

LAMOILLE UNION DISTRICT #18 BOARD MEETING MINUTES
GMTCC COMMUNITY EDUCATION CENTER
TUESDAY, SEPTEMBER 15, 2009

Board members present: B. Bailey, D. Baker, J. Eisenhardt, S. Hamlyn-Prescott, P. Ingvaldstad, T. O'Hear, D. Osborn, S. Reber, K. Roberts, W. Sander, D. Whitcomb. Absent: B. Penberthy. Others: D. Taylor, B. Schaffer, J. Teegarden. C. Hindes, M. Frederick, M. Spaulding, G. Chicoine, Tim Messier, S. Cano, Tim Torrey.

Note: All votes taken are unanimous unless otherwise noted.

1. *Call to Order, Introductions, Adopt the Agenda, Announcements and Public Input*

S. Reber called the meeting to order at 6:40.

2. *Consent Agenda Items (Approval of Minutes of the September 1, 2009 Meeting, Acceptance of Administration Reports)*

S. Reber said it was agreed at the last meeting to make extra-duty contracts part of the consent agenda, but he put them on the agenda as separate action items. He said it had been suggested that the board approve the teacher contract first before approving the extra-duty contracts.

MOTION: K. Roberts moved to approve the consent agenda, seconded by T. O'Hear, and the motion was passed. K. Roberts asked that approval of extra duty contracts be removed from the consent agenda. (*S. Cano arrived at 6:44.*) **The motion to approve the consent agenda with the approval of extra-duty contracts removed was passed.**

3. *Administrative Reports and Action Items*

A. *Facilities*

Roof Bids

M. Frederick said central office went out again for bids on replacing the central office roof (owned by LUSD). Out of 5 bids, the low bidder is Burrell Roofing, a company with an excellent reputation. M. Spaulding said Burrell's \$19,750 bid is within the realm of what we budgeted (\$18,000), and he recommends awarding the bid to Burrell.

MOTION: P. Ingvaldstad moved to award the central office roof bid to Burrell Roofing, and the motion was seconded and passed.

Snow Plowing Contracts

M. Frederick said the low bidder for snow removal for the GMTCC/Hardwick campus was Gravel Construction. There were 2 tied low bidders for the LU campus. Of those, there have been many strong positive experiences with Grimes, Inc., and based on that, administration recommends awarding the Hardwick bid to Gravel Construction and the LU bid to Grimes. M. Spaulding said last year, we separated the salt bid out. We decided to do salting on our own, and bought a plow truck. We saved about \$3K over the bid for salt. But it was a huge advantage to be able to clear the parking lot ourselves. This year we opted to take on more responsibility. Drives and sidewalks used to be the

responsibility of the snow removal contractor, but this year we will be handling sidewalks.

MOTION: J. Eisenhardt moved to award the snowplowing contract for the GMTCC Hardwick campus to Gravel Construction, and the snowplowing contract for the LU campus to Grimes, Inc., seconded by W. Sander, and the motion was passed.

B. Central Office

Ratification of 2009-2010 Teacher Contract

G. Chicoine distributed copies of the new teacher contract to those who wanted them. He said it is basically a carry-forward of the contract that just expired. He described the few things that were changed. The grievance language in all contracts is now identical, and that may have meant some changes to this contract; he is not sure. The only benefits change is that 2-person dental coverage is now free. This contract introduces for the first time a provision allowing administrators to call teachers back when school is not in session for planning or other activities. Compensation for that is half of a teacher's per diem for a half day and full per diem for a full day. The contract increases everyone's pay by one step.

