
State Board of Education

Draft Meeting Minutes

Meeting Place: Virtual Teams Meeting/Video/Teleconference

Call in #: 1-802-828-7667, Conference ID: 488 168 432#

133 State Street, Room #021

Montpelier, VT 05602

Date: September 15, 2021

Present:

State Board Members (SBE): Oliver Olsen, Chair; Jennifer Samuelson, Vice-Chair; Patrick Brown; Tom Lovett; Jenna O'Farrell; Angelita Peña; Tammy Kolbe; Lyle Jepson; Kim Gleason; Gabrielle Lucci; and Dan French.

Agency of Education (AOE): Emily Simmons, Donna Russo-Savage, Judy Cutler, Suzanne Sprague, Patrick Halladay, Jay Ramsey, Ruth Durkee, Maureen Gaidys.

Others: Cheryl Charles, Jeanne Collins, Butch Shaw, Kyle Chad burn, Karen McCalla, Susannah Cowden, Jack Bryar, Steve Cash, Molly Witters, Laurie Bertrand, Brenda Fleming, Joanna Doria, Mary Cullinane, Sean Toohey, Andrew Haas, Jessica Westclark, Jamie Kinnarney, Representative Stephanie Jerome, David Major, and Peter Burrows.

Item A: Call to Order/Roll Call/Amendments to the Agenda

Chair Olsen called the meeting to order at 8:37 a.m. and took roll call. He asked to have items B and D reversed and to add an agenda item following item A to welcome the new SBE member and administer the oath of office. Samuelson moved and Jepson seconded. Chair Olson called the vote; the vote passed 9:0 and the agenda was amended. Chair Olsen formally welcomed Tammy Kolbe and asked her to introduce herself. Chair Olsen administered the oaths of office and affirmation.

Item D: Board Announcements

Chair Olsen addressed an accusation made on Twitter by Rebecca Holcombe with concerning comments made in a local school district. He spoke about the email to SBE members that included a screenshot of the comments and a transcript of his actual comments at this meeting. He said her accusation is false and he expressed concern that this has come up and created a distraction and added that it is a good reminder that SBE members wear many hats and have a constitutional right and an obligation to speak but need to be mindful of position and whether members are speaking as a public citizen or as a SBE member. There was discussion on rules series 2200, public accommodations applying to all schools, Olsen's willingness to step down as chair, transparency, compromising the SBE's credibility, life in a small state, and inflating the issue.

Item C: Consent Agenda

Jepson moved to approve the Consent Agenda; Kolbe seconded. Chair Olsen called the vote. The vote passed, 9:0 and the consent agenda was adopted.

Item B: Public to be Heard

Tanya Scuteri, ACSD community member and former elementary school board member, spoke in support of option #1, to create a new supervisory union to provide services to Ripton School District and Addison Central School District (ACSD) to provide the most stability and continuity of services for the students of both districts.

Item E: Student Report

Peña spoke about how the school year got off to a great start, that it is nice to socialize again and that teachers are doing well with handling students who are struggling, and there are no major issues with masks. Lucci said all students seem to be very happy to be back in person full time; atmosphere is joyful and there are only minor issues with masks.

Item F: Rules Series 2200 Subcommittee Update

Samuelson referenced her [summary of the committee's work](#). She reminded the group that there is a second public hearing this afternoon at 4:00 p.m. and that comments can be provided via email at SBE.PublicComment@vermont.gov. The next subcommittee meeting is September 22, 2021, at 11:00 a.m. She will provide another update at the October SBE meeting. Simmons summarized public comment themes received thus far: issues around the public accommodations act, Agency comment that is posted on the website, and clean-up suggestions identified by the committee, and some pieces related to rule series 7000.

Item G: SBE Rule Series 7000 – Prefiling with Interagency Committee on Administrative Rules (ICAR)

Russo-Savage gave background on this topic and shared the [Secretary's Recommendation](#). There was discussion on a process for accreditation, a framework for rulemaking, model standards for an external accreditor, and economic impact. Lovett moved that the SBE prefile the rule series 7000 amendments with the ICAR; Samuelson seconded. Chair Olsen called the vote. The vote passed 9:0.

