

MEMORANDUM

TO: Members of the Vermont State Board of Education
FROM: Jennifer Deck Samuelson, Chair
COPY: Zoie Saunders, Interim Secretary of Education
DATE: September 13, 2024
SUBJECT: Reflections on Board Retreat; Proposed Next Steps

At the September 3rd meeting of the Board's Roles & Responsibilities (R&R) Committee, the Committee debriefed on the Board's August 21st retreat and began synthesizing comments received from Board members. Based upon the feedback received, Tammy summarized the top priorities as follows:

- Standard Operating Procedures for agenda planning;
- Creation of a parking lot document for tracking issues (and public comments) before the Board;
- SOPs for transparency in Board operations, including updating the Board on general correspondence; and
- Board Governance, generally

At the outset, it is important to keep in mind that the Board's current process complies with statute and the Board's rules. To my knowledge, no members of the public have raised concerns about how we set our agendas, perform our work, or respond to public comment. That said, there is always room to do things better, and I appreciate the candid conversation at our August 21st retreat. Many good ideas emerged from our time together, and it was a very productive brainstorming session.

I have given a lot of thought to the feedback received from Board members, and it is clear that Board members would like to better understand how Board agendas are created and how the Board (and specifically the Chair) tracks and monitors issues that may come before the Board in the future. This memo will address the top priorities, as identified by Tammy, and present what I hope are responsive solutions to those priorities. We will discuss this further when we meet on September 18th.

(1) With regard to the Board's questions regarding agenda planning, my actions as Chair have been guided both by the Board's rules and Robert's Rules of Order, which, pursuant to Rule 1222, governs the Board's conduct. Rule 1223 states in part that "The agenda of state board meetings shall be prepared by the commissioner or his designee upon consultation with the chairman. Members of the state board may add items by request..." This process of agenda planning by the Board Chair and the now-Interim Secretary is consistent with Robert's Rules of Order, which further explains that the agenda is a *proposed* agenda that is then adopted by the body at its meetings. Thus, Board members have the ability to request additions or amendments to the agenda at any time up until the point that the Chair asks, after roll call is taken, whether there are any amendments to the agenda. If there are proposed amendments, the Board would

take a vote on whether to amend the agenda as requested; if there are no proposed amendments, the Board follows the agenda as proposed by the Chair. Further opportunity for Board member input is provided at the end of every meeting under “Future Meeting Planning,” and Board members are certainly welcome to reach out to the Chair if they have any particular requests in advance of our meetings.

(2) With regard to the request for a “parking lot document” to track issues, and as I indicated to the Board at the August 21st retreat, I created such a document for my own purposes two years ago when I became the Chair. This document has a running list of short-term items that I review with the full Board during the Future Meeting Planning part of our monthly Board meetings and again with the Interim Secretary when we meet to discuss and plan the agenda for the Board’s monthly meetings. The document also contains a list of longer-term items and possible issues about which I am aware that may eventually come before the Board. My spreadsheet cannot be a live document that is shared with the full Board due to Open Meeting Law, and I do not think that it would be appropriate to post it as a public document since many issues are ultimately resolved without the need for Board action. However, I propose that the Chair maintain and share this list with the Vice Chair, the Secretary, and Maureen and Suzanne (or their counterparts). In addition, any Board member is welcome to email the Chair to suggest that items be added to the list or to inquire as to what is on the list at any time.

(3) With regard to public comment, although it may feel tempting to engage in conversation with someone who provides comments to the Board, it is important to remember that there are good reasons why public comment is not a dialogue. Our value as a Board is the collective experience that we each bring to our positions. Engaging in a dialogue with members of the public during the Public Comment portion of our meeting undermines this by inviting on-the-spot opinions of Board members. Even discussing a topic raised during Public Comment directly afterward thwarts the requirement that the Board warn items on its agenda in order to provide advanced notice to the public that we will be collectively discussing and perhaps deciding various issues. At the same time, however, public comment *may* bring issues to the Board’s attention that may be appropriate for the Board to warn and consider at a future meeting. Thus, I propose that, prior to the Public Comment sections of the Board’s meetings, the Chair remind members of the public of the following:

- Public comment is an opportunity for the public to give input to the Board
- Members of the public are asked to limit their comment to two minutes and, if many members of the public wish to be heard, additional time constraints may be implemented
- Members of the public who wish to be heard should understand that they may not receive an immediate response to their comment; that the Board may not respond at all; that the Board may take the comment into consideration in a future meeting; or that the Chair may follow up with the person directly.

In drafting the above, I am patterning the proposed reminder off of the process used by the Commission on the Future of Public Education in Vermont (the Commission). To that list, I would add that the Chair should also invite members of the public to submit any written comments that they have prepared for inclusion with the meeting minutes.

(4) Finally, with regard to updating the Board on general correspondence, the Commission’s Steering Group recently engaged in a similar consideration of how its chair should handle email, and it agreed that the emails with personalized questions

that were sent to the chair would receive a response back from the chair but would not be shared with the larger group, while emails that constituted public comment would be shared with the full Commission and published on the Commission's webpage. The Steering Group decided that this approach strikes a fair balance between keeping Commission members informed of issues that come before it while neither inundating Commission members with extraneous information nor imposing an undue burden upon its chair. In a similar vein, since I have been serving as the Chair of the Board, my practice has been to share with the Board any correspondence received that constitutes public comment as well as correspondence that correlates to items that are pending before the Board, and I propose to continue this practice.

Having written the above, please note that my proposed responses are for Board discussion and approval. I felt that it would be helpful to summarize the issues, provide the relevant framework, and propose solutions since our time together is so short and because it is often easier to respond to something than to create it in the first instance. In addition, my assumption is that there are other priorities that were identified by the Board at its August 21st retreat that remain to be resolved, and I propose that these additional priorities are again taken up in the first instance by the Roles and Responsibilities Committee before being discussed and voted on by the full Board.

Thank you for your partnership as we work together to further the state of education in Vermont. I am proud of the work that we are doing and am honored to be serving with each of you.