



Wednesday, April 17, 2019  
McFarland House  
5 Perry House, Penthouse Conference Room #315  
Barre VT, 05641

April 17, 2019

## Draft Minutes

### Present:

**State Board of Education (SBE):** Krista Huling, Chair; William Mathis, Vice Chair; Callahan Beck; John Carroll; John O'Keefe; Jenna O'Farrell; Kim Gleason; Kyle Courtois (arrived at 12:18 p.m.); Dan French

**Agency of Education (AOE):** Emily Simmons, Jay Ramsey, Oscar Aliaga, John Nelson, Doug Webster, Judy Cutler, Chris Case, Meg Porcella, Ted Fisher, Suzanne Sprague.

**Others:** Jay Nichols, Vermont Principals' Association; Nicole Mace, Vermont School Board Association; Lola Duffort, VTDigger; Jeff Francis, Vermont Superintendents Association; Andrew Brewer, VISA; Mark Perrin, Interested Party

### **Item A: Call to Order, Roll Call and Introduction**

The meeting was called to at 9:15 a.m. The State Board members to introduced themselves. The Chair welcomed the new State Board members.

### **Item B: Amendments to the Agenda**

None

### **Item C: Welcome to New Board Members/Icebreaker Activity**

Chair Huling lead an icebreaker activity.

### **Item D: Consent Agenda, Board Announcements, Student Reports**

#### Consent Agenda:

Vice Chair Mathis made a motion to approve the consent agenda items. Beck seconded. VOTE: The motion passed unanimously. The following items were approved.

1. Minutes – March 20, 2019 Meeting
2. Appointment to the Military Interstate Children's Compact Commission – David Young
3. Renewal General Education - Forrest Ward Memorial School, Bennington; grades K-8
4. Renewal of Other Education Program - Rutland County Parent Child Center's Teen Parent Education Program, Rutland; grades 7-12
5. Approved Independent School Closure – Connecticut River Academy, Bradford; grades 6-12

#### Board Announcements:

Vice Chair Mathis attended the 2019 AERA Annual Meeting from April 5<sup>th</sup> – 9<sup>th</sup> in Toronto. Secretary French attended the 2019 CCSSO Legislative Conference from April 6<sup>th</sup> – 9<sup>th</sup> in Washington, DC.

Student Report:

Beck reported her findings of implicit racism and bias outside of school.

**Item E: Chair's Report**

Chair Huling reported that she testified to the House Education Committee on Small Schools Grants. Discussion followed regarding the weighting study which is due to be completed in November, rewarding achievement and punishing lack of success.

**Item F: Public to be Heard**

Nicole Mace, Vermont School Boards Association, Jeff Francis, Vermont Superintendents Association, and Jay Nichols, Vermont Principals' Association, addressed the State Board regarding the action by the Census Based Funding Group to recommend a delay in the implementation of Act 173 to 2022.

Jeff Francis, Vermont Superintendents Association, acknowledged the passing of Superintendent Ned Kirsch and expressed his passing was a tremendous loss for the State of Vermont.

**Item G: Compass School**

Chair Huling explained that the Compass School lost its tax-exempt status for failure to file their form 990 to the Internal Revenue Service for three years. Emily Simmons, Agency of Education's (AOE) General Counsel, shared a memo referencing Vermont statutory language which includes updates to the law on the State Board's new inquiry authority regarding financial reporting events. Discussion followed regarding timely filing of tax documents, who triggers a site visit, the AOE providing legal support, process defined in 16 V.S.A. § 116, review of 2015 Compass School approval which expires in June 2019, role of the Secretary, duplication of effort, conflict with approval process and tuition dollars subject to State Board rules.

Representatives of the Compass School were Rick Gordon, Director and Roxanne Blake, Co-chair of the Board of Directors. Chair Huling asked the representatives to explain the situation regarding financial capacity, lack of audits and any policies or procedures currently in place to remedy the State Board's concerns. Gordon acknowledged his regret with the situation and stated there is not a problem with financial capacity at the Compass School. He referred to his letter to the State Board which explained why there was a failure to file the form 990. Gordon further explained and clarified the situation.

Discussion followed regarding charitable contributions to the Compass School, reinstatement of tax-exempt status, tax breaks for donors, dismissing as paperwork oversight, failure to comply with notification requirement of significant change, audits, bank statements not being sufficient, Compass School governance, lack of financial awareness on the Compass School Board and the lack of written financial policies and procedures.

Carroll made a motion to find that the State Board of Education reasonably believes that the Compass School lacks financial capacity to meet its stated objectives and that the Chair of the State Board of Education will notify the Compass School in writing. O'Keefe seconded. Discussion followed regarding process and procedures internal to the school and timeline for a response and the process. VOTE: The motion passed unanimously.

