

State Board of Education

October 20, 2015

Item N

**AGENCY OF EDUCATION
Barre, Vermont**

TEAM: Legal Division

ACTION ITEM: Will the State Board of Education approve the Agency's proposal for review of institutional applications that are submitted to the Agency pursuant to Rule Series 2200?

RECOMMENDED ACTION: That the State Board of Education approves the Agency's proposal for review of institutional applications submitted to the Agency pursuant to Rule Series 2200.

STATUTORY AUTHORITY: 16 V.S.A. § 166

BACKGROUND INFORMATION: The Agency has been revising and digitizing the application form independent schools use to demonstrate they have met minimum standards of eligibility to receive approval to operate and receive publicly funded students in the State of Vermont. The State Board has expressed some concerns with respect to fiscal reviews. NEASC reviews have a fiscal component. For Institutions that are not NEASC accredited, the Agency will continue to require site visits and some evidence of fiscal stability. To improve the quality of site visits, the Agency has identified three (3) former headmasters of approved independent schools in Vermont, all of whom come from respected institutions and who have experience with NEASC accreditations. We propose to contract with these independent school professionals to (i) review (on an individual basis) completed applications submitted by applicants for approved independent school status (initial approval or renewal of approved status), (ii) conduct site visits of a school seeking general education approval, and (iii) prepare a final report and recommendation with respect to approval to operate and receive publicly funded students. This change would bring our independent school process a little more closely in line with processes used to review post-secondary institutions in the state of Vermont. Relatedly, the Agency is streamlining internal administrative oversight of the independent school approval process by joining it with the postsecondary review workgroup. This workgroup will lead AOE's administrative oversight of institutional reviews for independent schools, distance learning programs, tutorial programs, and postsecondary institutions. The institutional review rules, beginning at Rule 2200, will now be joined for administrative oversight in one workgroup within the Agency. We expect the parallel processes and shared nature of the work will enable the workgroup to create a more efficient, cost effective process.

This internal process change will result in the Agency, in most cases, assigning one site reviewer to conduct the "site visit" of an applicant seeking approved status for each of the following:

- (a) general education application (for schools not accredited by NEASC) (typically the contracted independent school professional)
- (b) one or more special education endorsement application (if applicable)
- (c) approved distance learning program application, or
- (d) approved tutorial program application.

We propose to use the independent school professional to review the general education programs. We will not send a second AOE staff member to review these programs, unless there is an adverse recommendation such that a second review is warranted.

POLICY IMPLICATIONS: The Secretary at his/her discretion, through the institutional review workgroup, may assign one site reviewer to conduct a site review of an applicant institution for an applicant seeking status as (i) an approved independent school, (ii) an approved distance learning program, or (iii) an approved tutorial program. The rules (Rule 2222 and 2230.2.2) state a review committee conducting a site visit shall consist of at least two persons. The approach being proposed by the Secretary would allow one person, at the Secretary's discretion, to conduct a site visit. If that review results in a favorable recommendation for the applicant, then the application could move forward to the State Board. In this scenario, there is no harm to the applicant if one person conducts a site visit (as opposed to two persons). If a site review conducted by one person results in an adverse recommendation (i.e. –recommendation of denial of approved status), then the Secretary shall convene a second site review committee of at least two (2) persons. In this scenario, the applicant will be entitled to a second review, conducted by a review committee of at least two (2) persons. This ensures every applicant will not be subject to any adverse action without access to all of the options (set forth in the State Board's rules) having been exhausted.

To the extent one site reviewer is assigned to conduct a review by the Secretary, and the review results in a favorable recommendation for an application, the Agency can direct personnel resources to other tasks necessary for supporting organizational needs. At this time, the Agency simply lacks personnel capacity to staff site reviews with two or more staff members as a matter of course. In addition, the streamlined process outlined above is expected to add significant quality to the application review/recommendation process. Specifically, for independent school and distance learning program applicants seeking general education approval (that are not NEASC approved), the application review and site visit by a retired school headmaster will be akin to a peer review by a professional in the field who has unique knowledge, skills, and abilities to comprehensively assess all aspects of the institution's application for alignment with the State Board's approval rules.

For additional information, please see Secretary Holcombe's field memorandum dated October 5, 2015, attached herewith.

COST IMPLICATIONS (i.e., Monetary Resources; Staff Resources): N/A

STAFF AVAILABLE: Gregory Glennon, General Counsel

MEMORANDUM

TO: Heads of School, Council of Independent Schools
FROM: Rebecca Holcombe, Secretary of Education *(initials)*
COPY: Stephan Morse, Chair, State Board of Education; Julie Hansen, Chair, CIS;
Mill Moore, VISA
SUBJECT: Approved Independent School Application Process
DATE: October 5, 2015

Over the last year, we have been working to streamline the processes for applying for initial approval or renewal as an independent school, while still meeting our public assurance responsibilities as laid out in statute and regulation.

I am writing to let you know that we have finalized the new application process for independent schools seeking initial approval or renewal from the State Board of Education, as well as for independent schools seeking special education endorsement(s) from the Board. This process will replace the existing AOE application processes. If your school has already applied for approval or renewal, and if your application is in the process of being reviewed, you do not have to reapply, and your application submission will continue to be reviewed under the same rules (which have not changed).

There are three different application forms available online to support this process, as follows:

- A general education (GenEd) initial approval and renewal application for schools that are not NEASC accredited.
- A general education (GenEd) initial approval and renewal application for schools that are NEASC accredited.
- A form for approval or renewal in special education endorsement area(s). If a school is submitting this form as a part of a GenEd application process, the specific special education application should be submitted along with the appropriate GenEd form (the GenEd application or NEASC assurance form). Schools seeking to add one or more SPED endorsement(s) in the middle of a term of approval only need to submit the SPED form, and their application will be treated as an amendment to their existing approval.

These application forms can be found at the Independent Schools page of the AOE website and can be downloaded, printed, completed/signed and returned to the AOE by via first class mail, or by completing and scanning/emailing to the AOE. The application forms contain the specific instructions for completing and submitting the new application forms to the AOE.

While the application process is changing, the rules and statutes that apply to independent schools remain the same—these applications are a new way of representing existing requirements. This idea was central to the collaborative process of developing these applications through multiple conversations with the Council for Independent Schools and other stakeholders.

If you have any questions about the applications or the application process, we encourage you to visit the independent schools page of the AOE website, or to contact Cassandra Ryan at 802-479-8545.