



Conference Call  
Vermont Agency of Education  
Room 419  
219 North Main Street  
Barre, VT 05641

February 7, 2018

*Strategic Goals: (1) Ensure that Vermont's public education system operates within the framework of high expectations for every learner and ensure that there is equity in opportunity for all.  
(2) Ensure that the public education system is stable, efficient, and responsive to changes and ever-changing population needs, economic and 21st century issues.*

**State Board of Education  
Special Legislative Subcommittee Conference Call Meeting  
Draft Minutes**

**Present:**

**State Board of Education Legislative Subcommittee Members:** Peter Peltz, William Mathis, Krista Huling, Connor Solimano and John Carroll.

**Agency of Education (AOE):** Haley Jones, Maureen Gaidys

**Others:** Matt Levin, Early Childhood Alliance

**Item A: Call to Order**

Chair Peltz called the meeting to order at 2:01 p.m.

**Item B: Sign In for Guests/Callers**

Chair Peltz asked callers on the line to identify themselves. Callers identified themselves: Matt Levin, Early Childhood Alliance.

**Item C: Amendments to Agenda**

There were no amendments to the agenda. Huling shared that there was 10 minutes to speak about the Rules 2200 series and that this conversation might need more time.

**D: Approve January 24, 2018 Draft Minutes**

Carroll moved to accept the minutes and Huling seconded. The vote was unanimous and the minutes were approved.

**Item E: Legislative Update - Haley Jones**

Jones sent an updated version of bill S.229. Huling is scheduled for testimony on this bill Friday at 2:30 p.m. A section on special education was added to the bill. She reported that there was testimony on PreK and they have heard a lot from PreK parents and advocates. Byrne and Holcombe testified to House Education on the AOE budget, which included staffing levels, SLDS, the new grant management system, the new chart of accounts, and parts of the Budget Book. Peltz asked about the two PreK positions and if they were still in the budget; Jones confirmed yes. Jones continued that there was conversation on education finance; Representative Ancel had an opinion piece a few weeks ago, that discussed what the Administration proposed and what her committee proposed. Carroll

asked if Jones had any sense as to how the special education community responded to the language in S.229. Jones said she was not sure how directly related they are, since Senate Education committee is working on S.229 and the House Education committee is working on the special education finance. She was not sure if the two chairs have discussed it. Carroll clarified that the question was if the advocates (Nicole Mace and Jo-Anne Unruh) who were also on the Approved Independent Schools Study committee, had offered any commentary regarding the new language. Jones had not heard anything. Mace will testify on S.229 on Friday, prior to Huling's testimony. There was discussion on the language in S.229, Huling speaking with Unruh and Mace prior to testimony to assess their level of comfort with these changes, that much of the language was provided by Unruh, and how the independent schools will view this language. Mathis asked for the latest version of S.229. There was discussion on parental rights and discipline procedures.

**Item F: Update on Response to Legislative Requests - Huling**

Huling said at the last meeting, she was asked to follow-up with Representative Sharpe on his request for an efficiency review, and that the subcommittee thought this request was too large, but that the Board would continue to look for equity, efficiency and excellence in all future proposals. She asked Representative Sharpe to have this large request narrowed, but has received no response. Last week, the Senate Education committee asked for testimony on independent schools, but the timing did not work, so testimony is instead scheduled for this Friday. Peltz asked to be notified of the dates and times of testimony. Huling assured that she would share dates once they are confirmed; she just learned from Jones about Friday's testimony. Jones asked to be advised who will be testifying on Friday. Huling said she would confirm with Jones.

**Item G: Special Education and PreK Statement for Subcommittee/Presentation to Board - Mathis/Peltz**

Peltz started with his statement on PreK and asked for input on how to proceed. Mathis said the question of how to proceed was an important one. Mathis spoke about the special education reports and endorsing both reports and that he liked the UVM report better than the DMG report. Carroll agreed that it was an important question and asked Peltz what the intent was for these written statements. Peltz said he was not clear on that and wrote from a personal perspective. There was discussion on cumbersome administration of PreK, private providers still being overseen by CDD since they are private businesses, and the intended audience of these statements (Board members). There was continued discussion on general opinion pieces, the various versions provided, and the plan for moving forward on these.