MOTION: W. Sander moved to ratify the teacher contract, seconded by S. Hamlyn-Prescott. S. Hamlyn-Prescott said the starting base for the salary schedule is the same. D. Baker asked how many years the contract is for. W. Sander said one year. S. Hamlyn-Prescott said the SU-wide contract negotiation process was mandated by the legislature. **The motion was passed, with K. Roberts opposed.**

403(b) Plan Employer Contribution for Support Staff

G. Chicoine said last year we terminated the old 401(a) plan for support staff and substituted a new 403(b) plan with 2 classes of employees – those who participated in the old plan and others. (*T. Torrey arrived at 7:00.*) We just finished the first operating year of the new plan. The employer contribution for 2008-09 is \$52,569.94 for 60 people. Three out of the 60 did not work the required 1000 hours. He asked that an exception be granted to grant those people their matches. We have a legal opinion that that is defensible.

MOTION: T. O'Hear moved to authorize the payment of a grand total of \$53,569.94, representing the employer contribution for the 2008-09 plan year, for allocation and remittance to the 403(b) accounts of the 60 qualifying support staff employees who participate in the plan. It is further noted for the record, as a one-time exception granted for the 2008-09 plan year only, that the above amount includes \$779.44, payable to three of the 60 LUSD support staff employees who participated in the 403(b) plan, but failed to work the necessary qualifying hours, 20 per week (or 1000 for the year) through no fault of their own, as otherwise required by the plan. J. Eisenhardt seconded. W. Sander asked, is the 1000 hour requirement ours, or the IRS's? G. Chicoine said it is an IRS requirement, but we have to amend the plan to align with IRS regs that came into effect after the plan was set up. He said it was a mistake on our part to put the 1000 hour requirement into the

employer contribution part of the plan. It will be moved to the basic eligibility section. W. Sander asked, aren't we violating IRS regulations? G. Chicoine said no, because this plan went into effect before the IRS regs. **The motion was passed.**

4. **Directors' Orders:**

8/28/09	\$121,441.08
9/4/09	\$83,366.63
9/4/09	\$570.00 (construction)

S. Hamlyn-Prescott recommended approving directors' orders as printed.

MOTION: W. Sander moved to approve directors' orders as printed, seconded by J. Eisenhardt, and the motion was passed.

5. **Administrative Reports and Action Items (continued)**

A. **High School**

Extra-Duty Contracts

The list of extra-duty contracts to be approved had been included in the packet, but B. Schaffer said he wanted to remove some names from the list: Doug Boardman – Alternative Fiction, Sally Hendon – Jazz Band, Jeremy Rector – Performing Arts Club, and Brian Schaffer – Senior Class Advisor.

MOTION: W. Sander moved to approve the extra-duty contracts as presented, with B. Schaffer's changes, seconded by J. Eisenhardt. B. Schaffer explained that he searched for a senior class adviser and was unsuccessful, so he took on the job, but he doesn't want to receive payment. Instead, he wants to transfer the budgeted amount to help fund graduation costs. D. Osborn asked if the activities removed from the list of extra-duty contracts will still be happening. B. Schaffer said he needs to sit down with the union president and iron out the language regarding some clubs to align with the master agreement. It's not that those activities will not be happening. S. Hamlyn-Prescott said the master agreement has a list of activities and their rates of compensation, and if an activity is not on that list, the rate of compensation is to be agreed on by the union president and the principals. **The motion was passed.**

B. Schaffer said each year the senior class spends \$800-\$1000 for graduation, on flowers, refreshments, etc. He doesn't want compensation for serving as senior class advisor – he would rather see the money put toward graduation costs.

MOTION: W. Sander moved that the amount budgeted for senior class advisor compensation (\$1044.80) instead be transferred for one year only to fund graduation costs, at the principal's request, seconded by B. Bailey. D. Osborn said her senior is happy B. Schaffer is doing this. **The motion was passed.** W. Sander said the board is appreciative of B. Schaffer's gesture.

B. **Middle School**

C. Hinds said he would like to remove 3 names from the list of extra-duty contracts he had sent out: Nicole Burke – Student Council Advisor, Dave Cray – Team Leader - Guidance, and Jean Sequeira – Ski and Ride Advisor.

