

VERMONT STATE BOARD OF EDUCATION
Randolph Union High School, Media Center, 15 Forest Street, Randolph
December 20, 2011

The State Board of Education shall sustain a vision of high skills, creative thinking, and love of knowledge and learning for every student by setting education policy that ensures student achievement in a safe and healthy learning environment.

Approved Minutes

Present

Board Members: Chair Fayneese Miller; Kathy Larsen, Vice-chair; Don Collins; Laura Harris; Bill Mathis; Brian Vachon; Stephan Morse; Elizabeth Strano; Judy Livingston; Sean-Marie Oller

DOE: Armando Vilaseca, Commissioner; Rae Ann Knopf, Deputy Commissioner; Carol King; Jill Remick; Mark Oettinger; Deb Price; John Fischer; Lynne Eyberg; Ken Remsen; Marta Cambra; Alice Farrell

Other: Steve Gross, Middlebury; Scott Mosher, TAP; Sherry Gile, VTNEA; Dave Barnett, RUHS; Dan French, BRSU; Martha Allen, VTNEA; Steve Dale, VSBA; Brent Kay, OSSU; Bill Sugarman, OSSU; Ken Page, VPA; Penny Chamberlin, VSBPE; Angelo Odato, OSSU Board; Susan Strano; Erin Maguire, VCSEA; Jeff Francis, VSA; Tom O'Brien, ANWSU; Rick Pembroke, SVSU/BVSU; Julie Regimbal, VCSEA/FCSU; Norman Andrews, AFS; David Adams, Windsor SW SU; Mill Moore, VISA

Item A: Call to Order, Pledge of Allegiance

Fayneese Miller, Chair called the meeting to order at 8:56 a.m.

Item B: Roll Call and Introductions

The Chair and Board members introduced themselves, as did others in attendance.

Welcome to our school

Dave Barnett, principal of Randolph Union High School, welcomed the Board. Brent Kay, superintendent, also welcomed the Board. Bill Sugarman, director of the technical center, also spoke to the Board.

Item C: Announcements, Board Member Updates

Brian Vachon noted he has attended two meetings of the Vermont Standards Board for Professional Educators, largely focused on InTASC. He suggested the Board hear about this at a future meeting.

Don Collins will be serving on a NASBE (National Association of State Boards of Education) study committee, as will Sean-Marie Oller and Fayneese Miller.

Commissioner Vilaseca noted in the future item Bill Talbott will be addressing the State Board budget.

Vice-chair Larsen attended a WSSU Common Core meeting. She also attended an NESSC meeting in November.

Item D: Public to be Heard

Steve Gross, Middlebury/Temple University, spoke to the Board about the ESEA waiver request. He said schools are unable to change influences of underprivileged students; and the emphasis does not focus on creativity and experience. He suggests healthcare, housing and education be blended, and emphasis on creativity and empathy.

Discussion Items

Item E: ESEA Flexibility Waiver Request (Armando Vilaseca, Rae Ann Knopf)

Deputy Commissioner Knopf, with superintendents Jeanne Collins, Dan French, Brent Kay, presented the work of the Design Team which is tasked with drafting the Elementary and Secondary Education Act (ESEA) Flexibility Waiver for submission to the US Department of Education, due February 21, 2012. The department is requesting flexibility under No Child Left Behind, as are most states in light of Congress's failure to reauthorize ESEA.

French, president of the Vermont Superintendents Association (VSA), stated that the VSA supports the waiver request unanimously. NCLB has been harmful to education. The waiver will provide immediate relief from NCLB. He praised the department's work and noted the effort to work with the field. ESEA reauthorization is not expected to happen during the current congressional session. Collins, superintendent of the Burlington School District, said the law needs to be changed, and short of that happening, this waiver will provide the focus in the right place for her students. Kay concurred.

Knopf said the congressional delegation is aware of the work Vermont is doing on the waiver and has provided feedback as well. She noted the work with other agencies as well, such as Agency of Human Services. She also noted that the waiver requests by states will have an impact on the Federal ESEA reauthorization.

Ken Page of the Vermont Principals Association, who also serves on the Waiver Design Team, spoke to the Board, and noted that principals have borne the brunt of the NCLB penalties. He concurred that it is unfortunate that ESEA is not being reauthorized at this time, and said that principals support the waiver philosophy of continuous monitoring and common readiness, emphasis on college and career readiness, and that the Vermont solution is a positive way to move.

Martha Allen, of the VTNEA, also noted her organization's support for the waiver. VTNEA is focusing on the principal and teacher evaluation aspect of the waiver. They are hoping the waiver will alleviate some of the burdens on teachers currently.

