
State Board of Education

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Agency of Education
1 National Life Drive, Davis 5
Montpelier, VT 05620

Draft Meeting Minutes

Date: January 15, 2025

Present:

State Board Members (SBE): Jennifer Samuelson, Chair; Tammy Kolbe, Vice Chair (joined at 8:41 a.m.); Mohamed Diop; Tom Lovett (joined at 11:02 a.m.); Jenna O'Farrell; Lyle Jepson; Kim Gleason; Grey Fearon; Caleb Greenwood; Richard Werner; and Secretary Zoie Saunders
Agency of Education (AOE): Suzanne Sprague, Meg Porcella, Lisa Helme, Jill Briggs-Campbell, Rose Neddo, Lori Dolezal, Pat Pallas-Gray, Deborah Ormsbee, Maureen Gaidys
Others: Logan Chalmers, Media Factory; Mary Kay Jurovcik, Maddie Leroux, Mike Ward, Amanda Garces.

Item A: Call to Order, Roll Call, Amendments to the Agenda

Chair Samuelson called the meeting to order at 8:31 a.m. There were no amendments to the agenda.

Item B: Public to be Heard

Chair Samuelson invited members of the public to speak. There were none.

Item C: Approve State Board of Education [December 18, 2024 Meeting Minutes](#)

Werner moved to approve the December 18, 2024 meeting minutes; Jepson seconded. There was no discussion. Chair Samuelson called the vote. The minutes were approved.

Item D: Board Announcements

Chair Samuelson said the SBE Roles and Responsibilities Committee was not able to meet prior to this meeting; this committee will try to meet in the coming weeks and provide an update at the February SBE meeting. She said there is only one member left to complete the ethics training; she looks forward to announcing that all members have completed this training at the next meeting and said the information in the training is a good reminder.

Werner noted that often meetings run over following robust discussions. He suggested that members not speak until recognized by the Chair and that comments be limited to 3-4 minutes and revisiting those who have more to say after everyone has already had their turn. Werner offered to serve as timekeeper if the Board agreed to try to his suggestion. Chair Samuelson said Robert's Rules addresses not having members speak twice on a subject until all members have been given the opportunity to speak.

There was discussion on addressing important comments early when/if members need to leave early, reminders for staying on topic, moving topics to the next meeting, gentle redirection when comments go off topic, asking the Board if the topic deserves more time,

and serving the will of the Board. Chair Samuelson proposed that Board members have three minutes to speak today, Werner will keep time, and all SBE members will be given the chance to speak before we circle back to those members who have already spoken, and the SBE will reflect on this at the end of the meeting.

Gleason spoke about her ongoing concerns of not having board norms or a work calendar. She said there has not been a Chair evaluation or meeting evaluations. She offered to provide examples. She also noted that this Board historically met on Mondays (to not conflict with the legislative session) and she would like to see that considered as well as a legislative committee.

O'Farrell encouraged the Board to develop norms and work on agenda planning and to be thoughtful about what comes to the Board and not put this all on the Chair.

There was discussion on this being a good discussion but not necessarily appropriate under Board announcements, Board's authority in statute, workplan, position of the Board, lack of financial resources, SBE's primary responsibility is rules, and those rules govern practices on a day-to-day basis.

Chair Samuelson revisited Public Comment. There was no public to be heard.

Item E: Student Report

Chair Samuelson acknowledged Jay Nichols who gave her a heads up on the United States Senate Youth Program (USSYP) winners. She asked Fearon to share some good news. Fearon shared that he was selected for the USSYP and will enjoy a trip to Washington, D.C. for a week and receive a \$10,000 scholarship. He is very excited. Indoor track is ending soon; basketball will continue. His semester ends this Friday, and most students will have all new classes. Last week, simultaneous with the PowerSchool incident, his school experienced a cyberattack from an international Russian hacker group, called 3AM. There was a ransom note, the school's internet was shut down for a week, and the FBI was involved. All is back to normal now, thanks to the school's IT department. There is also currently a water main break at his school.

Greenwood shared that he has missed some school due to illness and is still recovering. His semester is also ending, and they are in the middle of final exams. They have had some indoor track records broken in the last few weeks. They have two final candidates for the principal position, and the superintendent search is ongoing. Winter sports are going strong.

