

State Board of Education

Virtual via Microsoft Teams
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Draft Meeting Minutes

Date: February 21, 2024

Present:

State Board Members (SBE): Jennifer Samuelson, Chair; Tammy Kolbe, Vice Chair; Lyle Jepson; Richard Werner; Jenna O'Farrell; Mohamed Diop; Grey Fearon; Aaliyah Wilburn, Kim Gleason, Heather Bouchey (joined at 8:40 a.m.).

Agency of Education (AOE): Roseanne Neddo; Pat Pallas-Gray; Emily Simmons; Jaime Kraybill; Suzanne Sprague; J. Deborah Ormsbee; Ruth Durkee; Jess DeCarolis; Maureen Gaidys.

Others: Adam Walker, Media Factory; Sarah Buxton, SBE Attorney; Alyssa Chen, Education Justice Coalition of Vermont; Mary Kay Jurovcik; Amanda Garces, Human Rights Commission.

Call to Order, Roll Call, Amendments to the Agenda

Chair Samuelson called the meeting to order at 8:33 a.m. and asked for a roll call.

Item A: Public to be Heard

Alyssa Chen, former public school educator and current co-coordinator at the Education Justice Coalition of Vermont, [read this public comment](#) regarding the updated Education Quality Standards.

Item B: Approve [Draft Meeting Minutes from January 17, 2024](#) and [Draft Meeting Minutes from January 23, 2024](#)

Werner moved to approve the January 17, 2024 meeting minutes; Diop seconded. There was no discussion. Chair Samuelson called the vote. The motion carried. Werner moved to approve the January 23, 2024 meeting minutes; Gleason seconded. There was no discussion. Chair Samuelson called the vote. The motion carried. Jepson abstained.

Chair Samuelson asked again if there were any members of the public to be heard. There were none.

Item C: Board Announcements

Chair Samuelson said she testified before Senate Government Operations Committee on January 17, 2024 on S.55, an act relating to authorizing public bodies to meet electronically under Vermont's Open Meeting Law. She also testified to Senate Education Committee on January 18, 2024 on Rule Series 2200 and included [her presentation](#) in the materials for today's meeting. And she was invited by Senate Education Committee to testify on Act 1 and instead provided them [a memo](#) that was included in the agenda packet for today's meeting. Discussion followed on timing, content, sources, and mechanics of legislative updates.

Chair Samuelson asked again if there were any members of the public to be heard. There were none.

Jepson shared that the Vermont area robotics teams have received their challenge and are working to get to Houston for the World Competition in April. It is exciting to watch coders, electricians and manufacturers come together in a robotic competition.

Chair Samuelson asked again if there were any members of the public to be heard. There were none.

Item D: Student Report

Wilburn shared that it is playoff week for basketball and the girls' team is 17:2 and top seed. February break is next week. Seniors are committing to colleges and working on scholarship applications. She has committed to Wells College in Aurora, New York and will be playing basketball and possibly volleyball there. She plans to major in political science and minor in law or education and hopes to become an immigration lawyer or a Diversity-Equity-Inclusion Coordinator.

Fearon said the indoor track team is preparing for the New England meet. The musical is about a month away and takes a lot of time, with about one-quarter of the school involved in the production. February break is this week. The National Honor Society is planning a blood drive for next week. Winter Ball has passed, and the junior class is busy planning prom and the theme this year is Star Wars. The school board has prepared its budget and that was a chaotic process.

Item E: Secretary's Report

Interim Secretary Bouchey said her updates were mainly of a legislative nature. Major policy issues that AOE is working with the legislature include a substantial CTE bill that will finally fix the CTE funding problems; the proposed model would directly allocate CTE funds to CTE centers or their business office and come off the top of the Education Fund. There is a significant push for increasing access to CTEs, modeled after some very impressive programs (North Country) that are operating across the state. There was discussion on independent schools, personalized learning plans (PLPs), outreach, partnerships between LEAs and CTEs, career counseling, flexible pathways, dual enrollment, legislative change, and homeschoolers.

Interim Secretary Bouchey provided an update on the state set aside Title I funds withholding letter from U.S Department of Education (US ED). She answered questions regarding funding.