MOTION: W. Sander moved to approve the extra-duty contracts as pre-

mented, with C. Hindes' changes, seconded by K. Roberts. C. Hindes said his changes were for the same reason as B. Schaffer's. **The motion was passed.**

C. **GMTCC**

MOTION: S. Hamlyn-Prescott moved to continue the side agreement for the GMTCC maple sugaring adviser, in the side letter signed in 2007, and the motion was seconded. She explained that compensation for that activity is not on the current list in the master agreement. **The motion was passed.**

D. **High School (continued)**

Member-to-Member Hockey Agreement

MOTION: K. Roberts moved to approve the member-to-member agreement with Peoples Academy for Ice Hockey, seconded by P. Ingvoldstad.

T. Messier said 2 kids are involved. There are also 3 kids playing football with BFA, under a previously approved member-to-member agreement. We also take kids from other schools for lacrosse. But we wouldn't take kids from other schools if it would mean any cuts for our students. S. Reber asked why this type of agreement is only available for team sports. T. Messier said that's a big debate. It is still under discussion, and being considered by the state. Most athletic directors feel it should be spread to as many sports as possible. **The motion was passed.**

Extra-Duty Contracts for Athletics

B. Schaffer said the extra-duty contracts for athletics were not included in the packets. He read a list of coaching positions and individuals for fall extra duty contracts for the middle school and high school.

MOTION: W. Sander moved to approve the extra-duty coaching contracts listed by B. Schaffer, seconded by D. Baker. D. Baker asked, isn't it a little late? B. Schaffer said we didn't have a master agreement, so he was not sure where the contract amount would come in. D. Osborn asked, can it be called an extra-duty contract if there is no regular contract for the person? W. Sander and others said yes. **The motion was passed with S. Hamlyn-Prescott abstaining.**

Late Buses

W. Sander said he's hearing that some late buses are full beyond capacity. M. Spaulding said they are allowed to seat 3 per seat. He doesn't think they are running over capacity. They are sending second buses to pick up overflow if they are over capacity. Crowded late buses are typical at the start of the year.

GMTCC Bus Lease

D. Whitcomb asked how much we are getting for leasing the GMTCC bus to Eden, and why that lease didn't come to this board for approval. He said the Eden board didn't know about it, and neither did this board. M. Frederick said she talked to J. Teegarden and J. Lindgren about it. Eden is leasing the bus for about \$4K a year. That is not high enough to require going out for bid, and she thought within that realm the director and principal could agree without board

involvement. Eden pays so much per mile. It is a rental, not a purchase. D. Whitcomb said he feels that's wrong. This board should at least know about it. The bus still has GMTCC on it - what does that do for insurance? M. Frederick said nothing; our insurance is for all of LNSU. They were not trying to hide the lease situation. Schools have leased buses before for a shorter term, if a bus broke down. D. Whitcomb asked, is there a written contract? M. Frederick said yes. J. Lindgren has signed it, but J. Teegarden hasn't yet. D. Whitcomb asked M. Frederick to send him a letter bringing him up to date on this issue. M. Frederick said she would. She said because of the precedent of leasing buses for short term periods without board approval, she didn't think board approval was necessary in this case. (*T. Messier left at 7:33.*)

E. Central Office

Report on Criminal Background Check Implementation

A memo from S. Cano on criminal background check procedures was included in the packets, as a follow-up to a board request. D. Taylor said S. Cano has been assisting with oversight of this project. S. Cano was part of a statewide committee and testified to the legislature. S. Cano said we now have to do criminal background checks supported by fingerprints, DCF, and Department of Aging and Disabilities (DAIL) checks for people we contract with and student teachers. For work study students, we just have to check the Internet Sex Offender Registry. We also have teachers from abroad who come for short-term experiences, and complex cases at the tech center, where a variety of people come in – some paid, some volunteer. Volunteers currently need to be checked through the Internet Sex Offender Registry. We expect to get future statutory requirements for checking volunteers. We have to charge for background checks. All organizations we contract with have agreed to cover payment for their people. We are billed by the Vermont Crime Information Center. Checks for work study students and volunteers have to be handled at the building level, by principals.