Item F: State of the State of Special Education

Chair Samuelson introduced Porcella, Director, Student Support Services Division. Porcella started with the state determinations and explained what it means that Vermont is categorized as needing assistance with the Office of Special Education Programs (OSEP). The [State Performance Plan – Annual Performance Report \(SPP-APR\)](#), explains what is required to be reported. When a state scores between 60-79%, that identifies the state as "Needs Assistance." Vermont had three areas identified: 1) need to increase the percentage of students with disabilities that participate in statewide assessment for grade 8 math and grade 4 reading and math; 2) need to increase the graduation rates and simultaneously

decrease the dropout rates for students with disabilities and 3) need to ensure that all local education agencies have transition plans for students with disabilities.

Secretary Saunders said this work is very important as the AOE prioritizes its work to elevate performance and outcomes in key areas. AOE has also been engaged in federal monitoring visits; themes are consistent across the Listen and Learn tour, data analysis and feedback from the federal government. AOE is focusing on improving overall accountability, reducing chronic absenteeism, improving graduation rates and promoting better coordination and system alignment.

There was discussion on how the scores were impacted by the pandemic, why students are opting out of statewide assessments, grade 4 is where it hits, driving continuous improvement and closing the achievement gap, how tuitioned students on Individualized Education Programs (IEPs) are tracked, special education team monitoring, improvement plans and monitoring, timelines for showing improvement, national Technical Assistance (TA) Center partners in supporting AOE with compliance with federal rules, feedback loop to SBE for the impact on rules and other adjustments, 34 CFR section 300, special education as a focus in the AOE's strategic plan, looking at and evaluating the impact/implementation of Act 173, comprehensive report on special education from AOE is forthcoming, possible concerns with Vermont's rules complying with federal law, Rule Series 1300, 2200, and 2360 are rules that might be important for federal review and assistance, distinction between out of compliance and adequate to meet needs, and caution against the Board members asserting that the AOE is out of compliance in an area that the federal government has not indicated and in an area where there is currently not data to support and engage in that conversation.

Porcella shared her presentation titled, "[VT Agency of Education: Special Education Update.](#)" Her presentation covered objectives for the presentation, background on rule changes, rule changes (1300 series and 2360 series), the Vermont special education landscape for school year 2022-2023, Vermont by the numbers, percentage by grade on IEPs, percentage of different disability categories, preschool environments, preschool outcomes, kindergarten-grade 12 educational environments, extraordinary costs and count of students on IEPs yearly, types of extraordinary costs and change over years, and special education full-time equivalency (FTE).

There was discussion on the data that showed the percent of students by grade on IEPs, graphs suggests over \$60 million in extraordinary expenditures for SY22-23, question on denominators used in data, additional data to be provided, further breakdown of expenditure per pupil regarding extraordinary costs, importance of evaluating policy and future considerations, ~ 29% increase in tuition over SY21-22 and SY22-23 and understanding what is generating increases.

Chair Samuelson thanked Porcella and invited her to come back to the SBE with follow-up questions and/or new information.

Item G: Listen and Learn with the State Board of Education

Secretary Saunders walked through her presentation titled "[Listen and Learn Tour Summary](#)" and she asked that the SBE reflect on how it defines student success and what conditions are needed to ensure that every child across the state has those opportunities. Secretary Saunders' presentation covered the purpose of the Listen and Learn tour, Listen and Learn tour timeline, Listen and Learn by the numbers, Listen and Learn participants, map of AOE in-person visits for the Listen and Learn tour, Listen and Learn tour key takeaways, regional planning sessions with education leaders key takeaways (regional profiles, accountability performance and accountability, college and career readiness, mental health costs and systems of support, data review and budgeting for schools), educator focus group takeaways (non-academic supports, educator support and additional AOE supports), public engagement key takeaways sessions (who attended, key indicators of student success, student opportunities and experiences, budget sustainability), youth engagement key takeaways (school strengths and challenges, resources needed in schools to support student success), and next steps.

Chair Samuelson recessed for a break at 10:55 a.m.

Chair Samuelson reconvened at 11:02 a.m.

Chair Samuelson moved to item J as Kolbe and Gleason had not yet rejoined the meeting.

