

October 27, 2017

- 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
Legislative Subcommittee Conference Call Meeting
Draft Minutes**

Present:

State Board of Education Subcommittee Members (via phone): William Mathis, Chair; Krista Huling, Peter Peltz, Connor Solimano, John Carroll.

Agency of Education (AOE): Maureen Gaidys, Robert Stirewalt, (joined at about 2:15 p.m.)

Others (via phone): Matt Levin, Vermont Early Childhood Alliance

Item A: Call to Order

Chair Mathis called the meeting to order at 2:03 p.m.

Item B: Sign In for Guests/Callers

Chair Mathis asked for Roll Call and for callers to identify themselves. The subcommittee members identified themselves and Matt Levin, identified himself. He was the only member of the public to call in.

Item C: Amendments to Agenda

Chair Mathis asked for any amendments to the agenda. There was none.

Item D: Approve July 18, 2017 Minutes

Huling moved to approve the legislative subcommittee meeting minutes from July 18, 2017. Peltz seconded. Discussion: Carroll announced that he would be abstaining from this vote since he was not at the July meeting. Solimano questioned if he should also abstain. The vote was called and the motion carried; minutes were approved.

Item E: Procedures for 2018 Legislative Session

Carroll asked Mathis to outline issues that they might be facing. Mathis identified those issues: legislative report, SBE staffing, Rules Series 2200, Act 46/49, Special Education, and Education funding. Peltz added CTE.

There was discussion on: being blindsided by the Sears/Campion bill last session, taking a proactive vs. reactive stance, implications of proposed legislation, the history of the relationship between the Legislature and the SBE, keeping things at a high level and standing up for what is important (equity, excellence, efficiency), using the report to share the SBE's platform/strategic plan and that legislation should further one or more of these three objectives.

Chair Mathis asked for Robert Stirewalt's expectations for this legislative session. Chair Mathis asked if Stirewalt was available and that he join the meeting. Huling wants the three principles to be the focus of the SBE's report and she thinks the SBE needs to be reactive this year. Next year will be different. Carroll asked what the takeaways were from last session. Takeaways were too many SBE members giving their opinions, lack of coherence and guidance, not having done the data work/collections, not having the report ready to go in January, etc. Peltz asked for ground rules for dealing with the Legislature.

Carroll suggested promoting high-level concerns and that when SBE members are asked, "what's your opinion on this?" that they defer to, "we hope that it would contribute to equity, excellence and efficiency and not adversely affect any of these three things" and that saying only this could perform a very useful function. Peltz asked again for ground rules for how the SBE interacts with the Legislature, as individuals and as a Board and suggested only going to the Legislature when invited. Huling stated that the SBE has clout as a State Board when they come in at a high level and stay at that level, with one voice, and out of the weeds. Carroll asked for Stirewalt's thoughts on the plan to limit and strategize around time at the State House. Stirewalt stated that he thought it was a really good discussion – and that there is a value in face time at the State House, but that it has to be tactical to be effective. Mathis asked Stirewalt for the top five issues for the Legislature this year and for his perspective on the role of the SBE.

Stirewalt shared the five big issues: PreK, Rule Series 2200, expansion of CTE and funding formulas, affordability issue with the budget gap, and the special education report (DMG). PreK will be a hot topic. Stirewalt said he thought the SBE knows their position and that they were effective last year, but the session was tough because of the tension with the independent schools issue.

Carroll suggested presentation of major issues in January and have the SBE take a first pass at a one-page statement of general principles, that has SBE support or not. He proposed a 2-part strategy - 1) have the report ready no later than the first week in January and have it define the SBE's role and who they are; and 2) study the major legislative issues throughout the month of January and in February write a 1-page position paper that echoes the 3-5 big legislative issues and ties them to the SBE's three criteria and details what brings enthusiasm/concern for each of the 5 big issues. There was discussion on the need to define the SBE's role. Peltz asked if there would be coordination with the AOE. Huling replied that there would be coordination, but these efforts would have the independent perspective of the SBE. There was support for this suggestion.

Mathis predicted a dogfight over PreK. Peltz asked if AHS and AOE were vying for control over PK. Stirewalt replied no, that the purpose of summer meetings was to "sing from the same

hymnal” and show cooperation. The hope is to smooth the water and come in more unified this year and the two Secretaries are working hard towards that. There was some unity last year, but there was also still some indecision and that made it controversial.

Carroll reiterated that the report would clarify/be framed around the three principles of whether it helps or hurts excellence, equity and efficiency.

