VERMONT
STATE BOARD OF EDUCATION

Thursday, September 19, 2019
Retreat Day 2
Lake Morey Resort
82 Clubhouse Road
Fairlee, VT 05045

September 19, 2019

Approved Minutes

Retreat Day 2

Present:

State Board of Education (SBE): Jenna O'Farrell, Vice Chair; William Mathis; Peter Peltz; John O'Keefe; Kimberly Gleason, Kyle Courtois, Sabina Brochu, Daniel French.

Agency of Education (AOE): Suzanne Sprague

Item C: Reflect on yesterday's discussion: "Reinventing the Board"
Vice Chair O'Farrell called the meeting to order at 8:50 a.m. She referenced item C2 which explains the role and duties of the State Board as well as the role and duties of the Secretary of Education and the Agency of Education. Gleason noted that the strategic plan should be revisited as it expires at the end of 2019. She wondered if it would be revisited and what it would look like in the context of defining the State Board's roles and responsibilities. Discussion followed regarding the State Board's role following Act 46, equity, different ways to approach the discussion, continuing with rulemaking, removing independent school approvals and handling appeals only, inconsistencies with independent school approvals, lack of expertise and financial capacity reviews.

Secretary French reviewed how financial capacity reviews are a new process under Act 173. He further explained the Agency of Education's (AOE) position on block grant funding and its work on special education rules, documenting costs for independent schools, revisiting general education approvals for independent schools and the contract between school districts and independents schools. He added that it is a massive amount of work that will involve rulemaking. Secretary French reminded the State Board of where the AOE Work Plan is located on the AOE web site. Discussion followed regarding rules series 2200, rate setting at the state level, the State Board's role, legislative intent, policy, language in legislation and different uses of the State Board.

Peltz said that Education Quality Standards are germane to the work of the State Board. Secretary French said that there is a lot of complexity and change pertaining to education. It is important to have clear values that will drive the changes. He suggested that everything the State Board does should be in its regulation. Secretary French said it would be helpful to have the State Board define quality and determine how it is measured in a coherent, scalable, simple way across the system to drive change towards achieving its goals. Discussion followed regarding standards and measuring them, proficiency value to be demonstrated, school quality

standards and public-school approval, no checks and balances with Act 77, Tarrant Foundation presentation, curriculum coordinators presentation, eliminating proficiencies, and offering more help to schools struggling to implement proficiencies and professional development. Secretary French referenced the document titled, "Developing Systems to Support the Success of All Students: Act 173 Summary of Technical Guidance" which highlights four topics which are already in regulation but have been neglected a bit and are essential to enacting Act 173. They are: coordinated curriculum; needs based professional development; local assessment plan; and educational support team. The AOE is in the process of producing technical guidance on each of these 4 topics.

Vice Chair O'Farrell called for a break at 9:48 a.m. The meeting reconvened at 10:03 a.m.

Item D: Board Operations

Emily Simmons, AOE General Counsel, addressed the State Board. She presented on Open Meeting Law and the Public Records Act. Simmons defined a public body, characteristics of a public body and open meeting requirements. She addressed providing notice of meetings, discussion in public, the use of executive session, public participation and meeting minute requirements. Simmons reviewed the Public Records Act, Roberts Rules of Order and conflict of interest avoidance.

Discussion followed regarding executive session, attendance at another warned meeting, legislature, executive session and minutes, sharing executive session content with absent board members, censuring board members, public records, Roberts Rules of Order for small groups, participation in a political campaign, perceived conflicts, recusing oneself and compromising the board.

Vice Chair O'Farrell called for a break at 10:53 a.m. The meeting reconvened at 11:08 a.m.

Vice Chair O'Farrell asked for the will of the State Board on where to take the retreat discussion. Peltz suggested to continue its discussion on what the State Board will focus on going forward. Secretary French reminded the State Board that the Chair will need assistance with responses to the Sunset Advisory Commission's questionnaire.

Item G: Discussion of Responses to Sunset Advisory Commission

Secretary French provided background information regarding the Sunset Advisory Commission. He said that they requested Chair Carroll present to them on the State Board of Education and to have responses to the questionnaire which is in the packet. The meeting date conflicted with the October State Board of Education meeting and the Chair advised that he could not attend at that time and will additionally need to gather information from the State Board as to how they want to respond. Secretary French said there may be another opportunity to address the questionnaire at a subsequent meeting.

Peltz suggested tabling Item G. The State Board members agreed.

