

State Board of Education

Draft Meeting Minutes

Meeting Place: Colchester High School, Library

Address: 131 Lake Lane, Colchester, Vermont, 05446

Date: November 20, 2019

Present:

State Board Members: John Carroll, Chair; Peter Peltz, William Mathis, Kimberly Gleason, Kathie Lavoie, Dan French, Kyle Courtois, Sabina Brochu, John O'Keefe (arrived at 10:07 a.m.)

Agency of Education (AOE): Suzanne Sprague, Emily Simmons, Judy Cutler, Donna Russo-Savage

Others: Traci Sawyers, VCSEA; Toby Howe, MMR; Gwen Carmollie, CSD; Meghan Baule, CSD; Carrie Lutz, CSD; Mill Moore, VISA; Nicole Mace; Sue Ceglowski, VSBA; Lola Duffort, VTDigger; Gabrielle Malina, VISA; Sophia Howlett, VHEC; Carrie Williams Howe, VHEC; Jeff Francis, VSA; Cary Myers, Mill School; Mark Oettinger, Mill School; Jennifer Barnett, Mill School; John McCooley, Mill School; Sarah Fisher, Mill School; Tim Feeney, Mill School; Bridget Morris, Mill School; Maggie Lenz, Leonine; Sarah Newman, Priority Placements; Leslie Todd, Priority Placements; Pamela Fraser, Barnard; Carin Park, Barnard; John Pelletier, Champlain College; Kristie Reed, Howard Center; Jennifer Uttecht, Howard Center; Sandra Lianoge, Howard Center; Marilyn Mahusky, Act 173 Advisory Group Vice Chair; Arthur Woolf, UVM

Call to Order/Roll Call/Introductions/Amendments to Agenda

Chair Carroll called the meeting to order at 8:44 a.m. He welcomed new Board member, Kathy Lavoie. Chair Carroll asked members to introduce themselves. There were no changes to the agenda.

Welcome from Amy Minor, Superintendent

Chair Carroll invited Amy Minor, Superintendent, to address the Board. She welcomed the Board and thanked them for visiting. Minor introduced Heather Baron, Principal of Colchester High School, Gwen Carmolli, Director of Curriculum, Instruction and Assessment, and Carrie Lutz, Director of Student Support Services. She shared a presentation that explained who they are, what they believe in and how they provide education to students in Colchester. Minor said they focus on four themes: providing equitable experiences for all learners, strong support services that meet the needs of students, providing high-quality universal instruction, and continuous improvement. She said that the Colchester School District's mission highlights the transferable skills that students are expected to have as they move through kindergarten to

grade 12. The district adopted essential expectations that will be taught and assessed in each grade level. The essential expectations are think, learn, communicate and act. Minor shared a video that highlights some of the flexible pathways the students are experiencing in Colchester. She thanked the Board.

Discussion followed regarding early college, study abroad program, student participation and proficiency-based grading, learning and graduation requirements. Chair Carroll thanked Minor for the inspiring presentation.

Consent Agenda/Board Announcements/Student Report

Consent Agenda: Chair Carroll asked for a motion to approve the consent agenda. Peltz moved. Chair Carroll stated that the consent agenda contains the draft minutes from the October 16th meeting. Gleason seconded the motion. Chair Carroll called the vote. The vote passed unanimously.

Board Announcements: None

Student Report: Brochu stated she was appointed on her student council as the State Board of Education representative. She will report back to her student council after every State Board meeting and she will also serve as the communication line between the student council and the State Board. Brochu added that she attended an Equity Awareness Workshop sponsored by the Vermont Higher Education Collaborative (VT-HEC). She found the experience good and enjoyed the group exercises that focused on how schools' systems discriminate against girls and discussions on how to rectify this issue. .

Chair Carroll said that Brochu took part of a four-person student-panel at the Vermont School Board Association/Vermont Superintendents Association (VSBA/VSA) Fall Conference. The four students were members of their school board and the focus of the panel was to encourage school districts to include student participation on such boards. Chair Carroll said he watched the panel and said that Brochu did a great job representing the State Board of Education. Mathis added that it was well-done and well-received by others.

