzadikia, Josh Jerome, Jerry Kilcourse, Stephen Mills, Matthew Nunnelley, Liliane Savard, Tim Sinnott, Barbara Thompson, and others

Item I – Call to Order The meeting was called to order at 6:04 p.m. Mrs. Braun moved the public comment portion of the meeting to the end of the agenda. Superintendent Ricca requested an addition to the consent agenda for approval of FY19 teacher contracts. He also requested approval of a co-curricular contract.

Item II – Consent Agenda

- **Approval of Minutes of April 4, 2018 School Board Meeting**
- **Approval of Warrants for Payroll & Accounts Payable for April 27, 2018 (Limitations Policy 2.4)**
- **Approval of Teacher Contracts for FY19 (Limitations Policy 2.9)**

Ms. Muncy moved, seconded by Mr. Murphy, to approve the consent agenda including minutes of the April 4, 2018 regular meeting, Warrant 22 dated April 26, 2018 in the amount of \$942,330.96, and the teacher contract list for FY19. Motion carried unanimously, Mr. Sterling absent.

Item III – Limitations Policy 2.7 – Asset Protection

- **Approve Short Term Lease with Vermont State Employees Credit Union (VSECU)**

The subject lease agreement calls for temporary use the “mud lot” at Montpelier High School by the credit union for employee parking. The agreement allows for use of the lot in its as is condition. Mr. Murphy moved, seconded by Ms. Bowen, to approve the short term lease with VSECU. Motion carried unanimously, Mr. Sterling absent.

Item IV – Ratify Vote Taken at March 29, 2018 Meeting

Vice Chair Bridget Asay apologized to the public for the improper warning of the March 29, 2018 special meeting, saying the mistake was totally unintentional. She went on to say that the Board, on advice of counsel, immediately put a plan in place to correct the mistake and that is what the Board would be doing tonight by taking a vote to ratify the action taken at the March 29, 2018 meeting.

Mr. Murphy moved, seconded by Ms. Asay, to ratify and confirm the action taken at the March 29, 2018 special meeting. Motion carried unanimously, Mr. Sterling absent.

Mrs. Braun criticized The Times Argus for its false and misleading reporting of the superintendent contract agreement and said the Board would no longer be responding to questions from The Times Argus on the matter. She then read a prepared statement (copy attached).

Item V – Public Comment

A handful of community members were in attendance and weighed in on the superintendent contract agreement, one expressing disappointment in The Times Argus' coverage of the matter, one thanking the Board for its work and saying the community wanted to hire the best possible candidate to replace Dr. Ricca, and one thanking Dr. Ricca for his service.

Item VI – Approval of Co-Curricular Contract

Ms. Asay moved, seconded by Mr. Murphy, approval of a co-curricular recommendation (see listing). Motion carried unanimously.

Item VII – Adjourn

On a motion duly made and seconded, the Board voted unanimously to adjourn at 6:40 p.m.

Heather Michaud
Recorder

Co-Curricular Appointment

Cecere, Louis	Tennis, Girls: Assistant Varsity Coach	MHS
---------------	--	-----

STATEMENT BY MONTPELIER BOARD CHAIR MICHELE BRAUN

The Montpelier Board of School Commissioners believes it is necessary and important to clarify the nature of its legal obligations contained within its employment contract with Superintendent Brian Ricca, and to publicly indicate that such considerations influenced its determination to negotiate and execute the Resignation and Settlement Agreement with Superintendent Ricca.

The Board retained experienced employment counsel who advised the Board about its obligations under its contract with the Superintendent. The contract was for a stated term of July 1, 2016 through June 30, 2018. Under Section 4 of the Agreement, the Superintendent was obligated to notify the Board of his intent to seek renewal on or before March 1, 2018. He did so. On or before April 1, the Board was to vote on whether to offer the Superintendent an extension of his employment for not less than two years. If, however, the Board did not offer to renew the Superintendent's contract by April 1, the contract gave the Superintendent the option to automatically extend the current contract for an additional one year period..

Further, the Board's counsel advised that under Section 6 of the contract, the Superintendent was granted the right to a hearing before the Board upon request in response to any Board decision of non-renewal. Additionally, the contract required that the Board demonstrate that its decision to non-renew was "supported by just cause."

The articles appearing in the *Times Argus* have suggested that if the Board provided notice of non-renewal by April 1, this would automatically cause the Superintendent's term of service to end June 30, 2018 without any further action required on the part of the Board. In the Board's view, this is an incomplete and misleading reading of the agreement.

Because the contract included a standard of just cause for non-renewal and right to a hearing on that issue, the Board believed that as a matter of prudence it needed to be mindful of the risks, time and expense potentially involved. The Board came to the unanimous conclusion that the better course of action was to preclude this risk, time delay and expense by reaching a clear and mutually satisfactory settlement agreement with Superintendent Ricca.

The Board is very hopeful that this explanation will help the public to have a better understanding of the Board's actions in this matter and the reasons for them. The Board is comprised of 7 members who work with great integrity on behalf of our wonderful district. All members worked together to derive a mutually acceptable and unanimously supported agreement so that the District can move forward positively.