Over the summer, we made sure people we contract with had the language we require in our contracts. The goal had been to initiate the background check process for each employee prior to the opening of school, or bar people from contact with students. S. Cano has a listing of people or agencies who are totally cleared, and those who are provisionally cleared because the process has been initiated but we are still waiting for some results. There are a couple of cases where the process is initiated but not far enough along to move to provisional, and a few are still on the barred list. Some are groups that provide some limited service in classrooms at the tech center. Probably one agency and one practitioner will continue to be on the barred list. D. Taylor distributed copies of the list to those who wanted it. S. Cano said we have submitted an application for the subscription service for DCF, and are waiting for a decision. Background check procedures for employees are detailed on the yellow sheet attached to the memo she sent out. Employees are now required to come to central office to start the background check process prior to their first

day of work. New hires can begin work, but dismissal can occur based on results of the check.

D. Whitcomb said he has not been fingerprinted yet, but RCT told him yesterday that he could pick up a student at LU, because the school did not initiate the transportation request. S. Cano said if DCF or someone else initiates the request, it is probably true that a driver who is not fingerprinted can do it. D. Whitcomb said John Nelson told him that as a volunteer he doesn't have to go through fingerprinting, etc. D. Whitcomb said we need to get it into our policy. S. Cano said volunteers need only an Internet Sex Offender check, but when we contract with RCT and pay money to them, individuals who drive for them need a more extensive background check, even though they are volunteers. D. Whitcomb said the law doesn't say that. He said volunteer drivers are not paid except for mileage; they are not employees at RCT. M. Frederick said we pay mileage to RCT. D. Whitcomb said the background check law doesn't apply in these situations, so we need to require background checks in our policy. S. Cano said this is a good example of the complexities of the law. If we contract with someone for a service, they must have a full background check. If we pay someone 5 cents and have a contract with them for service, we've interpreted that as requiring a full background check. We expect RCT drivers to have full background checks. RCT is complying with our requirements and requiring full background checks. D. Whitcomb said he thinks we should require that when any child is picked up here, whether the pick-up is initiated by us or not, the driver should have a full background check.

M. Spaulding asked how background check requirements affect plow contractors, electricians, etc. S. Cano said that question is part of the complexities of implementing this. She talked to J. Teegarden, and he couldn't come up with a 100% solid way to ensure people coming into the building couldn't be alone with students. She prefers to err on the side of fully protecting students rather than stopping short of full protection. She doesn't know the answer to M. Spaulding's question.

K. Roberts said she is concerned about workers in the dental van. S. Cano said we have a requirement that anyone on the van have a full criminal background check, including fingerprinting, even though we are not paying them.

P. Ingvaldstad said the first page of S. Cano's memo says if a new hire has completed a background check elsewhere, the results can be transferred. Is that new? S. Cano said it is not new. What it says is that if a new hire has completed a background check in another supervisory union within the past 3 years, and they sign a release, they do not have to be fingerprinted again.

D. Osborn asked what the policy committee should do. Can we keep the policy as is, with the addition of the requirement for Internet Sex Offender checks for work study students and volunteers? D. Taylor said the committee might

want to consider the point D. Whitcomb raised, about the potential for students to be transported when another agency requests it that doesn't have the same background check requirements. D. Baker and K. Roberts asked, how can we control that? D. Taylor said we'd have to investigate what we could do. S. Cano said she doesn't know the answer to that question, or to M. Spaulding's previous question. But she thinks background checks are intended to be for people who are providing services directly to children. The people M. Spaulding was asking about have only slight opportunity for unsupervised contact with children. She said she thinks it would be good for the policy committee to discuss this and to get clarification from the legislature. M. Spaulding said if we require background checks, contracts would have to be written with that language, and it would be very hard to do for, say, food delivery contractors, who have very high turnover. W. Sander brought up the issue of transportation parents arrange for their children. S. Cano noted that DCF is the parent for kids in their custody. M. Frederick said VASBO looked at the question M. Spaulding asked. They concluded that the test is whether there is a reasonable assurance that a contractor will not have unsupervised contact with a child. There is such an assurance with a food service contractor making a delivery. But there may be more opportunities for unsupervised contact with a contractor who is going to be at the school all summer.