Chair's Report

Chair Carroll said that he presented to the Sunset Advisory Commission. He said the commission was responsive to and interested in the Board's vision of reinventing itself. The commission suggested that the Board work with the General Assembly on changing statute as needed to actualize its vision. Chair Carroll said that Act 98 needs to be updated since the Board no longer has authority over the Agency of Education. He has begun conversations with the Chairs of the Senate Education and House Education committees. The commission gave a two-year timeline. Chair Carroll believes one legislative session will be sufficient to make the changes. He hopes that the Board becomes a convener of topics that matter. Chair Carroll envisions a day-long convening on topics such as proficiency-based learning and assessment scores. He said the results would be shared with the General Assembly through written reports.

Peltz felt that the Sunset Advisory Commission was unfamiliar with the work of the Board. After the testimony, the commission had a better understanding. Chair Carroll said that both he and Peltz felt good about the direction the Board is heading following the meeting.

Secretary's Report

Secretary French shared a recent memo titled, "[Status Update - SLDS Data Collection and Vermont School Climate Survey](#)" which was sent to Superintendents and Principals in early November. He reminded the Board of the September presentation from the Agency of Education's (AOE) data division which shared its vision and its work schedule. Secretary French said in trying to get a handle on the data division's work flow, it is streamlining the processes around the State Report Card. Secretary French said a decision was made to indefinitely delay the School Climate Survey which is a portion of the State Report Card. The AOE would have to bid the project again and create a new data collection process for the work related to the School Climate Survey. He said that adding a new data collection at this time would create too much additional work for both school districts and the AOE and would negatively impact the collective capacity to be successful in other high priority data work. Secretary French said that the AOE will focus on delivering the work they are already engaged in and do it well and not create any new work at this time.

Secretary French said the big portion of work with the Statewide Longitudinal Data System (SLDS) is vertical reporting and getting data direct from school systems. It was launched last fall and was not very successful. Many school districts struggled and were unable to submit data until mid-July which in turn caused additional delays in other processes including equalized pupil counts that impacted school district budgets formulations and tax rates. The data team has worked with school districts and now only one district is struggling to submit the data. The AOE needs to revisit the previous work plans and adjust accordingly. Secretary French reminded the Board that the AOE's work plan is located on the website in the "About Us" section. He added anytime there is a significant change to the AOE workplan he would release a formal press release or memorandum.

Chair Carroll said that the Federal Government paid the State five million dollars in 2012 to fund the SLDS. He added that seven years later, it is not up and running. Secretary French said that the SLDS is finished and added that it took six years to complete. He added that the delay is with the School Climate Survey piece of the State Report Card which is the new initiative under Every Student Succeeds Act (ESSA) that was authorized in 2015. Discussion followed regarding data collection, modernizing data warehouse, bid process for Climate Survey, transfer of costs to districts, and assessment of AOE capacity. Chair Carroll asked for clarification on the transfer of costs. Secretary French said that for any district that is collecting the data, it would be at their cost and not the State's cost. Gleason said that her district was waiting on their Climate Survey so as to not conflict with the State's efforts on this. She said with unification the culture and climate is very important. Secretary French said the survey is very important. He added that it is unrealistic for the State to deliver so many data collections simultaneously.

Gleason asked if there was a deadline by which the Safe and Health School domain must be up and running in the State's Report Card. Secretary French said no. He explained the SLDS relationship with the State's Report Card and the interrelationship with the State Report Card and Vermont's statewide plan or ESSA. He added that at some point the AOE will need to propose an amendment to the statewide plan and he will engage the Board in that process. Chair Carroll asked for the scope of the amendment for the Statewide Plan. Secretary French said he was not sure but the AOE is creating a list of items that may need an amendment. He offered to keep the Board apprised and involved in this work. Discussion followed regarding the ESSA plan and approval by the Board, modern enterprise data infrastructure, single student information system, Shared School District Data Management system (SSDDMS) initiative, school level spending, interagency communication and data privacy.

Public to be Heard

None.

Chair Carroll recessed for break at 9:51 a.m. and reconvened the meeting at 10:08 a.m.

