

# State Board of Education Independent School Rules Update Committee Meeting

## Approved Meeting Minutes

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

**Call in #: 1-802-552-8456, Conference ID: 961 509 062#**

**Date: February 10, 2021**

### Present:

**State Board Committee Members:** Oliver Olsen, Chair; Kim Gleason, Jennifer Samuelson

**Others:** Mill Moore, Vermont Independent Schools Association (VISA); Sue Ceglowski, Vermont School Boards Association; Peter Stokloza, Head of School, Mount Snow Academy; Luella Strattner, Mount Snow Academy

**Agency of Education (AOE):** Emily Simmons, General Counsel; Pat Pallas Gray; Suzanne Sprague

### Adopt Minutes from Prior Meeting

Olsen called the meeting to order at 8:06 a.m. There were no amendments to the agenda. Samuelson moved to adopt the meeting minutes from the February 5<sup>th</sup> meeting. Olsen seconded. The motion passed.

### Public Comment

None

### Working session on proposed changes to Rule Series 2200

Moore shared that there were two Vermont schools that offer a boarding component, and neither are New England Association of Schools and Colleges (NEASC) accredited. He named Mount Snow Academy in Dover and the Mount Mansfield Ski Academy in Stowe as the two independent schools. He mentioned that Mount Mansfield had begun the NEASC accreditation process. Mount Snow does not intend to seek NEASC accreditation and was disappointed that the school will lose its state approval, due to the expense, if the rule change was approved.. He said that early in 2020, VISA worked with NEASC to develop a mini-accreditation program appropriately sized for a small independent school where the level of standards was not reduced. The work was halted by the pandemic. He was hopeful that the process would continue during the summer. Moore remained opposed to taking away the approval of any school that does not deserve it. He continued that the Mount Snow Academy operates as a

tutorial program. Its tutors support the students with the curriculum and work provided by the students' home school. Discussion followed regarding enrollment in the home school, tuition payment to two schools, arrangement of contract with moving enrollment and Mount Snow receiving some tuition. Moore explained the steps involved in a NEASC accreditation visit and described some of the costs involved. Further discussion followed regarding State Board rules not accounting for complexity of boarding programs, transition period, NEASC not identified by name in rules, not an appropriate update during phase 1 of rulemaking, effective date of rule July 1, 2023, rule change being a substantive change to an approved independent school with the approved designation being removed and any rule change has the potential to take something away from schools.

Simmons shared draft language. Olsen wondered if the rules governed the residential component of student exchange programs. Simmons confirmed there were no rules that apply to students living at public schools. Discussion followed regarding residential considerations like boarding programs and exchange programs having oversight. Olsen said that some schools have no boarding facilities and students stay with host families. Discussion followed regarding whether students are considered day students and moving forward with a recommendation and making it clear that it was not unanimous and addressing a significant gap in the rules.

Olsen asked for comments on the draft language. Simmons said her language does not define boarding programs. Olsen described residential programs that are sponsored and arranged by the school with higher tuition being charged for the service. Simmons said what Olsen described fitted with the currently drafted language. Draft language changes included: adding a definition of boarding programs and residential programs; removing "or" from first sentence; changing language to "residential treatment program"; and, adding clarifier of "school sponsored" or "school run". Further discussion occurred regarding boarding programs or being placed in host family homes and NEASC accreditation.

Peter Stokloza, Head of School, Mount Snow Academy, introduced himself. Olsen provided background on the committee's discussion and asked Stokloza for input. He advised that Mount Snow was not currently working towards accreditation. He was involved in an accreditation process in his former workplace. He said that resources were a concern since the school was small. He was optimistic that NEASC may have a step-down accreditation process. He said he would like work towards accreditation but realistically he was more concerned with keeping the school running. He added that they do plan to become accredited with their education and sports programs in the future.

Olsen explained that the committee was addressing the gap in the rules surrounding schools with boarding and residential programs. He added that NEASC accreditation solved the issue. Stokloza said the costs and processes were prohibitive but understood if that was the direction the State Board went. He added that if it needed to be done, he would strive to work towards it. He said it was a challenging year and that he expected that the State Board would want to help them and not add new barriers. Olsen said the rule change, if adopted would not take effect until 2023. Stokloza said they would do it if necessary, but the cost was high. Discussion

followed regarding NEASC accreditation, mini accreditation not yet available and Mount Snow Academy being a winter term school. Olsen said that if there was a way to accommodate a transitory period, the State Board would like to be flexible. Further discussion followed regarding being appreciative towards Mount Snow Academy for calling into the meeting and agreeing with the change and moving forward with the recommendation to the full State Board.

Simmons shared new alternate language which included “enrolls students as boarding students”. The committee agreed with the new alternate language.

Olsen said that another potential rule change would be updating the standards of independent school board governance. He felt it would take place during Phase 2. He suggested referring to NEASC standards as a starting point for State Board standards. Simmons said the State Board rule affected would be rule 2226.4 and there was not corresponding language in 2227. She shared the NEASC standards for board governance. Moore said that it was a self-study process done by the independent school seeking accreditation. Olsen liked the criteria and suggested requiring the same for the State Board process. Discussion followed requiring some or all suggested materials, substantive change and being a Phase 2 effort.

Olsen said that he expects the committee to agree on a final draft and approve Phase 1 changes at the next meeting. Samuelson said she sent Simmons a side-by-side of rule 2226 and 2227. She worked to align both rules. She identified a few problems and tried to synthesize the process, add more detail, and put it in a logical order. She added the changes were not substantive and she hoped they could be addressed at the next meeting. Olsen said that it was something that could be recommended to the full State Board for inclusion in the final draft. Simmons reviewed the path that the State Board might take over the next few months.

Olsen asked Samuelson to walk through her changes. Samuelson explained how she consolidated and synthesized the draft language. Discussion followed regarding liking the approach and the level of detail required. Olsen asked Simmons to add the suggested language regarding accreditation of boarding programs as well as Samuelson’s language to the draft. Simmons offered her preliminary opinion of Samuelson’s drafted language. She thought the changes were substantive and offered examples. Olsen suggested that Simmons and Samuelson work together to clean up the language and share the final draft with the committee. Olsen said to revert to the original language if the work could not be completed and it would be revisited later.

Olsen recapped that he would like a final draft before the next meeting. The focus at the next meeting will be minor edits to the draft and approval to present a final recommendation to the full State Board at its next meeting.

## **Adjourn**

Samuelson made a motion to adjourn. Gleason seconded. There was no discussion. The motion passed unanimously.

The meeting was adjourned at 9:59 a.m.

Minutes prepared by Suzanne Sprague, Agency of Education.