

July 24, 2015

Strategic Goals: (1) Ensure that Vermont's public education system operates within the framework of high expectations for every learner and ensure that there is equity in opportunity for all.
(2) Ensure that the public education system is stable, efficient, and responsive to changes and ever-changing population needs, economic and 21st century issues.

MINUTES

Present

State Board of Education (SBE):

Stephan Morse, Chair; Sean-Marie Oller, Vice Chair; Krista Huling; Rainbow Chen; Peter Peltz; William Mathis; Mark Perrin; Bonnie Johnson-Aten; Rebecca Holcombe

Agency of Education (AOE):

Amy Fowler; Vaughn Altemus; Caitlin Callahan; Andrea LaRocca; Stephanie Brackin; Greg Glennon; Perry Thompson

Others:

Erin Mansfield, VTDigger.org; David Baker, Windsor SE SU Superintendent; Jeff Francis, Vermont Superintendents Association; Ken Page, Vermont Principals Association; Allen Gilbert, ACLU-VT; Davie Sharpe, House Education Committee Chair; Mary Hooper, House Appropriations Committee; Jeff Fannon, VT-NEA; Marty Strange, citizen

Item A: Call to Order, Pledge of Allegiance, Roll Call

Chair Stephan Morse called the meeting to order at 9:40 AM. He reminded those in attendance to sign the attendance sheet. The members of the SBE introduced themselves.

Item B: Public to be Heard (Items not on the day's agenda)

Allen Gilbert spoke regarding the allowable growth rate provision of Act 46. He said the Vermont ACLU has concerns that those provisions, if enacted, could violate the equity provisions established by the Brigham decision and subsequent enactment of Act 66. He said the ACLU will be monitoring how the new law is implemented and what effects it has on school budgets. He said he hopes a remedy can be made to the potentially problematic provision via the legislative process versus in a courtroom. He distributed a copy of a letter he had sent to the Governor's office regarding these concerns.

Updates/Discussion Items

Item C: Chair's Report

Morse said the Vermont Business Roundtable had requested a meeting with the SBE. They have worked as partners with the SBE in the past and are looking to rekindle that relationship. A representative from the Roundtable will be invited to either the September or October meeting.

Oller asked about untabling the motion regarding NASBE dues.

Motion: Oller moved to take that motion off the table for action at the August meeting. Seconded by Johnson-Aten.

Vote: The motion passed unanimously (6-0).

Holcombe reviewed recent developments in Washington, D.C., regarding the reauthorization of the federal education statute. She credited Vermont's Congressional delegation with helping to keep a focus on Title I and its funding formula and potential portability. Some of the proposals to amend the funding formula would have resulted in a loss of up to 1/3 of Vermont's Title I funding. She was happy to report that the current version protects the 21C program, which is essential for Vermont's extended day and extended year programs, neither of which is funded by state dollars.

She went on to explain that the current version provides a choice among a variety of testing. If the final reauthorization severs the tie between assessment and accountability then Vermont will be in a good position as it continues to implement an assessment system and evaluation scheme that works for Vermont's schools, allowing for a focus on equity and quality.

Holcombe added that Vermont had one of the most seamless implementations of the SBAC assessment of any state in the country. She said that Vermont received permission from the U.S. Education Department not to use those scores for annual determinations this year since the test is so new. But AOE is still required to make determinations.

Holcombe then talked about school-dependent children and the challenges of how to provide them with the support they need to become successful. This will require cross-agency cooperation and the targeting of dollars at high priority situations. Vermont is lucky that it has a strong commitment across demographic groups to support its schools.

Item D: Governance Changes

Holcombe said the number and type of conversations already underway regarding Act 46 are exceeding expectations. It has quickly become clear that there is no "one size fits all" solution for school districts. Each conversation with each district or Supervisory Union is unique and very complex. The conversations, however, are consistently focusing on the goals contained in the beginning of the Act and some are resulting in options that had not been contemplated before.

She said the field is starting to view the SBE differently in light of the new responsibilities given it in Act 46. In areas pertaining both to Act 46 as well as Educational Quality Reviews, the SBE will soon be receiving reports for which there may not always be a clear precedent on how to act on them. The SBE will be setting minimum standards and basic parameters for a district to achieve before it can move forward. She urged the SBE to consider what types of support it may need to carry out its work, being mindful of the limits on the resources available at the Agency. Morse noted that, on several occasions, both he and Mathis had spoken with various legislative committees and testified that the Agency does not have sufficient staffing to carry out what is being expected of it. He agreed with Holcombe that the SBE's role continues to change and he is quite aware of the fact that the SBE may need its own consultants and lawyers if it's going to be a truly independent board and carry out its duties to enact this historic piece of legislation.

