

State Board of Education

Draft Meeting Minutes

Meeting Place: Virtual Teams Meeting/Video/Teleconference

Call in #: 1-802-552-8456, Conference ID: 476 971 573#

One National Life Drive, Davis 5, Room 514

Montpelier, VT 05602

Date: December 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, Maureen Gaidys, Suzanne Sprague

Others: Carol Dawes, Barre Town Clerk; Mill Moore, Vermont Independent School Association; Henri Sparks, Equity Director, Burlington School District; Tom Flanagan, Superintendent, Burlington School District; Ash Hoyt, University of Vermont; Herbert Ogden, Chair, Taconic and Green Regional School District; Jon Wilson, Chair, Taconic and Green Regional School District Study Committee; Randi Lowe, Superintendent, Bennington-Rutland Supervisory Union; Flor Diaz Smith, Chair, Washington Central Unified Union School Board; Scott Griggs, Assistant Director, Central Vermont Career Center; Clifton Long, Staff, Central Vermont Career Center; Jody Emerson, Director, Central Vermont Career Center, Jill Remick, Montpelier Roxbury School Board; Mike DeWeese, Consultant.

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

Chair Olsen called the meeting to order at 8:02 a.m. and a roll call was taken. Chair Olsen asked that a discussion on the behavior of the Rutland City School Board at a recent meeting be added to the agenda after Item K.

Item B: Public to Be Heard

Carol Dawes, Barre City Town Clerk, addressed the State Board regarding her interest in the discussion planned for Item M.

Item C: Consent Agenda

Lovett moved to approve the minutes from the November 17, 2021, meeting. Gleason seconded the motion. The motion passed unanimously.

Item D: Board Announcements

Chair Olsen mentioned that he has not been able to connect with the Chair of the Vermont Professional Standards Board for Professional Educators and will continue to pursue the connection.

Item E: Student Report

Peña said there was a rise in behavioral issues in her district pertaining to freedom of speech and the right to bear arms. The behavior created a big disturbance. Students and teachers are under stress. Both students and teachers need more supports. Lucci said it has been a stressful month for her school community. There have been disagreements on certain topics with parents and teachers. They are still experiencing behavioral issues with students and there have been rumors of threats to school safety.

Item F: Independent School Rules Subcommittee – Update on Rule Series 2200 and 7000

Samuelson mentioned a [letter](#) shared with the State Board members from Chair Olsen which provided a summary of the work. She said many of the public comments received were specific to the work of the Act 173 Advisory Group. The Act 173 Advisory Group will address those specific public comments and revisit the draft language and better communicate the intent with their consensus language. Samuelson said that the subcommittee will meet twice before the end of the year and more if needed in early January. She is confident that the subcommittee will be able to complete its work prior to the next full State Board meeting on January 19, 2022. She added that the Act 173 Advisory Group is confident it will be able to complete its work prior to the January meeting as well.

Discussion followed regarding out of state independent schools receiving public tuition.

Samuelson made the following motion: I hereby move that the Board ratify the approach laid out in Chair Olsen’s November 29, 2021, letter to the Vermont State Board of Education Members; Meagan Roy, the Act 173 Advisory Group Chair; and the Agency of Education Secretary Dan French and adopt the following timeline:

FIRST, that the Act 173 Advisory Group will review all public comments concerning issues that fall within the scope of its work as mandated by Act 173 and will provide the State Board of Education, in advance of its January 2022 meeting, with consensus recommendations on any changes that it thinks are warranted in light of oral or written comment received during the Rule Series 2200 public comment period;

SECOND, that the State Board of Education Rule Series 2200 Subcommittee will review all public comments concerning issues that are not mandated by Act 173 and will provide the State Board of Education, in advance of its January 2022 meeting, with consensus recommendations on any changes that it thinks are warranted in light of oral or written comment received during the Rule Series 2200 public comment period;

THIRD, that delegates of the Act 173 Advisory Group and the Rule Series 2200 Subcommittee will attend the State Board of Education meeting on January 19, 2022, in order to explain any recommended changes to the proposed rules based upon public comment received;

