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# State Board of Education

## Draft Meeting Minutes

**Meeting Place: Virtual Teams Meeting/Video/Teleconference**

**Call in #: 1-802-552-8456, Conference ID: 372 049 229#**

**One National Life Drive, Davis 5, Room 513**

**Montpelier, VT 05602**

**Date: October 20, 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, Cassandra Ryan, Patrick Halladay, Jay Ramsey, Ruth Durkee, Pat Pallas Gray, Suzanne Sprague

**Others:** Don Tinney, Vermont National Education Association (VT-NEA); Jas Darland, Lake Champlain Waldorf School (LCWS) Head of School; Christina Bell, President LCWS Board; Daniel Cavanagh, Treasurer LCWS Board, Dexter Mahaffey, Vermont Commons School Head of School; Julie Hanson, Thaddeus Stevens School Director; Charlie Watson, Director Vermont Academy of Science and Technology; Amanda Garces, Human Rights Commission

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

Chair Olsen called the meeting to order at 8:32 a.m. and a roll call was taken. Chair Olsen noted that the meeting was going to restart at 9:00 a.m. due to a problem with the call-in information that was posted online and in the agenda. The information was corrected prior to the start of the meeting at 9:00 a.m. Chair Olsen said that any votes taken would be re-affirmed at the November State Board of Education meeting.

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

Chair Olsen called the meeting to order at 9:02 a.m. and a roll call was taken. He said an agenda item will be placed on the November agenda to ratify any votes during the meeting. He said that Kathy Lavoie was unable to attend the meeting due to a conflict and will attend the November meeting. Chair Olsen asked to amend agenda Item L and replace it with a discussion on correspondence received from the Ripton School District Board. Samuelson made the motion. Gleason seconded. There was no discussion. The motion passed unanimously and the agenda was amended.

### Item B: Public to Be Heard

Don Tinney, President, VT-NEA – Tinney addressed the State Board with a [statement](#) regarding multiple issues that Vermont educators face. He encouraged the State Board to explore ways to make sure that Vermont public schools are seen as communities of healing, not just academic institutions, and that there are policies and rules that promote cooperation amongst healthcare providers, agencies and schools, including the area of mental health.

### **Item C: Consent Agenda**

Samuelson moved to approve the consent agenda. Jepson seconded the motion. Samuelson asked that a correction be made to the draft language in the minutes on page 3 under item J. She said the words supervisory union should be supervisory district. Samuelson made a friendly amendment to her motion to adopt the consent agenda to include the minor correction in the draft meeting minutes. Chair Olsen asked for a roll call vote. Yea: Gleason, Jepson, Samuelson, Brown, Lovett, Peña, Kolbe and Olsen. Nay: None. Abstain: O’Farrell. The motion passed, 8:1.

### **Item D: Board Announcements**

Chair Olsen congratulated the Teacher of the Year, Karen McCalla, from Mill River Union High School.

### **Item E: Student Report**

Peña spoke about how at the beginning of school things were easy. Things are different now. Teachers and students are feeling stressed and anxious. Students feel like they can’t miss school and are going to school sick. Lucci said her school is experiencing challenges that faculty and the administration are dealing with. Students are a bit stressed and are attending school if they do not feel well. Lucci said that a few new clubs have been formed and students are enthusiastic about them.

### **Item F: Career Technical Education Update**

Ruth Durkee, State Director of Career Technical Education (CTE) provided an [update](#) to the State Board. She said that during the pandemic Career Technical Centers have been determined and creative in providing education during a far from ideal situation. Students’ social well-being have become a challenge as well as funding and staffing of the Career Technical Centers. Due to students attending CTE centers only part of the time last year, many students did not receive their Certificates of Credential in their programs. Some CTE centers have invited graduates back to complete their program and receive their credential. Durkee shared a document that summarized [CTE Recovery Plans](#).

### **Item G: 16 V.S.A. 1071(c) Waiver Request**

Secretary French said that the waiver request will allow him authority, on the State Board’s behalf, to grant waivers for any unanticipated school closures under 16 V.S.A. 1071(c) in the 2021-2022 school year. Jepson made a motion to recommend that the State Board grant authority to the Secretary of Education. Brown seconded the motion. The motion passed unanimously.

Chair Olsen called for a recess at 10:09 a.m. The meeting reconvened at 10:30 a.m.

## **Item H: Independent School Rules Update Subcommittee**

Samuelson provided an [update](#) on the work of the subcommittee. She reminded the State Board of a public comment hearing in the afternoon at 4:30 p.m. The final public comment hearing on Rule Series 2200 is scheduled for October 26<sup>th</sup> at 7:00 p.m. Additionally, written comments can be provided by email to [SBE.PublicComment@vermont.gov](mailto:SBE.PublicComment@vermont.gov). Samuelson provided an update on Rule Series 7000 and the plan to move the list of accrediting agencies into Rule Series 2200 and to then eliminate the rest of Rule Series 7000. A public comment hearing for Rule Series 7000 is scheduled for December 1<sup>st</sup> at 4:00 p.m. The subcommittee discussed at its recent meeting a public comment received indicating that there was no mention of the Equal Opportunity Employment Commission's prohibition against discrimination and employment as well as whether the standards apply to public and independent schools. Samuelson invited Vermont Law School professor, Peter Teachout, who is an expert on constitutional law to provide [testimony](#) on the topic to the subcommittee. Discussion occurred regarding public funds going to independent schools that comply with Vermont's nondiscrimination laws.