Item J: Update – Budget Request

Chair Samuelson explained that she did not include a budget request in the annual report to the Governor's Office and General Assembly because the draft that the Board last discussed included a \$5000 stipend for Board members and the cost of membership in the National Association of State Boards of Education (NASBE), yet neither of these expenses were addressed in the annual report. Additionally, the SBE does want to ask for consultant fees for the Student Performance Standards committee. She said it felt better to not include a budget that didn't reflect the most current thinking. Chair Samuelson is asking to approve an updated budget so that it will be ready should she be asked to provide it to the legislature. The [updated SBE budget](#) was emailed to members. Gleason moved to approve the updated budget. Diop seconded.

There was discussion on removing the opportunity to access the national resources of NASBE, question on legal fees spent on rulemaking, payment for legal fees incurred during last fiscal year were carried over to the current fiscal year as funds were not available, prioritizing consultant needs, nature of the work on committees and use of consultants, keeping consultant fees in the budget, use of legal resources past and present, and AOE legal staff and the Attorney General's Office are not legal resources available to the SBE to assist with rulemaking.

Chair Samuelson called the vote. The motion carried 8:1:0. Yays: Lovett, O'Farrell, Diop, Werner, Kolbe, Fearon, Jepson, Samuelson. Nays: Gleason.

Item H: Update - Student Performance Standards (SPS) Committee

Gleason said the AOE joined the SPS Committee meeting last week for a crosswalk and to offer some technical review. AOE staff (Burfoot-Rochford and Deiss) reviewed the standards, provided background and noted where there is crossover with existing standards. The Committee also discussed the need for a common understanding of definitions. AOE will provide similar standards used in other states to be discussed at the next meeting and the Committee will also invite the Vermont Curriculum Leaders Association to join this meeting.

Kolbe thanked Burfoot-Rochford and Deiss at AOE for their good work and the important context that they provided. She spoke about next steps, the standards and how they are framed, if they are measurable with what students know and do and being proactive with the Act 1 Working Group in supporting pieces that are not standards.

There was discussion on the timeline for the Committee's work, workplan going forward, constituent groups interested in offering input, and foundational information around definitions. The SPS Committee continues to meet every other Monday, some dates are changed due to federal holidays that fall on Mondays. Chair Samuelson asked to have the definitions and guidelines provided for the February SBE meeting.

Item K: Update – Commission on the Future of Public Education in Vermont

Chair Samuelson said that she followed up with Chair Roy about the conversation the SBE had about the Commission's vote on December 16, 2024, to approve the report the Commission sent to the General Assembly. Roy said that she didn't think that she could connect with the SBE's meeting cadence any more than any other organization that is represented on the Commission because she can't adjust the voting time for any particular entity. The January meeting of the full Commission left the Commission in a holding pattern while awaiting some direction from the legislature. The Commission has between now and October 2025 to do a lot of work. There is also a recognition that some members of the General Assembly (GA) want a decision in place by the end of the legislative session. Chair Roy testified this morning on behalf of the Commission. Secretary Saunders gave a presentation on foundation formulas and the Listen and Learn summary report. The Steering Group met early this week, and Chair Samuelson was not able to attend. The Steering Group discussed how the Commission can be the most effective with meeting its charge in the current context. The group affirmed that the Commission remains uniquely suited to analyze the intersecting policy challenges within the context of its guiding principles of equity, quality and sustainability and affordability, and it needs to be realistic about the Commission's capacity to achieve all requirements. The next meeting of the Commission is February 3, 2025, and it will be a hybrid meeting, and the plan is to receive any relevant updates from the legislature, meet with the Communication and Engagement consultant, and develop a workplan for the remaining months. For the foreseeable future, the Commission will meet every two weeks – in person on the first Monday of each month and virtually on the third Monday of the month.

There was discussion on any key questions that need to be answered in advance of the next Commission meeting, utilizing the SBE's voice to inform the Commission's work, discussing

re-structuring the authority of the SBE, relationship with the AOE and decisions around student-centered/foundation formula as a full Board prior to voting at a Commission meeting, scheduling a special meeting prior to a Commission vote, lack of funding/support, SBE has received criticism from the VSBA about not discharging all of its statutory obligations, SBE cannot meet statutory responsibilities under current structure, there is a need for change, decisions of the Roles and Responsibility committee, not doing things within statutory authority is making a decision, establishing a legislative body to ensure informed representation, and whether Robert's Rules of Order allows the SBE to vote by email. Chair Samuelson suspects that voting by email is not allowed but will review Robert's Rules to confirm this.