Janet Steward, chair of the Vermont Standards Board for Professional Educators (VSBPE), spoke on that organization's support for the waiver. The emphasis is on educator and education quality, which is a positive change. The waiver is strongly aligned with the action plan of the VSBPE and the Teacher Effectiveness Task Force. They suggest clarity on the timeline and more emphasis on early education preparedness. She noted this is not an effort to decrease accountability, but rather puts it in the appropriate places, and does not decrease responsibility for teachers and administrators.

Steve Dale, Vermont School Boards Association (VSBA), noted the work of Knopf in doing a great deal of work bringing the right people to the table in a short period of time. He noted the flaw of the punitive aspects of NCLB; it does a disservice to the public and is demoralizing. VSBA strongly supports the submission of the waiver, knowing that the concerns of their group can be addressed over the next few years as the work continues in working with the federal government.

Erin Maguire, representing the Vermont Council of Special Education Administrators (VCSEA), also serves on the Design Team and noted the widespread input in to the waiver development process. The waiver is a step in the right direction, as NCLB didn't allow meaningful interventions for the students in the subgroups. VCSEA supports the waiver. If the waiver doesn't get approved, the state will be stuck with NCLB, which is not in the best interest of students.

Knopf noted the great deal of work by the Design Team, which was made up of education representatives from across the state. Board members offered appreciation to the team.

Larsen asked about progress monitoring in all grades, not just early grades. Knopf noted that there is nothing preventing schools from using summative assessment in any grades. Morse asked about any opposition, and Knopf noted that she has heard concerns from those who are opposed to any federal intervention, which would risk federal funds for the state.

Knopf asked the Board for preliminary approval of the concepts, and the final vote would be in January. Mathis said the waiver is still based on the flawed aspects of NCLB, and that the policy work with the federal government in the months to come is still to be determined.

By June, the Teacher Effectiveness Task Force will publish its guidelines and those would be incorporated into whatever future system the state moves to. Knopf noted that Secretary Duncan is not expected to be flexible on the annual testing requirements, so the Vermont team is working on meeting his intent - that no student falls through the cracks - in hopes to meet the Secretary's intent in a different way.

Chair Miller asked how the Smarter Balanced Assessment Consortium fits into the testing. Knopf noted they are asking SBAC to develop assessments to develop tests that are not grade-based.

Collins asked what capacity the department and the field need to implement this work. Knopf noted that the capacity cannot just be about people, but using technology to better delivery curriculum and interact with students. He also asked about what role legislators play. Knopf noted the real power to bring about this change lies with the Board and the Department and the field, and that there is not expected to be any more funding. Collins noted that to do nothing is to accept things the way they are. Knopf also noted that much has been learned during the 10 years under NCLB, and therefore this is an opportunity to move forward on what has been learned and to take action to correct the current flawed system. She also emphasized the use of technology as a resource.

French spoke about this as an opportunity to provide alternative vision to federal policy. He challenged the system to focus on students more effectively and utilize technology, not use technology as an excuse. Knopf also noted the need to change how the department monitors the field and intervenes. French clarified that State Education Departments were designed decades ago for a different function, and echoed Knopf's comments that it is "collective responsibility".

Motion: Morse moved, seconded by Larsen, that the Board support the concepts as developed by the Flexibility Waiver Design Team, which will come before the Board for the final vote in January.

Mathis asked for details on the accountability system and interventions. Collins noted some examples such as TeachPoint at Essex and walk-throughs at her school. She also noted the work of a task force related to Professional Learning Communities.

Knopf explained the timeline, the transition from the current accountability system, including the School Improvement Grant (SIG) Schools, to move to the new system. She also discussed the identification of Focus Schools, Priority Schools, and Reward Schools under the School Profiles.

Oller asked how school districts will know this is a collaborative effort, and asked for more opportunities for those from all parts of the state to provide input. Knopf noted the current outreach, and explained there would be more outreach during the public comment period in January.

Strano noted she was excited for her peers on what she has heard as the future of assessments for students.

The motion passed unanimously (8-0).

Item G: FY 13 Budget Development (Armando Vilaseca, Bill Talbott)

Chief Financial Officer and Deputy Commissioner Bill Talbott and Commissioner Vilaseca met recently with Finance Commissioner Jim Reardon; the DOE Budget is level funded. As of July 1, the State Employee contract 3% pay reduction will be restored and employees will receive a 2% cost-of-living increase as well. Some federal funds are still unknown, which does impact the department and local districts. The tax commissioner proposed a 2 cent increase in the base education tax rate (.87 to .89), and the Governor has asked school boards to level fund their budgets. The Board will vote on the actual budget in January.

The Department, along with Agency of Human Services, did not receive the federal Race to the Top Early Learning Challenge grant.

Mathis suggested the department return with some ideas of what some needs are beyond the current budget. Commissioner Vilaseca also noted that the Buildings and General Services department is examining the space needs of the department with the goal of getting the department in one location.