Item E: Educational Quality Field Reviews

Fowler explained that the focus of this discussion was the Integrated Field Review (IFR) aspect of the Educational Quality Review (EQR) program. She went on to explain the objectives for why IFR are such an essential part of the EQR program. They provide an opportunity for the Agency to assess how well schools are operating. The IFRs will identify promising practices, create new networking opportunities for educators and build a sense of collective responsibility for the education of all students in Vermont.

She reviewed the 3 components of the IFR: training for the host and visiting teams, activities during the visit and the roles of the SU in hosting, and the composition of the visiting team. She reviewed some sample activities the visiting team may undertake as well as the structure of the final visit report, which will be written by an AOE employee.

Fowler said the ultimate goal of an EQR is to determine if the school is providing substantially equal educational opportunities or making progress towards that goal. If the answer is "no" to both, then the Secretary will have recommendations for the SBE to consider regarding that particular school.

Action Items

Item F: Draft: Act 46 Evaluation Criteria

Altemus reviewed the checklist the Agency created to help SUs/SDs determine if they were eligible to apply for an accelerated merger under Act 46. He emphasized that his report today was going to focus only on the accelerated merger provisions of Act 46. He explained the first page lists criteria to assist SUs/SDs in determining if it is reasonable for them to pursue an accelerated merger. On pages 2 and 3, the Agency captured the criteria the SBE identified during its Retreat that it will use to evaluate the merits of requests for accelerated mergers. Those criteria focus on three goals: equity, quality and transparency. Holcombe added that it was important for those applying for an accelerated merger have initiated some sort of process to involve their electorate.

Motion: Huling moved to support the checklist and the direction the AOE is moving with regard to accelerated mergers. Seconded by Oller.

There was discussion about fine-tuning some of the language on the checklist. Oller said her understanding of the motion was that the Agency could amend the checklist as necessary as the accelerated merger process moves forward. The rest of the Board expressed their agreement with that understanding.

Vote: The motion passed unanimously (6-0).

Item G: Names and Charges for New Committees

Morse noted that, at the Retreat, the Board had discussed creating two new subcommittees to focus on Governance and Educational Quality Reviews (EQR). In his discretion as Chair, he officially declared those subcommittees as formed and named each member of the SBE to one of the two subcommittees as follows:

Governance

Mark Perrin, Chair
Peter Peltz
Sean-Marie Oller
Krista Huling
Stephan Morse

Educational Quality Review

Bill Mathis, Chair
Stacy Weinberger
Bonnie Johnson-Aten
Dylan McAllister
Rainbow Chen

The meeting then recessed from 11:35 – 11:45.

Item Z: Executive Session

Morse stated that there is a legal issue related to Act 46 about which the Board needs to receive attorney-client advice. He noted that no final position would be established and no action taken during the Executive Session.

Motion: Oller moved to enter into Executive Session to receive confidential attorney client communication made for the purpose of providing professional legal services to the State Board of Education. Seconded by Huling.

Vote: The motion carried unanimously (6-0) at 11:50 AM.

The Board exited Executive Session and recessed for lunch and Subcommittee meetings at 12:35 PM.

Item H: Subcommittee Meetings Recap

The Board returned from recess at 2:55 PM.

EQR Subcommittee: Mathis said the committee had looked at its draft charge and would need to meet a few times to identify and determine the best means to resolve any outstanding conflicts in statute and rules. The proposed Charge for this Subcommittee is as follows:

- Provide oversight on alignment of EQR to statutes and rules. Identify inconsistencies and/or oversights in rule and statute related to EQR and propose remedies for those inconsistencies;

- The end product's purpose is to validly measure the quality of Vermont education as defined by Constitution, statutes and EQS. Where the evaluation system does not or cannot ascertain educational quality, make recommendations for changes to policy/statute as indicated;
- Advocate for staffing and resources to support the work effort.

Governance Subcommittee: Perrin explained the committee had reviewed its draft charge and had decided to look at a different role for itself: a place for people to come and explore possible conflicts in statutes. The committee will meet again before the August SBE meeting.

Motion: Mathis moved to approve the charge for the EQR Subcommittee. Seconded by Oller.

Vote: The motion passed unanimously (6-0).

Adjourn

Motion: Oller moved to adjourn the meeting at 3:05 PM. Seconded by Huling.

Vote: The motion passed unanimously (6-0).

Minutes recorded and prepared by Perry H. Thompson