P. Ingvaldstad said his concern is with mentors. He said it took 3 ½ months for his fingerprints to come back. He asked if our 4 week estimate is based on experience. S. Cano said that's how long it normally takes. K. Roberts said checks are supposed to be streamlined if they come through schools. D. Taylor said we can get an expedited check if we feel it is necessary.

B. Schaffer said he contacted the safety officer at RCT, who said that 56 school districts contract with RCT, and of those, Lamoille North has been the leader regarding background checks. So the board can rest assured that the issue has administration's attention. D. Whitcomb said if we have a general contractor coming in, they should give us a list of names of employees, so we can do a sex register check. Contractors sometimes hire prison parolees.

S. Cano asked the board to recognize the work that Jan Lyon has done on getting background check procedures up and running. She is the one who has been talking to agencies and helping people understand, using wonderful communication. The board asked administration to communicate its thanks to J. Lyon for the extra work involved, and also to express thanks to S. Cano for her work on background checks.

Update on H1N1/Swine Flu Situation

D. Taylor said AdCo met this morning and discussed the swine flu situation. Last Friday the commissioner gave guidance and recommendations about school closing. (*S. Cano left at 8:10.*) We will consider closure as we do other emergency closures for school. Administrators have been apprised of the

protocol. We haven't seen large numbers of students absent due to illness so far. A letter was on its way to us at the last meeting about how schools might be sites for vaccination. There are 3 options available to schools. For schools larger than 300 students, the Dept. of Health can come to the school and inoculate students. Administration agrees it is valuable to have inoculations available. Parent permission must be sought. We don't have a certain date yet. We've been told the vaccine will be available sometime in October. Administration would like to work with the Dept. of Health to make it possible to have LU serve as an inoculation site. W. Sander asked, what about the population at large? D. Taylor said she is not sure how much vaccine will be available. Staff are not included in the inoculations unless they are at high risk. The priority is students up to age 21. Her concern is possible low numbers of staff, even though there may be high attendance from students. We have not received clarification on whether we are required to make up days included in emergency closing for flu.

K. Roberts asked about the 3 options D. Taylor had mentioned. D. Taylor said DOH can come to the school for schools with 300 or more students. If a school has fewer students than that, as all the rest in our SU do except Cambridge, the school district can request vaccinations and the school nurse can administer them. Or schools can choose not to participate. Some schools have talked about sending students to another school (e.g. LU) for vaccinations. We need clarification on whether that can be done.

MOTION: W. Sander moved to empower administration to proceed with whatever option they feel is appropriate regarding providing inoculations at school, seconded by K. Roberts. M. Frederick said she went to an insurance risk management meeting today, and they reviewed the concept of schools sending students to other schools for inoculations. There is no final word, but the preliminary response is that it will probably be allowed. **The motion was passed.**

MOTION: W. Sander moved that the board give administration the power to allow use of the school as a vaccination center for the general population, should the need arise, seconded by P. Ingvoldstad, and the motion was passed.

Security on Campus

D. Taylor introduced Tim Torrey, general manager at GMATV. Shaun Bryer, who has been arrested and arraigned, is not presently an employee of LU, though some thought he was. He is chair of the GMATV board, which leases a space from this board. He was interrogated at the LU campus. He had a key, and was here working on some media. Because of the charges against him, D. Taylor contacted the state's attorney's office and spoke to the person managing the case. She asked if it would be possible for us to get the key back, but was told no; unless a special request is made to the judge, it is not possible to get property back in a situation like this. It was suggested that we change the

locks on the building, and D. Taylor has put that in place. It should be done within 24 hours. She also asked, if S. Bryer is released on bail, what parameters will be put in place for his contact with the school and students. He is going to be required not to have any contact with any individual under 18, and not to attend any school function or be on school property. She asked if it was recommended that we make a statement or directive that he is not permitted on school grounds, and was told that would be a good, safe direction. She has contacted the sheriff's office about a no trespass order.