Item E: Board Norms

Vice Chair O'Farrell referred to the draft document titled "Guidance for Board Members with Regard to Political Campaigns". She asked for discussion from the State Board. Peltz suggested tabling this topic as well. O'Keefe said that he would prefer that the Chair was present for this conversation so he can answer questions pertaining to the drafted document. Mathis said that it

matters whether a State Board member is speaking for themselves or on behalf of the State Board. Discussion followed regarding the document "Guidelines for Public Communications Outside SBE Meetings," speaking to the press about the business of the State Board, informing and educating people around what the State Board does, being careful about what is said to the press, representing the State Board to the legislature and giving opinions, reexamining the Legislative Subcommittee, resolutions guiding action, informing rapid response, inclusive process, Act 1, membership in special interest organizations and commitment to vision and mission.

Secretary French said that he received an update regarding Item G1 which is the Sunset Advisory Commission questionnaire. He is not confident that the item can be tabled. He added that the State Board should provide feedback to the Chair. Secretary French said the AOE can provide feedback on the mechanical questions and may have already provided the information during its testimony to the Commission. He said the statutory language will be provided for question 4. Secretary French clarified that the questionnaire is provided to all groups and are not tailored toward any specific body or board.

Peltz asked for the question numbers on the questionnaire that require feedback. Secretary French said he is not sure that the State Board can deliberate through all the questions at the meeting. Secretary French suggested sending the Chair suggested responses and he can weave narrative from the responses. He added that Friday, September 27th, is the due date and to copy Chair Carroll, Secretary French and Suzanne Sprague, AOE staff, who can assist in compiling the information. The questions requiring a response are numbers 4, 5, 6, 7, 8, and 11. The response from the State Board to the Sunset Advisory Commission will impact its report to the legislature.

Discussion followed regarding responses to questions including work on Act 46, Act 173 and rulemaking, not being defensive in the response and being thoughtful with responses.

Item F: Discussion of Schedule and Locations of Meetings 2019-2020

Vice Chair O'Farrell referred to Item F2 which is the "State Board Timeline for Act 173 Rulemaking for Special Education Rate Setting". Peltz asked if the Secretary concurred with the timeline. Secretary French confirmed that the only question he had with the timeline was the starting point which is still uncertain. He confirmed the rest of the trajectory is fine but to be prepared to push it back if necessary. Discussion followed regarding the AOE and Act 173 Advisory Group and if there is any consensus, flexibility, complying with the law and technical documentation, making progress, business managers needing to critique the work, the legislature making additional changes and guidance. Peltz wondered if the upcoming State Board meeting locations will take place around the state to accommodate public input. Discussion followed regarding the rulemaking timeline and rulemaking process.

Vice Chair O'Farrell called for lunch at 12:16 p.m. The following State Board members did not return following lunch: Secretary French, John O'Keefe and Kyle Courtois.

The meeting reconvened at 1:08 p.m.

Item H: Other Business (TBD)

Vice Chair O'Farrell began the afternoon discussion by asking the Board members what work they would like to focus on and what is the bigger picture of the work. Mathis appreciated the document provided which indicates how the State Board spends their meeting time. Discussion followed regarding the State Board agenda not being self-driven, staff, utilizing the resources of the AOE staff, how other boards like the State Board handle authority and funding, proving that education initiatives work, legislation happens with good intention but unaware of outcome, impact of lobbyists, State Board's platform, one message of the State Board, wealth gap, diversity and implicit bias courses for teachers, broadening teacher training and accreditation, driving vision of education quality, look to modernize teaching techniques in the classroom, preparing students for the real world and making them good citizens.

Vice Chair O'Farrell asked what quality looks like in regards to the four drivers identified by Secretary French: coordinated curriculum; needs based professional development; local assessment plan; and, educational support teams. She wondered if any school has achieved high quality in all four areas. She mentioned the Vermont town of Montgomery. Mathis said that quality is the common denominator. Peltz recalled an old initiative from the 1970s called *Vermont Design* where Department of Education staff helped the schools in need. Gleason said that there is no mechanism to see if schools are compliant with initiatives and if the initiatives are having the effect that was intended.

Mathis asked if it was possible to have a copy of a completed Integrated Field Review. Discussion followed regarding accountability and continuous improvement plans. Mathis asked Sprague if it was possible to know how many schools have been visited and participated in an Integrated Field Review and if a copy of one can be shared. Vice Chair O'Farrell thought it would be interesting to see some of the completed reviews to understand the Integrated Field Review process and compare them to the 4 drivers of quality and identify any trends. Mathis suggested that Vice Chair O'Farrell prepare a document with her findings after review of the Integrated Field Reviews to share with the State Board at the next meeting.

Mathis left the meeting at 2:00 p.m.

Item I: Reflections/Evaluation of this Retreat

Vice Chair O'Farrell shared an evaluation form of the retreat and asked State Board members to complete.

Vice Chair O'Farrell adjourned the meeting at 2:05 pm.