Interim Secretary Bouchey spoke about the Administration's literacy policy package that was submitted to the legislature, and she offered to share this information with the SBE.

Interim Secretary Bouchey updated on the Education Fund. She said H.850, an act relating to transitioning education financing to the new system for pupil weighting, has passed the House and is now with the Senate.

Chair Samuelson proposed addressing Item F, then breaking, then picking up with Item J and finally continuing with Items G and H.

Item F: Delegation of School Day Waiver to the Agency of Education

Interim Secretary Bouchey said this is a request to continue a practice that has been in place in past years. AOE has developed a good system that achieves equity in how these decisions are being made across the state. Simmons added that the [Secretary's recommendation](#) has two parts: to authorize the Secretary to make the decision on waivers and to waive a SBE rule for this year that makes days prior to February 1 that are not instructional days eligible for waivers. There was discussion on tracking numbers of closure days and the process for tracking waivers.

Jepson moved that the State Board authorize the Secretary to, on its behalf, grant waivers for any unanticipated closures under 16 V.S.A. §1071(c) in the 2023-2024 school year. Diop seconded the motion. There was no discussion. Chair Samuelson called the vote. The motion carried.

Gleason moved that the State Board waive application of State Board Rule 2311.1 for the 2023-2024 school year; O'Farrell seconded. There was no discussion. Chair Samuelson called the vote. The motion carried.

Chair Samuelson recessed at 10:08 a.m. and reconvened the SBE at 10:18 a.m.

Item J: Career Technical Education (CTE) Presentation

Chair Samuelson welcomed Ruth Durkee, State Director of CTE. Durkee introduced herself, gave background and shared her [Career Technical Education presentation](#), which covered CTE in Vermont, Pre-Tech Programs and Courses, Programs of Study, Enrollment, Program Quality and Success, Statewide Professional Learning, and Next Steps.

There was discussion on increase in CTE concentrators for nontraditional fields, CTE graduation rates vs. average graduation rates, Perkins funding that covers dual enrollment and credits, Department of Labor grants available for paid internships, grant opportunity

closes on February 29, post-secondary follow-up, and the practical difference between traditional and adult CTE programs.

Interim Secretary Bouchey congratulated Durkee on her leadership and the hard work she and her team have done, noting that the team's efforts are clearly assisting in expanding and sustaining our top-notch CTE ecosystem. Jepson emphasized that Durkee works hard to ensure equity across the state and noted that there are Vermont Student Assistance Corporation (VSAC) non-degree grants to support adult CTE.

There was discussion on CTE capacity, waiting lists, outdated/aging CTE facilities, access to alternative/additional spaces, more students interested than the space can accommodate, addressing the facility needs of CTE centers, CTEs with different levels of resources to support students who need additional support, using data to inform appropriate staffing levels, industry leaders' impact on programs, process for CTEs to open and close programs, the challenge in finding and keeping qualified/licensed professionals who have the skills to effectively teach, and apprenticeship licenses.

Chair Samuelson moved to Item K and said Items G and H would be taken up after that.

Item K: Possible Executive Session – Committee Meeting Recordings and Minutes

Chair Samuelson moved that pursuant to 1 V.S.A. §313(a)(1) that the Board finds that premature general public knowledge of confidential attorney-client communications made for the purpose of providing professional legal services to the State Board of Education would clearly place the Board at a substantial disadvantage; Diop seconded. There was discussion on the intent of the motion and returning from executive session to continue the discussion. Chair Samuelson clarified that the purpose of executive session was to receive legal advice to inform the discussion that will be held in public after the Board exits the executive session. Chair Samuelson called the vote. The motion carried.

Chair Samuelson moved that the Board enter executive session to receive confidential attorney-client communications made for the purpose of providing professional legal services to the Board pursuant to 1 V.S.A. §313(a)(1)(F). Jepson seconded the motion. Chair Samuelson called the vote. The motion carried.

The SBE entered executive session at 11:08 a.m. and returned to the regular meeting at 12:27 p.m.