FOURTH, at its January 19, 2022, meeting, that the State Board of Education will discuss changes to the proposed rules as recommended by the Act 173 Advisory Group and the Rule Series 2200 Subcommittee and vote provisional approval of the proposed amendments to Rule Series 2200; and

FIFTH, at its February 16, 2022, meeting, that the State Board of Education will vote to approve the final Rule Series 2200 and empower the Chair or his delegate to work with Agency of

Education staff to make any necessary changes to the form before presenting the final document to the Legislative Committee on Administrative Rules in March 2022.

Jepson seconded the motion.

Discussion followed regarding the need to formalize the timeline, input from the AOE regarding the required technical drafting, the rules' effective date, and implications if timeline slips. The motion passed unanimously.

Russo-Savage provided an update on Rule Series 7000. She said one comment was submitted requesting that the term "regional accrediting agencies" be renamed to "institutional accrediting agencies" and that the name of an accrediting agency be updated. The Agency will prepare forms for the final proposed amendments for the Board's review and approval in January.

Item G: Roles and Responsibilities Committee Update and Delegation of Authority to Submit the Preliminary Report

Kolbe provided a brief update on the activities of the subcommittee on delineating and restructuring the roles and responsibilities between the SBE and the AOE focusing on efficiency and policy coherence. Draft language will be available at the January 2022 meeting. Kolbe said that an interim report is due on December 15 which she drafted and is an overview summary of the work to date.

Samuelson made the following motion: I hereby move that that the State Board of Education authorize Board Member Tammy Kolbe to work with Agency of Education Staff to draft and submit an Interim Report of the Roles and Responsibilities Subcommittee to the General Assembly by the statutory deadline of December 15, 2021. Gleason seconded. There was no discussion. The motion passed unanimously.

Item H: Presentation from the Burlington School District

The following representatives from the Burlington School District presented to the State Board: Tom Flanagan, Superintendent, and Henri Sparks, Equity Director. A [presentation](#) titled, "Diversity and Equity Work in the Burlington School District" was shared.

Item J: Chapter 11 Update

Gleason gave a brief update on Chapter 11, which addresses union school districts. Most of the work involves technical updates that will assist the districts in their day-to-day operations. As a separate matter, the statutes governing dissolution of or withdrawal from a union school district are at a disconnect with the rest of the chapter. The work on both matters will begin in the House Education Committee this legislative session.

Item K: Establish Independent School Approval Committee and Appoint Members

Chair Olsen said he would like to establish an Independent School Approval Committee to vet the independent school approvals and recommendations prior to the monthly State Board meetings since the process has become lengthy. The Committee would then present their findings to the full State Board for their consideration.

Samuelson made the following motion: I hereby move that the State Board of Education establish a standing Independent School Approval Committee that will review the Agency of Education's recommendations for independent school approvals, seek additional information as necessary from any school seeking approval, and bring fully vetted recommendations to the full board to formally accept or reject an independent school's request for approval. Brown seconded. There was no discussion. The motion passed unanimously.

Samuelson made the following motion: I further move that the State Board of Education authorize its Chair to appoint members to the Independent School Approval Committee. Kolbe seconded. There was no discussion. The motion passed unanimously.

Chair Olsen appointed Brown, Lovett, and Jepson to the newly formed committee. The expectation is that Rule Series 2200 changes will become effective before any requests for approval are considered. There are new requirements that the schools should abide by pertaining to civil rights and the health and safety of students..

Chair Olsen turned the discussion to a recent meeting of the Rutland City School Board. Jepson read a statement on how he was disappointed by the behavior of the Rutland City School Board at a recent meeting. Discussion followed regarding the impact on students who were in attendance and were to be recognized, adults modeling appropriate behavior, convening a special meeting for the students who were impacted, not an isolated incident, drafting a letter from the State Board regarding expectations of leaders in education, standards for and assurances from school boards, agreement with drafting a letter, including the Vermont School Boards Association, moving forward with consistency, and the State Board responding in the same way to other instances going forward. Chair Olsen will arrange for a special meeting for the specific purpose to recognize the students.