Item L: Secretary Saunders' Report

Secretary Saunders responded to a question on a slide in the special education presentation and explained that it is representative of all students that have an IEP and what percentage of them are in each grade level. Regarding the PowerSchool security breach, she assured that the AOE, Agency of Digital Services, and the State Attorney's Office have been involved in supporting the field with that response. There has been a lot of conversation about the Board's role in providing input on future policy considerations and that is important. During the Governor's inaugural address, he signaled a strong commitment to strengthening Vermont's public education system. He presented a policy framework to address the full complexity of our educational challenges and in the coming weeks, the administration will present a comprehensive proposal that will include recommendations to shift to a foundation formula and a simplified governance model and will also focus heavily on educational quality. He indicated an interest in providing more immediate tax relief, assuming we can hold the budgets tight – and that gives the legislature the ability to focus more on the future and thinking about the broader transformation for our state. The recommendation by the governor and the administration has been informed directly by the AOE's Listen and Learn tour and all the data that has been pulled together. This came together through a collaborative process and will continue to be informed in a collaborative process. More details will be provided in his budget address. This type of transformative change is very complex and will require a lot of stakeholder and public input. The AOE is providing a series of testimony to the GA over the next couple of weeks to share some background that is informing its thinking around this proposal and ultimately, we are not just talking about an education funding system but a funding system that is really prioritizing those strategies that are going to yield great outcomes for our kids. The decision will rest with the GA, but this is an opportunity.

There was discussion on getting a report from the Secretary in writing to ensure better engagement, when a written proposal will be available to review, opportunity to engage as individuals and/or the SBE on the policy proposal, spending the legislative session working through many of the details, when the Commission will get the policy proposal, variations on a foundation formula, engagement and input on data is important, appreciation for the accelerated reporting of AOE and the clarifications offered, "student-centered funding" does not mean vouchers, SBE request to receive information ahead of the media, AOE has been very transparent, and the procurement process for the AOE's consultant.

Item M: Future Meeting Planning

Chair Samuelson said upcoming items are school-day waivers, Commission updates, Committee updates, Katie Ballard and Special Education Advisory Council (SEAC) quarterly update, portrait of an adult learner, presentation from the Advisory Council on Literacy, and recognition of Gleason and O'Farrell as their terms expire. Werner suggested adding a discussion on foundation formulas and definitions to review for the SPS committee. Gleason suggested governance issues discussed at the beginning of the meeting and an action item on establishing a SBE legislative committee.

Item N: Public to be Heard

Amanda Garces, Community Member and Mom: shared her experience with her son and said the state needs to do more. Her young son is loving, kind and full of potential. The system that is meant to support him is breaking him little by little. He has several diagnoses and struggles with reading and writing. His last diagnosis took three years. The lack of support extends beyond the classroom. He was suspended from an Afterschool program; there is no alternative; this stresses the family and isolates him. He has said he has no sense of belonging and expressed that he wants to die. In desperation, they considered Catholic school despite conflicts with some values, and he was turned away due to his disabilities. He deserves better, as do all children. She urged the SBE to advance the policies and practices to look at the AOE to create an accountability system for all districts in this state. The systems are failing - families are burnt out and cannot navigate this anymore.

Chair Samuelson asked for reflections on time limits for today's meeting. There was discussion on this meeting going well and ending on time, adhering to items that are within the Board's authority, utilizing good agenda planning, developing internal clocks and keeping selves in check. Diop said he noticed that parts of the meeting were very heated; he reminded members as human beings and leaders to not take things personally; he encouraged enhancing the work of the Board to better serve the schools, students and communities, and encouraged members to reflect on the content instead of the emotion.

Adjourn

Gleason moved to adjourn; Werner seconded. There was no discussion. The meeting adjourned at 12:30 p.m.

Minutes prepared by Maureen Gaidys.