



**Friday, August 4, 2023**  
Virtual via Microsoft Teams  
Call-in Number: 1-802-828-7667  
Conference ID: 132 450 863#

## **State Board of Education Rule Series 2200 Committee**

### **Draft Meeting Minutes**

Present: Chair Samuelson, Tom Lovett, Kimberly Gleason

Others: Sarah Buxton, Attorney; Jeff Francis, Vermont Superintendents Association; Sue Ceglowski, Vermont School Boards Association; Cameron Staples, New England Association of Schools and Colleges (NEASC); Claire Leheney, Association of Independent Schools in New England (AISNE); Sara Wilson, AISNE.

Agency of Education (AOE): Maureen Gaidys

#### ***Call to Order, Roll Call, and Amendments to the Agenda***

Chair Samuelson called the meeting to order at 9:05 a.m. and took roll call.

Gleason moved that an executive session be added to the agenda. This motion was seconded. The vote was unanimous to amend the agenda to add an executive session to follow Public to be Heard.

#### ***Approval of [Minutes from July 24, 2023 Meeting](#)***

Lovett moved to approve the minutes; Gleason seconded. There was no discussion. The minutes were approved.

#### ***Public to be Heard***

Sue Ceglowski, VT School Boards Association: Ceglowski read [this public comment regarding Open Meeting Law](#).

To correct the record of who was present at the July 24, 2023 committee meeting, Chair Samuelson stated that she, Lovett, Gleason, Buxton and Gaidys were at the July 24, 2023 meeting. Chair Samuelson moved to correct the record; Lovett seconded. There was no discussion. The vote passed.

There was discussion on how to correct minutes and language used for executive session. Chair Samuelson moved to find that no violation of Open Meeting Law (OML) occurred, and the language used for executive session was statutorily compliant. Lovett seconded. There was discussion on reading directly from statute when making motions. The vote passed unanimously.

## **Working Session**

Chair Samuelson turned the working session over to Buxton. Buxton said she has decision points for the committee: 1) discussion on definitions, 2) reorganization of rules so that the requirements to operate as an approved school are titled and in one place, 3) slight revision to annual compliance provision, 4) application/re-application and approval process was combined from previous sections, 5) a few pieces to clarify the SBE's authority to approve/suspend/revoke, and 6) options for recognizing accrediting agencies.

Chair Samuelson asked Buxton to lead the discussion and address questions as they come up. Buxton walked the committee through the [Draft Rules Series 2200 - Independent School Approval - Version 2 - Clean Copy - updated 8/4/23](#).

There was discussion on the title of the Rule Series, 16 V.S.A. §906, including definitions with an eye to the future so rules don't need to be reopened, including access to Career Technical Education (CTE), caution of creating obligations for Local Education Agencies (LEAs), 16 V.S.A. §1541a, and pulling over additional definitions from the Education Quality Standards.

Buxton addressed the next section - Reorganization of Rules. There was discussion on combining activities required of approved schools and information that is received by the AOE in section 2223.3.5, making this more user friendly and being clear about what is moved where and purpose of re-organization, highlighting new requirements and those that have been lifted and shifted, Title 16 additions, use of "approved independent school", adding language that captures future changes made by the General Assembly (GA), keeping a document of statutory requirements separate from the rules on the website, transparency/utility to the public, directing the Secretary to update the application and review process annually to ensure that any new requirements by the GA are included, requirements related to operations/safety and security/financial compliance being separated from other specific activities/requirements (related to Act 1), spirit of revision is having all components organized in one place, statement that says approved schools have continuing obligation to remain abreast/in compliance with laws as they pertain to approved schools, coherence of rules is important, some items under required activities could be listed under required plans and policies, what the independent school committee reviews and what they assure for compliance. Buxton will work from the committee's discussion and bring back a revised version on August 7, 2023.

Buxton asked to add discussion of the annual compliance assurance later in this meeting. Chair Samuelson said that the committee needs to stay on schedule and needs to address timelines with the full SBE.

## **Discuss Recognition Process for Accrediting Agencies**

Buxton said there were three options for recognizing accrediting agencies in the state, based on conversations from the last meeting. She spoke with Cameron Staples, New England Association of Schools and Colleges (NEASC), Claire Leheney, Association of Independent Schools in New England (AISNE), and a representative from International Council Advancing Independent School Accreditation (ICAISA) and invited them to this meeting.

Chair Samuelson added that, when the 2200 rules series was last opened, it was discussed how to recognize accrediting agencies. When rules series 7000 was reopened, there were several parts that were outdated and included names of organizations that no longer exist. It was decided that it would be easier to have a framework for what is needed to be an accrediting agency recognized by the SBE versus having a specific list of accrediting agencies.