Chair Samuelson said there are two issues: meeting recordings and meeting minutes. For recording, only public comment hearings are required by law to be recorded. Currently, the SBE records monthly SBE meetings and special meetings of the full Board. She spoke about S.55, an act relating to authorizing public bodies to meet electronically under Vermont's Open Meeting Law. The question is whether the SBE can reach consensus on a policy for

committee meetings being recorded. She noted transparency, availability and competing constraints. There was discussion on recording all regular and special meetings of the full SBE going forward.

Werner moved that the SBE not record any working sessions of any subcommittee; Jepson seconded. Kolbe clarified that subcommittees meant any meeting that was not a quorum of the full Board. Gleason recognized the competing concerns and the value of transparency and said that, whenever possible, written testimony would be attached to the minutes. Chair Samuelson called the vote. The motion passed unanimously.

Chair Samuelson said that, under SBE Rule 1222, Roberts' Rules of Order are followed and what is required by Roberts' Rules of Order with regard to the content of meeting minutes is less detailed than current practice. The question is if meeting minutes should be pared back to what is required by Roberts' Rules of Order for meetings that are not a quorum of the full SBE. There was discussion on having a template that includes the requirements of minutes per Roberts' Rules of Order for consistency across meetings.

Chair Samuelson moved that committee meeting minutes will follow Roberts' Rules of Order pursuant to SBE Rule 1222, with regard to the content of the minutes and any member of the public who provides written comment will have these comments supplied in the agenda packet and/or posted, and members of the public who do not have anything in writing will be asked to identify themselves and provide the subject matter of their comment before it is provided. Werner seconded the motion. There was discussion on how testimony is taken at subcommittee meetings and how to provide consistency. Chair Samuelson called the vote. The motion carried.

Item G: Rule Series 2000 (Education Quality Standards) Update

Gleason said Chair Samuelson sent a memo to the Legislative Committee on Administrative Rules (LCAR) requesting an extension. This was granted and the deadline is extended to June 5, 2024. The expectation is that the complete rule will be submitted to LCAR by April 19, 2024. The full SBE will have the rule series 2000 for review and possible approval by the March 20, 2024, meeting or at a special meeting close to that date. Gleason said among the bigger areas of attention for this Committee has been work around the definition of discrimination and the statement of purpose. Buxton referenced a [document she prepared](#) that addressed EQS discrimination language and the proposed updated language of the statement of purpose and read through different parts of it for the SBE's awareness. Kolbe cautioned that this topic is not being opened for discussion at this time as the SBE has likely not had the chance to digest this information.

Chair Samuelson acknowledged the hard work of this committee, and reassured the public that this language has come out of the EQS Committee and has not yet been discussed or approved by the full SBE. Kolbe offered that the process is for the EQS Committee to have a few more meetings, finish processing public comments and turn this document over to the full SBE at the March meeting for discussion and take a vote at a second meeting.

Item H: Rule Series 2200 Update

Chair Samuelson said there had only been one meeting since the January SBE meeting. The committee had some questions/research needed from Buxton. Meetings were cancelled and there are now three meetings scheduled for the weeks of March 4, March 11, and March 18, 2024. Hopefully, the committee will be nearing completion of its work soon.

Item L: Future Meeting Planning

Chair Samuelson explained that there will be an extensive EQS update at the next meeting, possibly followed by a Special SBE meeting, another rule series 2200 update, Presidential Scholars recognition and presentation from AOE committee that solicits for the Presidential Scholars, and a legislative update.

Item M: Public to be Heard

Amanda Garces, Human Rights Commission, acknowledged Chair Samuelson's letter responding to her testimony to the Senate Education Committee. She thanked the EQS Committee for providing some fresh air around this process on discrimination and why it is important to protect students and make that point to the legislature. There will continue to be concern about the process. She noted that the conversation on recording/not recording meetings was interesting and she appreciated Diop's suggestion to give more consideration to non-English speaking families.

Kolbe moved to adjourn; Werner seconded. There was no discussion. Chair Samuelson called the vote. The motion carried. The meeting adjourned at 1:18 p.m.

Minutes prepared by Maureen Gaidys.