

April 11, 2017

- 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.*

Rules 2200 Series Subcommittee Meeting Minutes

Present:

State Board of Education Subcommittee Members: Peter Peltz, John Carroll, Krista Huling, Bill Mathis, Chris Leopold, attorney (via phone), Bonnie Johnson-Aten (joined at 1:06 p.m. via phone)

Agency of Education (AOE): Clare O'Shaughnessy, Suzanne Sprague

State Board of Education: John O'Keefe (via phone)

Others: Patti Komline, VISA; Dillon Burns, Vermont Care Partners; Tammy Austin, Vermont Care Partners

Item A: Call to Order

Vice Chair Mathis convened the meeting at 1:02 p.m. He asked for a roll call.

Item B: Public to be Heard

Dillon Burns addressed the subcommittee as a member of the Vermont Care Partners which is the trade association for the network of designated mental health and developmental services agencies in the state. She advised the subcommittee that the organization wants to be part of the Rule 2200 series process.

Item C: Consent Agenda

Vice Chair Mathis asked for a motion to approve the minutes from the previous meeting of February 16th, 2017. Peltz made the motion. Huling seconded. The motion passed. Carroll abstained from the vote since he was not present at the meeting.

Item D: Review and Affirmation of Principles

Chair Huling began the conversation and stated that it should be called a re-affirmation of principles. She shared with the subcommittee principles that have been fundamental to the board which are accountability of the state's funds, equality of opportunity and non-discrimination. Huling continued that this language is from previous board meetings and statements made by the board. She continued that now is the time to add new language if the subcommittee agreed.

Vice Chair Mathis directed the members to view the letter from the U.S. Department of Education regarding special education to children in private schools. Carroll asked for background on what led the board to the decision that a revision to the rule was necessary since he was not present at the start of the process. Vice Chair Mathis said the triggers from his point of view were 1) the board received numerous complaints regarding a particular independent school, 2) the North Bennington situation which was complicated by staffing issues and had become highly political by nature and finally, 3) the disparities in terms of the percentage of kids enrolled in free and reduced lunch and in special education. Chair Huling added that after the North Bennington situation it was obvious that the rules were not written in a way to support schools that were flipping from public to independent. She added that online school applications were on the rise and there were no rules with the exception of correspondence courses. Chair Huling added that it wasn't one event but several and the rules had not been updated in a while.

Peltz added that he remembered financial accountability being the issue and all that was required was a certified letter that the finances were in order. Johnson-Aten echoed Chair Huling's recollection noting that they should be up to date. Peltz added that 2001 was the last time they were reviewed and updated.

Carroll put together a statement of principle to be added to and be part of the Affirmation of Principles. He continued that the two statements are balancing and related principles and objectives that might guide the Rule 2200 series work. Carroll said the first statement is from 16 V.S.A. §1 and the second is from the Independent School Guide.

Peltz said that it may add confidence to the process and reminded that the subcommittee still must meet with the Independent Schools. He read an excerpt from the Brigham Decision. Johnson-Aten said that it is hard to argue with the statements and is not opposed to adding them. Huling confirmed with all members of the subcommittee that the three new statements will be used as a guide to the process on the Rule 2200 series.

Item E: Review Neighboring States - Handout

Vice Chair Mathis summed up that in comparison the changes that the Vermont State Board of Education has asked is the least burdensome and least intrusive of all the neighboring states. Clare O'Shaughnessy, Agency of Education, described the differences in policy between Maine, New Hampshire, Connecticut, Massachusetts and New York. Discussion followed by the subcommittee.

Item F: Review LCAR Steps and Prep Stages

Chair Huling moved to Item G because of the way the conversation was progressing.

Item G: Proposed Steps for Full Board

Chair Huling said the subcommittee needs to confirm the proposed steps to move forward with the process and bring it to the board for approval at the April 18th meeting. She continued that the Agency of Education can be included in the process and the subcommittee and the board should seek their assistance with a new draft to include the many changes. Chair Huling explained her suggested phases. O'Shaughnessy described the difference between the ICAR

and LCAR processes. She encouraged the subcommittee to go to ICAR and refile since the rule has changed quite a bit since its initial filing. Leopold said that the board has undertaken every step that ICAR outlined. Rigorous discussion followed.

Huling asked the subcommittee if they would like to keep the schedule as is and include the note. Additional discussion followed. Leopold reminded the subcommittee that some of the sections in the rules are interrelated. He encouraged the subcommittee to be mindful. Leopold exited the meeting at 2:39 p.m. The subcommittee decided to move the original draft proposal process with additional 3 quotes and with new asterisked comment to the board for its approval at the April 18th meeting.

Vice Chair Mathis asked for a schedule of meetings. Chair Huling asked that a Doodle poll be performed to schedule some additional dates by the Agency of Education Representative.

Peltz made a motion to adjourn the meeting which was seconded by Mathis. The motion passed.

The meeting adjourned at 2:41 p.m.