Buxton outlined the three options below:

*OPTION 1: Any accrediting agency that is a recognized member of the International Council Advancing Independent School Accreditation (ICAISA) will be considered a recognized accrediting agency for the purposes of this rule and 16 V.S.A §166. Additionally, the Board shall continue to recognize accrediting agencies listed in Rule 7320 until July 1, 2024.*

*OPTION 2: The New England Association of Schools and Colleges and the Association of Independent Schools in New England will be considered recognized accrediting agencies for the purposes of this rule and 16 V.S.A §166. Additionally, the Board shall continue to recognize accrediting agencies listed in Rule 7320 until July 1, 2024.*

*OPTION 3:*

*(a) The Board shall create and maintain a publicly available list of currently recognized accrediting agencies that meet the criteria described in (b) below. Any agency seeking to be recognized by the Board under this section shall submit a letter and supporting evidence to the Board detailing the ways in which it meets each criterion. Upon review of each submission, the Board shall determine whether it will recognize the accrediting agency and set the length of time that such recognition will be in effect. The Board may impose additional conditions upon a recognized accrediting agency as it deems appropriate. Applicant agencies shall be notified of a decision and any conditions of continued recognition in writing. The Board may remove any agency from the list of recognized accrediting agencies at any time, after finding that the agency no longer meets one or more of the criterion listed below.*

*(b) The Board shall recognize accrediting agencies that meet the following requirements: 1. use a peer review process that includes evaluation by leaders of similar schools, 2. appropriately train all staff and peer reviewers who are involved in the accreditation process, 3. accredit schools based on publicly accessible documented standards, including mission, governance, finance, program, community of the school, administration, development, admissions, personnel, general health and safety, child and student protection and well-being, facilities, student services, school culture, and residential life (where applicable), 4. perform a comprehensive onsite visit of any school seeking accreditation while such school is in session, 5. conduct an interim review of the schools which it accredits at least every five years if a term of accreditation period exceeds five years, 6. require schools seeking accreditation to have curriculum that is informed by research, document individual student progress, and have mechanisms for monitoring, assessing, and providing feedback on student progress, 7. require schools seeking accreditation promote an equitable, just, and inclusive community of adults and students, foster a culture of learning, and inspire students to respect and value diversity in its many forms. 8. operate continuously for at least five years prior to applying for recognition under this section, and 9. maintain membership in a peer organization which supports accrediting agencies in continuous improvement and alignment with best practices in school accreditation.*

*(c) The Board shall continue to recognize accrediting agencies listed in Rule 7320 until July 1, 2024.*

Staples said he is very happy to work with this committee and said most states are not this thoughtful. He said all three options would allow NEASC to qualify. He said the third option strikes him as laying out the criteria and that is a good place to start; he likes this policy approach. There is at least one other organization that does peer review, and this would allow members of that association to say they too hold themselves to these standards. ICAISA had a good suggestion about not specifying a 5-year cycle. The terms of the cycle do not mean there is no engagement with the Agency. He thinks

the 5-year cycle might limit potential applications of some agencies. Staples said he thought this laid out Vermont's values well and did not see anything problematic or that needed to be added.

Leheny said she appreciated the thoughtfulness and rigor of the approach to this process. All options are workable for AISNE. She said options 1 and 2 don't really move away from a listing of organizations. Option three moves towards a policy-wide, values-based framework and aligns closely with the values held by AISNE and what constitutes a robust program with strength and integrity. All three are workable, but knowing the intent of the committee around design principles and what AISNE does, option three seems like a good option.

Wilson agreed with Staples and Leheny and supports option three, but all three are doable. Leheny noted that every accreditor has a different timeline for their cycle, and you wouldn't want to unnecessarily exclude a robust accreditor.

Buxton reminded committee members that they have a statutory obligation and a limitation on how long independent schools can be approved for and the rewording does not change that.

There was discussion on referencing statute, the cycle and visits within the cycle, interim reviews doable over an accreditation review every 5 years, and assurance for Vermont schools using the accrediting agencies. Buxton noted that ICAISA will have a board discussion on the options and provide comment at a later date.

Discussion continued on process for how accrediting agencies would apply to be recognized, requirement for demonstrating familiarity with Vermont, evidence/attestation, separate level of review by AOE or accrediting agency for Vermont-specific requirements, role of accreditation in the approval process, different mechanism than appendix, accrediting agencies suggesting more specific attestation of VT rules and regulations, and accrediting partners need to demonstrate their commitment to Vermont.

Buxton discussed expectations for the next draft relative to a Vermont-specific familiarity clause and willingness to review/comply with implementation of Vermont-specific addendum.

Chair Samuelson thanked the accrediting agency representatives for participating in this discussion.

Section 2223.4 will be addressed at the next meeting (Monday, August 7, 2023). There was discussion on a special meeting, needing advanced time for full SBE review prior to the August 9 meeting, an orienting discussion (one hour) on these rules at the August 9, 2023 SBE meeting, a Doodle poll to determine a 2-hour meeting on August 15 or 16, 2023, and a full, special SBE meeting on August 18, 2023.

***Executive Session (if needed) - N/A***

### ***Adjourn***

Gleason moved to adjourn; Samuelson seconded. The meeting adjourned at 12:00 p.m.

Meeting minutes prepared by: Maureen Gaidys