



Monday, April 15, 2024
Virtual via Microsoft Teams
Call-in Number: 1-802-828-7667
Conference ID:414 921 15#

State Board of Education Rule Series 2200 Committee

Draft Meeting Minutes

State Board of Education (SBE) Committee Members Present: Jennifer Samuelson, Chair, Tom Lovett, Kimberly Gleason
Others: Sarah Buxton, Attorney
Agency of Education (AOE): Maureen Gaidys

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

Chair Samuelson called the meeting to order at 3:34 p.m. and took roll call. There were no amendments to the agenda.

Public to be Heard

There were no members of the public who wished to be heard.

Approval of [April 9, 2024 Meeting Minutes](#)

Lovett moved to approve the April 9, 2024 Meeting Minutes; Gleason seconded. There was no discussion. Chair Samuelson called the vote. The minutes were approved.

Working Session

Complete consideration of public comments received

Finalize review of rule series

Vote final updates to Rules Series 2200 for recommendation to the full State Board of Education

Review Legislative Committee on Administrative rules (LCAR) filing process

Chair Samuelson shared that Buxton had just sent [Version 18-Rule Series 2200 - Independent School Program Approval](#) updated draft that addressed recent comments from Samuelson, Gleason and Vermont Independent Schools Association (VISA).

Buxton identified the few remaining significant topics: 1) Effective Dates; 2) Naming of schools (schools that receive public funds and schools eligible for public tuition); and 3) Naming of accrediting “organizations” or “agencies” to distinguish from the Agency of Education. Buxton shared that she

made a significant finding: Section 2229 had been referenced as the section where all the requirements for a school to receive public funding are listed, but there are also some in 2231, so this reference needed to be added wherever section 2229 is referenced. And lastly, Buxton recommended that the Board make a finding for both accredited and unaccredited schools specific to whether they met the requirements of 2229 and 2231, including enrollment. She explained that the yellow highlighted areas are not substantive changes, the green highlighted areas need discussion.

The Committee discussed Effective Dates and the transition period for accrediting agencies, 2229.3-Assurances, 2231-Written Agreements Required, 2229.6-Approval Procedures to Receive Public Funds, 2229.5-Payment of Public Funds for Special Education Services Delivered by Out-of-State Programs, 2226.2-Investigations and Complaints, 2229-Approval to Receive Public Tuition; Special Education Approval, 2223-Requirements to Operate as an Approved Independent School, accrediting organizations vs. agencies, 16 V.S.A. §166 (b)(vi), 2331.1-Agreement as to Costs, 2231.2-Agreement as to Non-Instructional Services, and 2224.4-Board Approval.

Buxton moved to address items that the Committee needed to discuss and vote out: 2227-Recognized Accrediting Agencies; changing “organization” to “agency”; changing “Agency” to “Agency of Education”, and 2224.2-Accredited Independent School Application Review, Report, and Recommendations.

The Committee discussed the [comment provided by VISA](#) and relevant sections of 2223.4(d) and (e).

The Committee discussed parts of 2222 – Definitions; 2233.3.3 – Instruction, Faculty, and Special Services; 2223.3.6-Independent Schools Operating a Boarding Program; 2224.4-Board Approval; 2224.8-Interim Compliance Report from Accrediting Agency; stylistic changes at the end of the document, and not changing the style of sections where the content was not changed to avoid creating confusion.

Chair Samuelson moved that the Committee accept rule series 2200, version 19, with edits to be made by Buxton based on the conversation that occurred at today’s meeting, to be presented to the full Board at the monthly meeting on April 17, 2024 to vote the final updated draft for submission to the Secretary of State and LCAR. Lovett seconded the motion. There was discussion on including correction of Scrivener’s errors. Chair Samuelson added a friendly amendment to include the correction of Scrivener’s errors. Chair Samuelson called the vote. The motion passed unanimously.

Adjourn

Lovett moved to adjourn; Gleason seconded. Chair Samuelson called the vote. The motion passed and the meeting adjourned at 6:03 p.m.

Meeting minutes prepared by: Maureen Gaidys