Steve Dale of VSBA noted that the DOE has been significantly reduced but demands have increased, so any capacity that can be found at the DOE for serving the field is needed. He will send the list of items he mentioned to Carol King.

Talbott passed out the Board's November expenditure report. Board members will be participating NASBE events throughout the year.

Action Items

Item H: Consent Agenda

Motion: Mathis moved, seconded by Oller, to approve the consent agenda with comment:

1. Minutes of November 15, 2011 SBE Meeting
2. Appointment of Military Compact Commissioner (Armando Vilaseca; Mark Oettinger)

The motion passed unanimously (8-0).

Item I: Superintendent Vacancy: Essex-Caledonia Supervisory Union (Armando Vilaseca, Mark Oettinger) Commissioner Vilaseca and General Counsel Mark Oettinger requested the Board allow the Department to conduct a feasibility study for Essex Caledonia SU. Vilaseca noted that he had given the supervisory union permission to begin the search process to hire a superintendent for one or two years. Vilaseca also noted that the St. Johnsbury School District also has a superintendent vacancy and has been given approval to hire a permanent superintendent.

Motion: Morse moved, seconded by Mathis, that the State Board vote to place the Essex-Caledonia Supervisory Union under consideration for a supervisory union boundary change, pursuant to 16 V.S.A. §§ 241(a) and 261 (a) and SBE Rule 3232. The motion passed unanimously (8-0).

Item L: Commissioner's Update

Commissioner Vilaseca reiterated that the DOE did not receive the Race to the Top Early Learning Challenge grant and they hope to learn from that process. He noted the DOE recently submitted a Longitudinal Data System grant application.

12:07 p.m. The meeting adjourned for lunch. State Board members and guests ate lunch with Randolph Union high School and Randolph Technical Career Center students and toured the high school and technical center.

Discussion Items (continued)

Steve Dale, VSBA, spoke to the Board about the Essex Caledonia SU merger vote. The ECSU board would like to come to the January Board meeting to speak to the Board.

Mark Oettinger handed out research related to teacher strikes in other states.

Item F: 2012 Legislative Agenda

- Rep. Peter Peltz

Rep. Peter Peltz of Woodbury, House Education Committee Member, spoke to the Board about the legislative agenda. This would include revisions to Act 153, H. 440 (DOE Governance), statewide property tax rate, Picus report on education funding, Prek-16 simplification, Race to the Top grant, ESEA flexibility waiver, H.170 (special ed and independent schools), residency, Shumlin agenda, status of DOE, achievement gap, multiple pathways. He noted the committee was frustrated by DOE regarding data requests and funding requests, and how the numbers translate to student outcomes, as well as the capacity to meet their current requirements. Regarding H. 440, Government Operations and Education created a subcommittee to examine H. 440, and

they were able to agree on some aspects but not all. Morse noted that if the Board becomes what it is articulated in H. 440, a State Board may not be necessary. Rep. Peltz noted improved communication between the Board and the committees is recommended. Mathis asked what the committee could do to close the achievement gap.

- Act 153 Recommendations from a Task Force of Superintendents, School Business Officials and Directors of Special Education (Jeff Francis, Executive Director, Vermont Superintendents Association, and others presenting)

Jeff Francis of the Vermont Superintendents Association, joined by members of the Task Force of Superintendents, School Business Managers and Directors of Special Education (David Bickford, David Adams, Tom O'Brien, Julie Regimbal, Rick Pembroke) presented recommendations on Act 153 (see handout, Item F). VASBO and VCSEA have endorsed the recommendations, as did the VSA trustees and legislative committee. The Board members expressed their support for this work.

Motion: Morse moved, seconded by Oller, that the State Board of Education endorse the report of the task force as presented. The motion passed unanimously (7-0).

Item M: Future Agendas, Wrap Up and Adjourn

On January 17, the Governor and Stern Center for Language and Learning are hosting a meeting regarding closing the achievement gap, specifically focusing on literacy. There is a press conference scheduled for 10 a.m. since this event is scheduled on the same day as the Board meeting, Miller suggests the Board suspend the meeting during this time and attend the event. Miller then reviewed future agenda items: ESEA Flexibility Waiver Request, FY 13 Budget Approval, the "Mountain Towns" RED formation.

The Board asked the DOE to map the current school choice towns, the number of students in a district. Collins asked the DOE to review past school choice legislation with Legislative Council.

Motion: Larsen moved, seconded by Collins, to adjourn the December 20, 2011 meeting of the State Board of Education. The motion passed unanimously (7-0).

Item N: Reports Attached

1. Act 153 RED Formation Update (Vaughn Altemus)

Minutes recorded by Jill Remick
Minutes prepared by Carol King