Item H: Vermont Teacher of the Year (TOY) Presentations

Halladay introduced the three TOY finalists and shared that it had been a wonderful process of choosing these three finalists. He thanked the TOY committee for their work. He asked the three finalists to share their platforms with the SBE.

Karen McCalla, School Librarian, Mill River Union High School, Mill River Unified Union School District spoke about her Science Technology, Engineering, Arts and Math (STEAM) platform.

Kyle Chadburn, Middle Grades Humanities, Orleans Elementary School, Orleans Central Supervisory Union, spoke about his platform which was focused on how to make the systems as increasingly student-centered as possible.

Susannah Cowden, Science, Harwood Union Middle/High School, Harwood Unified Union School District, spoke about her platform being that now is the time to affect change through education for all learners.

Halladay asked SBE members to complete the feedback survey on each candidate by September 17, 2021. He explained that the SBE's collective feedback will be shared with Secretary French, who will review the complete application packets and make a final decision on the TOY.

Chair Olsen thanked the three finalists. He adjourned for recess at 10:00 a.m. and reconvened at 10:10 a.m. Jepson announced that he would abstain from voting for the TOY finalist, because of a potential conflict of interest.

Item I: Westminster School District (WSD) & Windham Northeast Union Elementary School District (WNUESD)

Russo-Savage gave background information on this topic. Jack Bryar, WNUESD, spoke about meeting the requirements/conditions that were set for them by the SBE. Cheryl Charles, WSD, spoke about being prepared as Westminster has been taking responsibility for its schools all along and would like to be fully reinstated to be voting members of the supervisory union during a critical time. There was discussion on authority, distribution of Elementary and Secondary School Emergency Relief (ESSER) funds, and more. It was asked if there was representation from Windham Northeast Supervisory Union; there was not. Chair Olsen tabled the discussion and moved to the next item while Bryar attempted to contact the appropriate party.

Item J: Ripton and Addison Central School District (ACSD)

Chair Olsen gave some background and spoke about the three options and the Secretary's recommendation. Burrows spoke about sharing the [board's position statement](#) and wanting to stay a single district. Steve Cash, Ripton School Board, addressed the SBE in support of being assigned to another supervisory union and not making Ripton its own school district. Bertrand, Rutland Northeast Supervisory Union (RNESU) and Otter Valley Supervisory Union (OVSU) board chair, spoke in opposition to having Ripton assigned to RNESU and OVSU. Kinnarney, White River Valley Supervisory Union (WRVSU) superintendent, spoke in opposition of having Ripton be assigned to the WRVSU. The SBE decided to eliminate RNESU as consideration and narrowed the focus.

Secretary French explained that his recommendation was intended to support the SBE's deliberations and said it included some analysis and reactions to his recommendation. Another variable is the idea that there is still some regional instability in Addison County. His recommendation was to make Ripton its own supervisory union. There was discussion on other options, giving Ripton time to plan how it would move forward, time for the region to settle, pushing the timeline out, inherent risks, and more. Chair Olsen framed some options for the SBE. There was discussion on limitations, possibilities, withdrawal agreement, timelines, sunset provisions, other options to withdrawal, current configuration, and impact on grade levels. Chair Olsen concluded that the SBE was not in a position to make a formal decision, but instead suggested the SBE provide a clear roadmap of expectations and vote on this at the next SBE meeting. There was discussion on one school district contracting with another, impact of pausing the timeline, and SBE authority.