## **Item J: Renewal of Approval for Schools Accredited by New England Association of Schools and Colleges, (NEASC)**

Chair Olsen noted that a few schools are out of sequence and off cycle with NEASC. He recommended shorter approval periods for those schools to get them back on schedule with the NEASC review.

Lake Champlain Waldorf School were represented by Jas Darland, Lake Champlain Waldorf Head of School, Christina Bell, President Lake Champlain Waldorf School Board and Daniel Cavanagh, Treasurer Lake Champlain Waldorf School Board. Chair Olsen noted that the letter from NEASC implied significant concerns with finances and enrollment. He said that he was concerned with the low childhood vaccination rates among the students. Darland said that was an accurate description at that time in 2016. Many staff retired and other issues almost closed the school. They have restructured the school, developed new programs and stabilized. She said NEASC scheduled a visit with them in October 2021. Chair Olsen asked that the AOE come back to the State Board with its recommendation after NEASC has made its formal decision.

Vermont Commons School was represented by Dexter Mahaffey, Head of School. Chair Olsen noted that the school was off cycle with the NEASC approval. Mahaffey said NEASC is delayed and are off cycle. He said Vermont Commons School are in the middle of their self-study. The foundation visit will occur in April 2022 and the program visit is scheduled for October 2022. Mahaffey expected their NEASC report to be released in January 2023. Jepson made a motion to adopt the Secretary's recommendation with a modified approval through April 30, 2023. Gleason seconded. Olsen asked for a roll call vote. Yea: Brown, Jepson, Peña, Gleason, Samuelson, O'Farrell, Lovett and Olsen. Nay: None. Abstain: Kolbe. The motion passed, 8:1.

Thaddeus Stevens School was represented by Julie Hanson, Director. Hanson indicated that their foundational visit from NEASC will occur in May 2022 and the program visit will be in the fall of 2022. Jepson made a motion to adopt the Secretary's recommendation with a modified approval through April 30, 2023. Kolbe seconded. The motion passed unanimously with the modified approval date.

Vermont Academy of Science and Technology (VAST) was represented by Charlie Watson, Director. Samuelson made a motion to approve the Secretary's recommendation. Gleason seconded. The motion passed unanimously.

### **Item K: Ethnic and Social Equity Standards Advisory Working Group (Act 1)**

Amanda Garces, Chair of the Ethnic and Social Equity Advisory Working Group (Act 1) presented to the State Board. She shared a brief overview of how Act 1 came to be and supplied a progress report of the Advisory Working Group's work, group make-up and subcommittees. Garces said that the State Board would receive the Act 1 proposed Education Quality Standards (EQS) revisions in January 2022. Chair Olsen said that this would be a significant undertaking for the State Board since the entire Rule Series 2000 will be opened for rulemaking and may include other potential revisions.

### **Item L: Ripton Discussion**

Chair Olsen summarized a [letter](#) received from the Ripton School District Board. He said the conversation with the Addison Central School District had not been productive. Ripton School District Board are seeking clarification and guidance from the State Board. Chair Olsen said it is the responsibility of the withdrawing entity to have a plan in place before moving forward and to understand the consequences of withdrawing. It is not the State Board's responsibility to solve the problems as they arise. Chair Olsen will draft a response that offers a suggestion for mediation and will reinforce that the State Board is not going to be supportive of any plan that negatively impacts other districts with the consequences of a decision made by a withdrawing entity.

### **Item M: Legislative Update**

Chair Olsen said Representative Webb, House Education Committee Chair, is convening a meeting on October 27th. Testimony will be provided on the status of rulemaking, specific requests for statutory changes and SBE/AOE roles and responsibilities. He will request the need for a change in statute to address the process for towns to withdraw from union school districts. A process for adequate safeguards is missing to assure good outcomes that align with Act 46 and Act 49. Samuelson said it would be helpful to have guiding legislation indicating that any independent school that receives public funds shall not discriminate in its employment practices. Jepson suggested mentioning CTE finance.

### **Item N: Retreat Planning**

Chair Olsen said that a retreat date has not been set because he would like the discussions to revolve around the work of the SBE/AOE roles and responsibilities subcommittee. Kolbe has been appointed chair. She said they will be starting the work soon. Chair Olsen reached out to the Chairs of the House Education and Senate Education Committees and asked for a grace period on the deadline for submitting a report on the work. He said a report would be required in December 2021 due to the statutory deadline and a more comprehensive report would be due in January 2022.

### **Item P: SBE Agenda and Work Plan**

Chair Olsen said he would like to convene a conversation at the next State Board meeting on the general themes brought to the forefront by Peña, Lucci and Tinney with a few key stakeholders to

share their perspectives. Other topics brought forward were athletic events and concerning behavior and inviting representatives from Winooski and the Burlington area; health and welfare of students; hearing from schools with strong social-emotional learning (SEL) programs; Lavoie's resolution; independent school rules subcommittee update; and, drafting a beneficial statement on current state of events. Chair Olsen asked Gleason to draft the statement for review at the November meeting.

### **Item Q: Secretary's Update**

Secretary French provided an update on COVID-19 and vaccinations for 5-11 year-olds; transitioning from pandemic to endemic; the education workforce and the requirement of the Elementary and Secondary Emergency Relief (ESSER) State Plan and forming a task force to help address the problem; pivoting the education system to education recovery; public health response; and, standing up its first data collection of the fall. CTE will be a major part of AOE policy work.

### **Adjourn**

Gleason moved to adjourn; Brown seconded. The meeting adjourned at 12:38 p.m.

Minutes prepared by Suzanne Sprague