Chair Olsen called for a recess at 10:35 a.m. The meeting reconvened at 10:42 a.m.

Item L: Review Unification Progress – Taconic and Green Regional School District

Chair Olsen said the Taconic and Green Regional School District was recently recognized by the Vermont School Boards Association for having good governance. He introduced the presenters: Herb Ogden, Chair; Jon Wilson, Chair of the Study Committee; and Randi Lowe, Superintendent, Bennington-Rutland Supervisory Union. This [presentation](#) was shared that included challenges, successes, and efficiencies.

Item M: Central Vermont Career Center Planning Committee

Russo-Savage provided a brief overview of the statutory requirements of a Career Technical Education (CTE) District. The following representatives presented to the State Board: Flor Diaz Smith, Chair, Washington Central Unified Union School Board; Scott Griggs, Assistant Director, Central Vermont Career Center; Clifton Long, Staff, Central Vermont Career Center; Jody Emerson, Director, Central Vermont Career Center, Jill Remick, Montpelier Roxbury School Board; Mike DeWeese, Consultant. This [presentation](#) was shared which contained pertinent details on the formation of the proposed CTE district. Discussion followed on cost and equity, workforce development and adult education programs, middle school programming, voting mechanism, comingling ballots, and an addendum to benefit the town clerks.

Lovett made a motion that the State Board of Education find that the proposed formation of the Central Vermont Career Center School District (CVCCSD) is in the best interests of the students and the region and approve the report of the CVCCSD planning committee as the committee's final report pursuant to 16 V.S.A. § 1573. Jepson seconded. There was no discussion. The motion passed unanimously.

Item N: Annual Report to Governor and General Assembly

Chair Olsen shared a [draft annual report](#) for the Governor and General Assembly. Jepson made a motion to approve the draft report. Brown seconded. Discussion followed requesting a link to the work that the State Board has completed be included. Chair Olsen accepted the friendly amendment and called for a vote to adopt with the slight modifications discussed. The motion passed unanimously.

Item O: Establish EQS Rule Update Committee and Appoint Members

Chair Olsen reviewed the work of the Ethnic and Social Equity Standards Advisory Working Group (Act 1) which will recommend changes to Education Quality Standards (EQS) rules. The themes will focus on equity and inclusion and a respect for diversity and diverse cultures. He wants to establish a committee to lead the work to be responsive to the recommendations from the Act 1 group and to look for opportunities to strengthen the EQS rules.

Samuelson made the following motion: I hereby move that the State Board of Education establish an Education Quality Standards Committee that will begin planning for the process to intake recommendations received from the Act 1 Advisory Group, consider other changes to the EQS rules, and to manage the rule making process through to completion. Gleason seconded. There was no discussion. The motion passed unanimously.

Samuelson made the following motion: I further move that the State Board of Education authorize its Chair to appoint members to the Education Quality Standards Committee. Gleason seconded. There was no discussion. The motion passed unanimously.

Chair Olsen appointed Kolbe, Gleason, Brown, and Lovett. He said the student members may be appointed in the future.

Item P: Secretary's Update

The Secretary's Report was not supplied due to time constraints.

Item Q: SBE Agenda and Workplan

Chair Olsen said that the following topics are queued up for the January 2022 regular monthly meeting: Act 1 recommendations; Addison Central SD and Ripton; Stowe area school district dissolution; Vermont Standards Board for Professional Educators and workforce challenges and opportunities; additional voices from the field regarding diversity and equity work; post-merger stories; special meeting to recognize Rutland Middle School students; expectations of local governance; Rule 2200 rulemaking; and a Report of the Roles and Responsibilities Subcommittee.

Adjourn

Gleason moved to adjourn; Samuelson seconded. The meeting adjourned at 12:35 p.m.