Carroll revisited Peltz’s question about SBE presence in the State House. Huling suggested that any invitation from the Legislature should go to the whole subcommittee; all are invited, but at least two subcommittee members should be present to support the SBE’s guiding principles. Peltz clarified that SBE would be entering the State House only upon invitation. Mathis said he did not feel strongly about staying away unless invited because he is more eclectic. Carroll and Huling expressed concern around this and separate voices. Peltz expressed the need for ground rules and said without these, they are not functioning as a committee; Carroll concurred. Carroll suggested that SBE should stay away from the Legislature unless the Chair or the subcommittee asks them to be there and provides coordination.

Chair Mathis recapped the discussion on having a limited focus and limited presence, (unless invited), at the State House, testimony preparation and position papers, and major legislative issues for 2018. Chair Mathis moved discussion on to Item F.

Item F: Report to the Legislature

Chair Mathis offered that he thought the subcommittee was moving towards looking at the “three Es” with subsections for the major legislative issues. Peltz stated that the earlier the report could be submitted, the better.

Carroll clarified that the Legislative report is from the SBE, and asked if it should be drafted and presented for vote at the December SBE meeting. Huling concurred and shared that Jason Gibbs, Governor’s Chief of Staff, will be at the next SBE meeting to share the Governor’s priorities.

Carroll nominated Peltz as Chair of the legislative subcommittee. Carroll also stated that he is uncomfortable speaking to the Legislature independently on staffing. As part of the Executive Branch, he thought the SBE should be going to the Administration for funding requests. There was discussion about having already met with the current Governor and the Speaker of the House, Act 98, and whether or not the SBE is part of the executive branch. Carroll persisted in saying that the SBE is not an independent agency, but part of the executive branch and that funding requests should go to the Governor’s Office. Huling suggested delivering this message when Gibbs attends the November meeting. There was more discussion on needing the support of the Administration and the “suitably ambiguous” statute that states that the “Board should be adequately staffed.” Huling acknowledged that “staff” was on the phone – and identified Gaidys and Stirewalt as support staff to this call. Huling asked that members be specific when referencing “staff” and clarified that the concern is for additional legal staff for advice related to the state plan.

There was discussion on asking everybody for money for staff, consequences of end-running the Governor to get to his budget, being a cooperative team, and preparing a budget proposal and rationale for the Administration's visit in November. Huling defended that the AOE provided well for the SBE's administrative needs and pressed for needing independent legal counsel. Huling clarified that when the AOE contracted out to support the SBE's legal needs, this took money out of the AOE's budget. Huling agreed to work on a budget proposal and she reiterated that she is adamant that she did not want to ask for administrative staff, when what AOE provides is adequate. Carroll asked if Huling would be comfortable calling Gibbs and asking about a budget adjustment and what that entails. Huling agreed. Chair Mathis stated that last year the SBE had asked for \$180,200. Peltz said it is very important to specify the needs for Act 46/49 work, as the SBE has no independent counsel for these needs. There was discussion on receiving support from Russo-Savage and if that put her in a bad position. Carroll asked if independent counsel for the SBE had been selected. Huling reported that Chris Leopold is on contract for Rules Series 2200 work only.

Peltz suggested working together in person to complete the Legislative report. Huling said that could present some logistical challenges and suggested they continue work on the Strategic Plan in hopes that will overlap with the Legislative report. Mathis continued that if we are working on the five significant legislative issues, more staff support is needed. Huling asked for what specific needs. Mathis said report writing and that that is important if the SBE wants to be independent. Carroll agreed that adequate support is provided by the AOE and suggested an outside consultant be hired for Act 46/49 work on an as-needed basis.

Item G: Election/Appointment of Chair/Representative/Point People

Huling asked if we were moving towards an election/appointment of a Chair and if there was going to be a vote or if she should make an appointment. Carroll nominated Peltz. There were no other nominations. Carroll moved that nominations be closed. The vote was called and passed unanimously. Peltz expressed appreciation and that this would be a team effort.

Carroll stated that he concurred with Huling on the next steps with the Strategic Plan document, and said that if progress could be made on that in the next 20 days, that something could be written up for the SBE to review at the November meeting. He went on to say that the Legislative report could easily be an adaptation of the Strategic Plan and he volunteered to take this on. Peltz suggested adding a cursory report of what the SBE has done in the last year.

Item H: Adjourn

Chair Mathis moved to adjourn. Huling seconded. The vote passed unanimously.

The meeting adjourned at 3:20 p.m.

Minutes recorded and prepared by Maureen Gaidys.