AOE presentation of Draft v.2 of Rules to implement Act 173

Secretary French introduced the AOE's General Counsel, Emily Simmons and Judy Cutler, Staff Attorney. He said that they would reiterate the latest draft Act 173 rules. Simmons began by stating that the State Board has been directed to adopt rules to implement the funding shift in Act 173. The State is moving away from a reimbursement model for special education expenses to a block grant model. The process involves amending the current special education rules which are State Board rules series 2300. The special education rules cover practice as well as funding and the AOE recommends the State Board create a new chapter in the rules that covers funding only, so will be easier to amend either chapter in the future if needed.

Simmons explained that the document titled, "[Proposed Draft Rules for Special Education Finance and Census-Based Funding - V3](#)" is the new chapter. The first draft was given to the State Board in April 2019. Simmons said that the funding rules are not the only rules that the AOE feels need updating relating to Act 173. The AOE has previously presented proposals for selected updates in rule series 2300.

Simmons explained the [Proposed Draft Rules for Special Education Finance and Census-Based Funding - V3](#). She further explained the reasons for each edit. Discussion followed the explanation of each sections' proposed changes.

Chair Carroll mentioned that this item will be on the agenda for the December Board meeting. At the upcoming Act 173 Advisory Group's (AG) December meeting, the AG will establish concurrence to draft 2 and must convey that to the Board. Chair Carroll said the AG are on schedule and the Board will not only hear from the AG, but from any other group that wishes to comment. Secretary French said the AOE is also on schedule. Mahusky said that the AOE presented a draft that considered a lot of the AG's concerns and proposed language.

Chair Carroll said the Board is very close to asking the AOE to prepare the final rulemaking draft and would like this draft to be close to being finalized by the end of December. Chair Carroll invited Nicole Mace to address the Board. He asked for her opinion on the new

proposed draft rules. Mace said she forwarded the new proposed draft to the Federal Education Group (FEG) who she and other education partners contracted with to review the initial draft rules. She has forwarded all documents to the chair of the AG. She understands that the AOE is working with the FEG and that the remaining concerns are around MOE. She was unclear if the Office of Special Education Programs (OSEP) would be consulted regarding some outstanding questions regarding the technical guidance manual which is mentioned in the proposed draft rules. Discussion followed regarding the technical guidance manual and maintenance of effort.

Chair Carroll changed the topic. He said that Board member Jenna O'Farrell's husband passed away and he asked for a moment of quiet reflection. He shared details on visiting hours and the memorial service.

Vermont Higher Education Council (VHEC) Request

Representatives of VHEC introduced themselves: Dr. Sophia Howlett, Chair of the VHEC Certification Committee and Carrie Williams Howe, Executive Director. Howlett read the [Vermont Higher Education Council \(VHEC\) Amended Request](#) sent to the Board members on October 29, 2018 and amended on November 8, 2019 regarding renewal standards in Vermont rules for postsecondary certification. The amended memo included suggested new language to rule 2232.3.

Chair Carroll said that the Board is not deeply knowledgeable about postsecondary accreditation. He asked for a walk-through on the process of accreditation. Howlett said that VHEC gives initial accreditation which mimics the regional and national accreditation process. Howe said that the school will apply to the AOE first. The AOE will reach out to VHEC to request a review. VHEC performs the review and provides a recommendation to the AOE. The AOE makes the decision and prepares the documents for the State Board. The review team consists of 4-5 people. The review takes place on campus and lasts for 2-3 days. The review team are drawn from institutions across the State and are experts in the areas that need to be reviewed.

Secretary French asked for the date the prior rules changed and if the previous rules were working. Howe said the rules changed in 2015. She said that two schools were exempt from the rule and new schools would need to seek regional accreditation. The time frame is causing issues in the process. Discussion followed regarding programs and schools, benefits to new schools and the review to the Compass School, a second VHEC review, New England Commission on Higher Education (NECHE) accreditation process, bankruptcy in higher education, initial approval process, consumer protection for students, second visit by VHEC and online degrees.