Huling clarified that House and Senate Education committees had requested feedback and the original plan was for these statements to give feedback to the committees. Huling added that it was discussed that these statements would be brought back to the full Board to vote on at the February meeting. Mathis and Peltz suggested one-page short statements in bullet points to present to the committees. Mathis began discussing his statement on House Education's special education bill. Huling thought it was more of a review and asked what a statement from the Board would look like. She asked if subcommittee members could get behind making change deliberatively and with a 5-year plan. Peltz talked about needing more coordination with special education in schools with AHS and mental health. Carroll commented that the big picture was that we spend twice as much as most and have only ordinary results; it is an urgent problem and requires an intensive effort to create a plan to reduce spending and improve services provided to children. Peltz referenced the Picus report.

Mathis said he would word it differently, but agreed. There was discussion on more students being identified, emotional vs. academic challenges, making a statement with one paragraph, supporting or agreeing with the special education studies, block grant vs. student-based formulas, and sticking with the organization of the bill. It was agreed that Mathis and Peltz would work together on the statement and include Huling, keeping it short and aligned with Board principles.

Peltz shared that on the PreK front, he thought the bill could be supported. He spoke with superintendents and Deputy Secretary Fowler. Superintendents are nervous about their responsibilities and the coordination of Act 166. He said that Fowler said the different roles will be cleared. He went on to say that he didn't think the Board needed to take a stance or offer criticism, but thought the bill could be endorsed. Huling shared that with Act 166 access and equity is a concern. Peltz shared that the numbers of eligible students in public and private providers are stable. He was not sure how to address accessibility since it is not mandatory. Huling expressed worry about rural areas of Vermont. There was discussion on needing more research, changes in the bifurcated system, advocating for more staff for AOE, Jones' confirmation that PreK positions remain in the budget, whether there should be a statement to the committee on this or let it be. There was no resolution.

Huling asked in the interest of time to move onto the next item.

**Item H: Response to Memo on Reforming Education Funding - Huling/Carroll**

Huling shared that she tried to mediate/merge the two documents from Carroll and Mathis. Carroll offered some additions that were missing and then it was realized that Huling was working from an older draft. Carroll offered to work on revising the document and thought that they were very close to having a final product. He suggested presenting it to the Board as a position piece, having them sign off on it, and then publishing it via press release or elsewhere. Mathis commented that he did not think Act 46/small schools should be addressed. Huling asked Carroll to send latest draft that included the language that was omitted. Huling asked for any other changes. Peltz asked to see the finished product before it goes to the Board. Carroll offered to finalize the draft. There was discussion on New Hampshire who performs similarly at 80% of the cost, Maryland that also has consistently high performance at a lower cost, equity issues in New Hampshire, comparing data, goals and the Brigham decision.

**Item I: Discuss S.229 - An act relating to State Board of Education approval of independent schools**

Huling asked who could join for testimony on Friday; Peltz and Mathis confirmed. Huling will advise of any changes in scheduled testimony. Peltz asked to have a conversation in advance. Huling asked for feedback from the subcommittee. There was discussion on the potential atrocities with evidence of financial capacity as specified in the second bullet of the current Rule Series 2200 (at §2225.9), using these rules to dispute proof of financial capacity and requesting more information or a different measure, the bill being silent on financial capacity, and the Board's own rules being unaffected. There was further discussion on requiring the AOE to provide the entire application at the time of approval, the difference between renewals and new approvals, recommending receipt of the green sheet, the full application and financial statements, and never hesitating to say an application does not meet the requirements. There was additional discussion on the special education piece of S.229 and Huling

asked if members needed more time to review. There was discussion on lack of expertise to make an informed judgement, deferring to education partners, the challenge being whether the independent schools will sign up for it, making sure it can work for everybody, and not wanting to slow down the process of this bill.

Carroll excused himself at 3:05 p.m.

**Item J: Next Steps – Peter Peltz**

Peltz asked for a preparatory meeting for testimony on Friday. Mathis said he could make it if needed. Peltz and Huling agreed to meet earlier than 2:30 p.m. Mathis asked to be kept in the loop, especially with any written testimony. Peltz confirmed that they would only be addressing S.229.

**Item K: Other**

Peltz asked for a motion to adjourn. Mathis asked to recap what was accomplished and what decisions were made. Huling will prepare the memo on reforming education funding. Mathis will have special education statement/paragraph of what is endorsed. Huling reiterated the need to keep statements short. Peltz said his statement would be neutral/endorsing since we are in a state of flux right now; he does not think a vote is needed on his statement. There was discussion on what would be in the legislative report at the Board meeting, having a section devoted to sharing these statements and voting on the statements if needed. Peltz and Huling will coordinate on meeting prior to Friday's testimony.

**Item L: Adjourn**

Huling moved to adjourn; Mathis seconded. The vote to adjourn was unanimous.

The meeting adjourned at 3:11 p.m.

Minutes recorded and prepared by Maureen Gaidys.