P. Ingvoldstad asked, what's the process for the GMATV board to reorganize? T. Torrey said an emergency board meeting is scheduled for Friday. They can remove S. Bryer from the chair position, but he is not sure if they can remove him from the board. Programming that had anything to do with him and students he was working with was immediately taken off the air. K. Roberts asked, is any of his property here that we need to get to him? D. Taylor said she alerted the state's attorney's office that he was working on media here. W. Sander asked, is any thought being given to interviewing any students he may have had contact with? T. Torrey said he didn't think he had contact with any students from LNSU. M. Frederick said our insurance company has been notified of potential exposure. *(T. Torrey left at 8:31.)*

6. Committee Reports and Action Items

A. VSBA

K. Roberts said the proposed VSBA resolutions are available online, and they are asking people to weigh in on a straw poll. The VSBA annual conference will be Oct. 15 and 16 at Lake Morey. The keynote speaker is phenomenal. There are no new resolutions proposed. There is a standing one concerning teacher retirement. The VSBA regional meeting will be in Bakersfield on Thursday, Sept. 24, and will include dinner. There will be discussion on implementation of Act 82 and continuing issues in finance. P. Ingvoldstad said the keynote speaker at the annual conference is a professor at Michigan State who is from China. He compares the Chinese system and ours. K. Roberts said he has done a very interesting statistical analysis of the performance of U.S. students. The board will pay for those members who want to attend.

B. Finance Committee

M. Frederick said the master agreement changes to salary that were ratified tonight were not reflected in the financial report that was mailed out. They are working on calculations to adjust for those. We are still waiting for actual written confirmation on ARRA funds. Our protocol is never to use funds until we get that confirmation. The governor's office is pushing people to go ahead and start spending, but she's not inclined to change the protocol. S. Reber asked whether the board will learn at some point what the ARRA funds will be spent on. D. Taylor said there will be updates at LNSU board meetings, because the funds were applied for at the SU level. They will be spent primarily on professional development, some contracted services to support professional development, and some technology purchases.

M. Frederick said T. Messier's professional association is saying payment for extra-duty contracts statewide should go through the regular accounting process. The initial accounts have already been set up in our accounting system to make that happen. There will be no handwritten checks given out anymore. That includes checks to officials.

C. Policy Committee

D. Osborn distributed a description of the committee's policy reorganization proposal. They are looking at the overall organizational format of the policies. S. Reber said every change to policy wording will be approved by the full board, but the committee would just like to reformat the policies, adjusting numbers and titles. He asked if there was any objection to that. There was none. D. Osborn said the background check policy will now be the committee's top priority.

D. Cricket Hill Building Committee

K. Roberts she would like to announce publicly that, through M. Spaulding's hard work, we have received a grant for a photovoltaic array to be installed on the new building. That grant will cover \$12K of the \$20K installation cost, and there may also be other state funds. There was applause for M. Spaulding.

7. Request for Future Agenda Items and Adjourn

It was agreed that B. Schaffer and C. Hindes will present their action plans at the second meeting in October, and that J. Teegarden will present his at the first October meeting.

P. Ingvaldstad announced that he is the new coordinator for the Lamoille Valley Mentoring Partnership.

D. Whitcomb distributed copies of a memo from Shaun Bryer than he had obtained.

MOTION: It was moved and seconded to adjourn at 8:52, and the motion was passed.

Respectfully submitted by,
Donna E. Griffiths

Actions taken at the LU District #18 Board Meeting 9/15/09:

2. ***Consent Agenda Items (Approval of Minutes of the September 1, 2009 Meeting, Acceptance of Administration Reports)***

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C. GMTCC

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D. High School (continued)

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MOTION: W. Sander moved that the board give administration the power to allow use of the school as a vaccination center for the general population, should the need arise, seconded by P. Ingvaldstad, and the motion was passed.

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