Chair Carroll stated that the proposed draft language can be improved by stating that in all cases, a condition of initial approval is to provide evidence that the school has begun or will begin its process with NECHE. Howlett said that the proposed language includes the notion that renewal will be considered so long as the institution is in the process of seeking regional or national accreditation. The presumption being that the school is on the accreditation track. Discussion followed regarding NECHE periodic review process and oversight. Chair Carroll ask for clarification on who owns the rule. Secretary French said the AOE has no rules. He

added that the AOE uses Board rules. Gleason suggested considering the language change and adding it to the list when considering the future role of the Board and its responsibilities. Lavoie said that the Board makes the rules and the future of the Board is not pertinent in making this decision. Gleason asked if the rule could be amended now. Secretary French said no. He added that he is willing to work with VHEC and prepare a draft that would be amenable to solve the issue and then present it to the Board. The Board would have to vote to open the rulemaking process which can take up to 8 months to complete. Simmons said that the rule is part of rule series 2200 that will need to be amended in 2021 as part of Act 173.

Gleason asked if the delay would cause problems operationally. Williams said that one school will be affected. Discussion followed regarding the specific situation. Secretary French said he will work on the issue. Gleason asked if there is ever an exception to the rule. Secretary French said that he needs the opportunity to review and might be able to find a path forward.

Chair Carroll said that the Administrative Procedures Act sets the procedure for rulemaking. He suggested letting Secretary French review and try to find a solution.

State Board Work Session

Chair Carroll asked to work on this section until lunch. He said that there has never been an opportunity for members of the Board to suggest ideas for agenda items on future meetings. Chair Carroll said he will set time aside at future meetings for this purpose.

Peltz suggested convening meetings later in the day to allow for more public participation. Gleason suggested serving food to attract people. Chair Carroll suggested at a regular meeting, following official Board business, that the Board hold a hearing on an educational topic of interest in the state, advertise the meeting well, invite the public and bring in experts with different views. He added that following the hearing, a summary would be prepared to share with the General Assembly. Gleason said that the Board should be cautious on the topics discussed and be sure that they are within their authority. She added that an annual work schedule would be helpful to anticipate topical agenda items. Lavoie said the idea to convene meetings was good but she urged the Board to be cautious about topics that could be very inflammatory and over which the Board might not have control, influence or authority.

Gleason said there are laws enacted and there is often no follow up on the effect of the implementation of the law. She added that convening a meeting on studies that have already been commissioned, produced and provided to the Legislature seems different than convening a meeting on a random topic with nothing to support it.

Chair Carroll said there is interest in making sure that the Board is accessible to the public with the clear purpose of not creating enmity. He suggested structuring meetings around established research and analysis and framing it in a way that the Board has very little authority to make change. He added that there will be a need for writing a report for the General Assembly following the convenings. Gleason said it may be helpful to know what is on the docket in the House and Senate Education committees so that the Board is focused on the appropriate topics. Chair Carroll said he would get this information.

Chair Carroll recessed for lunch at 12:19 p.m. and reconvened at 1:00 p.m.

Mill School Appeal

Chair Carroll invited AOE General Counsel, Emily Simmons to present to the Board. Attorney Mark Oettinger asked to join Simmons. Simmons said that this topic pertains to rule 2228.8 which is the process for rate approval for independent schools approved to serve special education students. The AOE is charged with examining requests for rates and rate increases and examining if the school rates are reasonably related to the level of service to be provided to publicly placed independent school students. The AOE has examined rate requests of approximately 12 independent schools.

Simmons continued that the dispute resolution for a school that does not agree with the AOE's determination is to appeal first to the Secretary of Education. The Secretary found that the Mill School's explanation of why it requires a higher rate was not satisfactory and then referred the matter to the State Board of Education. Simmons added that upon such referral from the Secretary, the Board will conduct a formal hearing to determine what the rate should be and the Board's determination is final. She added that the Mill School's notice of appeal was forwarded to the Chair.

Chair Carroll was confused by the term "appeal." He does not see the right to appeal in the rule language. Simmons said to call it an obligation of the Secretary and State Board. Oettinger said that he represents the Mill School. He said the right of a contested case pertaining to an appeal or hearing is found in the Administrative Procedure Act found in Title 3 Chapter 25. Oettinger read the statute. He added that the State Board is placed in a quasi-judicial capacity. Oettinger said that if the Mill School had not appealed then the AOE would have been satisfied to allow the Mill School to charge the rate that had been determined appropriate. He added that it was his obligation to appeal once the Mill School disagreed with the determination and he believes that right is written in Chapter 25.