The meeting recessed at 11:17 a.m.

The meeting reconvened at 11:30 a.m.

#### **Item H: Strategic Vision Planning Workgroups**

Chair Huling shared a document which was approved by the State Board in February 2018. The State Board broke into two workgroups to brainstorm ideas on how to improve on the definitions of equity, excellence and efficiency. The two groups shared and compared the outcomes of the work session.

The meeting recessed for lunch at 12:39 p.m.

The meeting reconvened at 1:23 p.m.

#### **Item K: Career Technical Education – Strategic Vision and Goals**

Jay Ramsey, State Director of Career Technical Education and Assistant Director for Student Pathways Division, passed out an original vision document created in 1947 by former Governor Mortimer Proctor. It created the regional technical education system that currently exists. Ramsey shared a PowerPoint that highlighted a map of Vermont and the location of the regional career centers, 10-year average of participation amongst 9<sup>th</sup> – 12<sup>th</sup> grade students, recent legislative activity, the strategic vision for CTE, 5 student-centered goals, process overview and interpreting the results.

Discussion followed regarding updating strategies with time, programs aligning with labor market, unemployment rate, rebranding CTE centers to offer advanced education or having high schools deliver some technical education, help to advance policy conversation, CTE curriculum, programs that pay livable wage, funding, early access to CTE, Perkins 5 and enrollment in CTE.

Chair Huling said that the State Board will vote on the CTE green sheet at the May meeting.

#### **Item L: Post-secondary Discussion**

Discussion occurred regarding legislation to revise 16 V.S.A. § 175 and move the responsibility of maintaining college records to the Agency of Education instead of the State Board of Education. Chair Huling said that in her testimony to Senate Education she recommended transferring the task to the Agency of Education since it is not related to policy-making. Simmons updated the State Board on the progress of potential custodians of student records for the Southern Vermont College as well as the College of St. Josephs. Additional discussion followed regarding funding for Vermont State Colleges to be the custodian of all student records when post-secondary schools close.

#### **Item M: Act 173 Draft Rules**

Judy Cutler, Act 173 Rulemaking Team Lead, and Chris Case, Director of Student Support Services, addressed the State Board. Cutler shared an updated document. She shared the Agency of Education's definition of the purpose of Act 173, rulemaking goals, implementation goals, Act 173 timeline and Agency of Education's approach to rule development. Secretary French said he testified that he advocated for a delay and explained his position. Secretary French updated the State Board on vacant and filled positions at the Agency of Education and the challenge attributed to hiring to fill the vacant positions attributed to Act 173. He further explained the rules should move forward and the current reimbursement model should continue for another year.

Discussion followed regarding keeping with the timeline with rules, flexibility, public comment, vulnerabilities with or without delay, independent schools, not rushing and providing quality work.

Carroll made a motion to ask the Chair to write a letter to inform the General Assembly that the State Board of Education is prepared to move forward with the rulemaking process and intends to take a vote in the next month or shortly thereafter and that the November 1<sup>st</sup> deadline seems too short and requests to move the date by four months to the March 18<sup>th</sup>, 2020, State Board of Education meeting. Mathis seconded the motion. The motion passed unanimously.

The meeting recessed at 3:18 p.m.

The meeting reconvened at 3:34 p.m.

#### **Item N: Legislative Update**

Simmons provided an update on the following bills:

Act 1 - An act relating to ethnic and social equity studies standards for public schools

S.40 - An act relating to testing and remediation of lead in the drinking water of schools and child care facilities

H.521 - An act relating to amending the special education laws (Act 173)

H.140 – An act relating to the State Advisory Panel on Special Education

S.164 - An act relating to miscellaneous changes to education law

Discussion followed regarding SU composition, Act 46 and who can appoint school board members to a vacant seat on a unified union board. Simmons said there are Chapter 11 amendments in process for next year's legislative session.

#### **Item O: Secretary's Update, SLDS Update**

Secretary French gave background on the State Longitudinal Data System (SLDS) and how the data will be used to populate Vermont's Snapshot. He said it will be turned on in May.

#### **Item P: Elections**

Chair Huling asked if there was a motion to untable the State Board of Education elections.

O'Keefe made the motion. Beck seconded. The motion passed unanimously. Chair Huling

asked Secretary French to lead the election of the Chair person. Secretary French asked for nominations. O'Keefe nominated Krista Huling. Secretary French closed the nominations. The

vote was unanimous. Chair Huling asked for nominations for the position of Vice Chair. Beck

nominated Carroll. The vote was unanimous.

**Adjourn**

O'Keefe made a motion to adjourn. Carroll seconded. The meeting adjourned at 4:01 p.m.

Minutes recorded and prepared by Suzanne Sprague.

---