Chair Olsen encouraged the parties to find a productive way forward with unified governance. He proposed that the SBE express intent to designate Ripton as a school district with all the responsibilities, but that no formal action be taken and further, that the SBE encourage Ripton and ACSD to come together with the direction to find a way to bring Ripton back into ACSD and keep it whole as a supervisory district, incorporating Ripton and that the parties report back to the SBE in November or December. If the conversations are not fruitful, then the SBE would have further discussions pertaining to the effective date of Ripton becoming its own supervisory district. There was discussion on developing middle ground, thoughts from Ripton and ACSD on timeline for reporting back, folding Ripton back into ACSD as the preferred outcome, and the evolving landscape. Chair Olsen will target the SBE November meeting for an update from Ripton and ACSD with a written update to be provided to the Chair by close of business, November 5, 2021. More formal action will be taken at the November meeting. The SBE unanimously endorsed this approach going forward. Chair Olsen asked the parties if they were ok with this approach and both concurred.

Item I (revisited): Westminster School District & Windham Northeast Union Elementary School District

Chair Olsen returned to Item I and confirmed that there was representation from WNUESD, WSD and Windham Northeast Supervisory Union. Russo-Savage reviewed the two motions.

Motion 1:

1. **FINDS** that the conditions outlined in its Motion Conditionally Approving Withdrawal and Reconstitution of the Westminster School District, issued on April 21, 2021, have been met; and
2. Pursuant to 16 V.S.A. § 721a(c):
 - a. **APPROVES** the request of the Westminster voters to withdraw from the Windham Northeast Union Elementary School District;
 - b. **DECLARES** that the withdrawal of Westminster from the Windham Northeast Union Elementary School District shall be effective as of **July 1, 2022**; and
 - c. **DECLARES**:
 - i. That the Westminster School District is reconstituted as a prekindergarten through grade 8 school district;
 - ii. That the Westminster School District shall assume sole responsibility for the education of its resident students in prekindergarten through grade 8 on **July 1, 2022**; and
 - iii. That between **September 15, 2021**, and **July 1, 2022**, the Westminster School District and its duly elected board shall exist solely for the purpose of performing all duties necessary for transitioning to full operations on July 1, 2022, including preparation and presentation to the voters of a proposed fiscal year 2023 budget and planning for staffing needs for the 2022-2023 academic year.

Motion 2:

1. **ADJUSTS** the boundaries of the current Windham Northeast Supervisory Union (WNSU) to include the Westminster School District pursuant to 16 V.S.A. § 261(a);

2. **ESTABLISHES July 1, 2022**, as the day on which the enlarged SVSU shall be fully operational; and
3. **AUTHORIZES** the board of the Westminster School District to appoint three of its members to the WNSU board on or after **September 15, 2021** pursuant to 16 V.S.A. § 166; provided, however:
 - a. That between **September 15, 2021** and **July 1, 2022**, the three appointed members shall have the authority to vote solely on matters that, as determined by the WNSU chair, affect budgets and budget planning for fiscal year 2023 and after; and
 - b. Members appointed by the Westminster School District shall have full voting rights on and after **July 1, 2022**.

Chair Olsen asked if there were any concerns or objections. There were none.

Gleason moved the first motion; Lovett seconded. There was discussion. Chair Olsen called the vote. The vote passed unanimously 9:0.

Samuelson moved the second motion; Jepson seconded. There was discussion. Chair Olsen called the vote. The vote passed unanimously 9:0.

Item K: Secretary's Report

Secretary French said much of what was discussed today was a preview of what was to be discussed at the retreat and he said he was happy to save his update for the retreat.

Chair Olsen announced that he had appointed Kolbe to the SBE Roles and Responsibilities committee. Chair Olsen said he met with the co-chairs of the Act 1 study group and received an update and they anticipate addressing the SBE at the October/November meeting with the idea that rulemaking would be formally initiated in November or December.

Item L: Career Technical Education Update

Not addressed at this meeting.

Item M: Retreat Planning

Not addressed at this meeting.

Item N: SBE Agenda and Work Plan

Not addressed at this meeting.

Adjourn

Jepson moved to adjourn; Gleason seconded. The meeting adjourned at 12:30 p.m.

Minutes prepared by Maureen Gaidys