Chair Carroll said to leave the semantics behind and addressed the Board stating that it must hold a hearing in the matter of the Mills School's contested case regarding rate setting. He asked Oettinger to explain his ideas on the scope and dimensions of the hearing. Oettinger suggested that a three-person subgroup of the State Board sit on the panel and be supported by independent counsel or an independent hearing officer hear the case and make recommendations of its findings for the Board to adopt or modify. He does not approve of any AOE staff serving as hearing officer or counsel since their office drafted the initial language which is in conflict with the Mill School. Simmons said that in either case the AOE will present their case and Oettinger will present on behalf on the Mill School.

Chair Carroll asked the Board which they prefer. Discussion followed regarding the preferred model. It was confirmed that a three-member subset of the Board would be appointed by the Chair with advisement of independent counsel. Oettinger said that the Mill School is open to having the case go to mediation. He said that the AOE and the Mill School are not that far off in their disagreement. O'Keefe asked the Chair if mediation would be a voluntary action between the AOE and the Mill School. Chair Carroll said that the Board will depend on the AOE to find independent legal counsel.

National Assessment of Educational Progress (NAEP) Results

Secretary French walked through the NAEP presentation prepared by the AOE. It highlighted a brief history, what it measures, the administration, results format, 2018 national and Vermont results, grade and content area trends for mathematics and reading for grade 4 and grade 8, 2003-2019 trends, trend differences between high and low performing students for mathematics and reading for grade 4 and grade 8, trend differences for students of poverty, trend differences by gender and key takeaways. Secretary French said the overall trend in the results shows a decline both nationally and in Vermont. He said the approach at the state level is to use NAEP results as one point of data and seek correlation among other data. Secretary French said the state sees similar results with the Smarter Balanced Assessment Consortium (SBAC) results.

Chair Carroll asked if there is any reason to think the decline in results are due to changes in the NAEP tests. Secretary French said the Council of Chief State School Officers (CCSSO) is gathering a group of chiefs and including NAEP staff to pursue and further examine this idea. Secretary French said there is no harm in using the NAEP data in a general way; it is useful. The issues that have emerged at the national-level pertain to literacy. One panel that he attended at a recent CCSSO meeting, there was a panel that highlighted Mississippi and that state's improvement on the NAEP. This panel spoke about the importance of high-quality curriculum and teachers trained to use the curriculum. Chair Carroll said the NAEP results indicate that Vermont's strength in educational scores is diminishing. Secretary French said the trend is appearing in other assessments as well. He added the follow-through is to make sure students have high quality instructional material and that regular instruction is strong. Discussion followed regarding the No Child Left Behind Act, measuring standards, standardized tests as an important tool, NAEP versus SBAC, poverty, race and rural education policy.

Chair Carroll invited Art Woolf, UVM Professor Emeritus, to present to the State Board. He introduced himself. Woolf presented [Vermont Student Performance in a National Context](#).

Discussion occurred regarding ordinal scale, percentages versus scale scores, U.S. Department of Defense School System compared to Vermont School System, Mississippi student outcomes versus Vermont student outcomes, race and ethnicity in Vermont, measuring for educational success, low student-to-teacher ratios related to tax dollars, and poverty.

Chair Carroll called for a recess at 2:32. The meeting reconvened at 2:42.

Barnard 721 proposal

Chair Carroll asked Donna Russo-Savage, AOE Legal Staff, to introduce the next section and to provide background. Russo-Savage said in 2017 the State Board approved a proposal of a study committee in Windsor Central SU to form a unified union school district, including a school district in another SU. The vote was favorable in all but one district, the Barnard School District. Under Act 156 of 2012 a modified unified union district (MUUSD) was formed. It is a PreK-12 district for all towns that voted yes and a 7-12 district for Barnard. The Barnard Elementary School District is still an independent school district. When the section 9 proposals were being presented to the State Board in 2018, Barnard asked to not be merged and to be allowed to continue as an independent school district due to concerns regarding PreK and other issues. In the State Board's order of November 30, 2018, the Board voted to conditionally merge the

district if the voters of the modified unified union school district voted to accept them. The MUUSD board chose not to pursue that option. Conversations continued between the two school boards. Under section 721 of Title 16, if the State Board approves, the voters of Barnard will vote to join the MUUSD for all grades. If successful, then the vote will be put to the members of the MUUSD as well. There is a condition put on the vote that the articles of agreement be amended.

Carin Park, Chair of the Barnard School District, and Pamela Frazer, Barnard member of the MUUSD, introduced themselves. Chair Carroll thanked them for sending a thorough and comprehensive proposal. He asked about the prospects that the voters will approve. Park said it is unclear but good if the prior vote is considered. Many Barnard voters had concerns about the articles of agreement which would be updated if the districts merged under 721. Frazer said there are some voters that are going to vote yes to the merger regardless of the terms; some that will never vote yes; and some that care as long as there were changes to the terms. Discussion followed regarding strong resistance in Barnard, existing concerns regarding consolidation, financial stability and not being identified as a Title 1 school and thus being unable to receive the Title 1 funds.

Chair Carroll asked what would occur if the voters vote no. Frazer said that the issue would be over and the Barnard Elementary School would remain a PreK-6 independent district. Frazer read a letter of support from Superintendent of Windsor Central SU, Mary Beth Banios, who was unable to attend.

Peltz made a motion to adopt the Secretary's recommendation to approve the Barnard School Board's proposal as written. Gleason seconded. The motion passed unanimously.

Independent School and Tutorial Program – Initial Approval

Chair Carroll invited Simmons to present on behalf of the AOE. Simmons said that Secretary French is recommending that Priority Placements Inc. of Brattleboro receive an initial independent school approval for two years. Chair Carroll asked why the process of initial school approval took so long. Simmons said there has been a process shift from using independent contractors to AOE staff making the visit. She added that the transition may be the reason for the delay in writing the report. Gleason asked for clarification to why the reviews are now handled in house and staffing and resources of the AOE. Secretary French said it was about producing better quality control of the process. Chair Carroll asked if there would be any AOE staff available at the meeting. Secretary French said that he and Simmons would field the questions.

Chair Carroll said the school looks to have been in business for several years providing services and wondered if the children served were private pay until it receives approval. He additionally asked for clarification of a sentence which refers to distressed children in need of adolescent placement in the Independent School Review Report. Simmons said it was included in the application materials. She added that many children who are identified with the disability category of emotional disturbance have pervasive difficulties related to behavior and have difficulties being present to be instructed. She said the students' needs are not purely instructional but behavioral. Secretary French said the statement is a quote verbatim from the

application. Simmons referred the Board to the next paragraph in the report which referenced the site review. Chair Carroll asked for clarification of contracted services and if public dollars are involved. Simmons said public dollars are involved where the enrolled student would remain in the LEA or approved independent school and the services would be supplemented by the contractor.

Chair Carroll invited representatives of the school to present to the Board: Leslie Todd, Executive Director and Sarah Newman, Teacher and Curriculum Director of Priority Placements Inc. Newman said it is unfortunate that a representative from the AOE was not present to introduce the basis of the application. She said she established an S-Corporation twenty-one years ago. She further explained her history, how the school was formed and the services it provides. She also provided the names and backgrounds of the board of directors for the school. Newman explained the reason for having separate facilities for K-6 students and 7-12 students.

Gleason made the motion to accept the Secretary's recommendation to grant initial general and special education independent school approval of Priority Placements, Inc. O'Keefe seconded. Discussion followed regarding the reason for the need to become an independent school, reimbursement by the state for approved independent schools and that the students live with their own families or in foster care. The motion passed unanimously.

Simmons introduced the INCLUSIONS Tutorial and Behavioral Services (TABs) Program which is part of the Howard Center. She said tutorial programs are supplied for the short-term and not longer than six months. She said the approval is for a maximum of three students. Kristie Reed, Director of the Baird School and INCLUSION Center, Jennifer Uttecht, Clinical Director of the Baird School and INCLUSION Program and Sandra Lianoge, Special Education Director for Baird School and INCLUSION introduced themselves.

Mathis moved to accept the Secretary's recommendation to grant initial tutorial approval to the INCLUSION Tutorial and Behavioral Services (TABs) Program. Gleason seconded. Chair Carroll asked if they have been providing a tutorial service to date. Reed said yes, it was initiated in 2017. She said they requested a license from the AOE at that time and was persuaded not to move forward. With the changes to the reimbursement, they reinitiated their request for a license. Reed explained that the AOE said it was because of the size and scope and that there were many unlicensed tutorials which existed in Chittenden County. Peltz asked for the connection between approval and funding. Secretary French said Reed refers to a June memo which stated that reimbursement of special education services can only flow to approved programs. Chair Carroll called the vote. The motion passed unanimously.

Chair Carroll called for a recess at 3:43 p.m. O'Keefe left the meeting at 3:44 p.m. The meeting reconvened at 3:48 p.m.

State Board Work Session (Continued)

Chair Carroll said that Woolf's presentation created some controversy. He said that if the Board follows through with its vision of convening hearings and inquiries on education topics of current interest, it may experience the same effect. He added that the Board's point of view will

be challenged and questioned. Board members may disagree with each other. He feels it is healthy but will be uncomfortable. Gleason said to be cautious to the credibility of the person providing testimony and the validity of the data in its raw form. She added that there were a lot of suppositions in the earlier presentation that were personally offensive. Lavoie said the Board must be objective. Secretary French said the proximity of the earlier presentation following the AOE's presentation was not useful. Further discussion followed regarding the members' opinions of the NAEP data and how it was presented.

Chair Carroll asked the Board to send him ideas on topics for the January meeting that would invite public commentary and he asked that members have experts, educators and professionals in mind as well. Secretary French said the weighting study will be released prior to the Board's next meeting and he offered to provide the Board with an update but will not present on the topic. He will brief policymakers first. Lavoie suggested that technical education as a topic that does not get much attention. Secretary French said that there is a parallel process in place with the AOE in terms of technical education. He reminded the Board that the AOE is developing a new State Plan on technical education and there will be a public engagement segment. He additionally referred the members to the AOE web site and its work plan.

Chair Carroll addressed Board reimbursements. He reminded Board members that they will receive their daily per diem when they are doing something explicitly on behalf of the Board at the request and direction of the Chair. Chair Carroll said that Board members will not qualify for a per diem if they are otherwise being reimbursed or if compensation is provided by another source.

Chair Carroll said the Macias Hearing is still in the works and will likely be held in December. Members of the hearing panel are Chair Carroll and O'Keefe. He asked for volunteers for the Mill School appeal and said he will appoint members if he receives none.

Chair Carroll said that the State Board of Education's Report to the General Assembly is due in January 2020. He will send a copy of the previous report. It must be written before the December meeting.

Chair Carroll encouraged Board members to write on topics they believe it and again stressed the importance of having hearings followed by a report to the General Assembly

Chair Carroll would like extended written norms, guidelines and conflict of interest rules for the State Board of Education. He added that the Board has discussed the topic but has not come to agreement or conclusion. Chair Carroll will resend the draft language regarding involvement in political or special interest organizations. He will also send the Vermont School Boards Association's model rules for conflict of interest. Chair Carroll said that the Board passed a public communication policy that says Board members are not permitted to speak on behalf of the Board unless specifically asked to do so by the Chair. He added that Board members may express their personal opinions but must make it clear that they are not speaking on behalf of the Board. He said that advocacy of the General Assembly that contradicts the Boards view is not acceptable. Lavoie said she is a member of the Franklin County Industrial Development Corporation Board and will send the Chair a copy of their board norms and guidelines. Gleason sent the Chair a copy of the Essex-Westford School Board norms and guidelines.

Chair Carroll asked what members would like to see on upcoming agendas. Mathis said he will write a first draft of the State Board's Legislative Report. Chair Carroll said he will invite the Senate and House Education Committee Chairs to the next meeting at the Green Mountain Technology and Career Center. Gleason asked for a placeholder for a conversation on the weighting study that will be released soon. Secretary French said the Act 1 group will convene their first meeting the last week in November. He suggested to a group of the Act 1 leaders that they update the State Board regularly.

Adjourn

Chair Carroll adjourned the meeting at 4:33 p.m.

Minutes prepared by Suzanne Sprague
