

**State Board of Education
Independent School Approval Review Committee**

Draft Meeting Minutes

Meeting Place: Virtual Teams Meeting/Video/Teleconference
Call in #: 1-802-828-7667
Conference ID: 794 189 100#

Date: February 1, 2023

Present

State Board of Education (SBE) Subcommittee Members: Tom Lovett, Jenna O'Farrell, Patrick Brown and Lyle Jepson

Agency of Education (AOE): Maureen Gaidys, Pat Pallas Gray, Deborah Ormsby, Cassandra Ryan, Emily Simmons, Suzanne Sprague, Josh Souliere

Others: Donielle Albrecht, Jaime Kraybill, Megan Durling, Nathan Bradshaw, Vicky Fogg, Phil Lee, Kelly Boelens

Call to Order/Roll Call/Amendments to the Agenda

Tom Lovett called the meeting to order at 1:01 p.m. and called roll. Tom moved to change the order of the agenda to include: Approval of Minutes, Public to be Heard, East Burke School, Champlain Valley Christian School, The Mill School, Executive Session, United Christian Academy, Mid Vermont Christian School, Public to be Heard, Adjournment. Jenna O'Farrell seconded the change to the order of the agenda, which passed unanimously.

Approve [Draft Meeting Minutes from January 4, 2023 Meeting](#)

Jenna O'Farrell made a motion to approve the minutes from the January 4th, 2023 meeting. Patrick Brown seconded the motion, which passed unanimously.

Public to be Heard – No public chose to be heard.

Independent School Approvals

East Burke School, East Burke, Vermont

Josh Souliere reported on behalf of AOE staff. A second site review was conducted to specifically address issues found in the first review relating to financial capacity. The second visit pointed out that deficiencies had been addressed with technical assistance from the

Agency of Education. Based upon the report, the Secretary recommends a one-year renewal. The school serves grades 8-12. Enrollment started at 12 for 2022-2023. There are two full-time staff members. In addition, they have a visiting artist and counselor. A part-time administrative assistant has very recently been hired.

Nathan Bradshaw, from East Burke School, pointed out that enrollment is currently 11. It is a school of choice for students with a maximum enrollment of 18. Application for enrollment is in narrative form. Staff discuss the application with the parent/guardian and student in an individual way. They have an enrollment policy under consideration at an upcoming School Board meeting. AOE staff were complementary of staff and the school.

The school has received a VEDA forgivable loan that has provided a financial bridge as the state has emerged from COVID. Student enrollment has rebounded. Projected future tuition revenues will sustain. A sliding scale wage agreement is in place with staff, which has resulted in a sustainable financial structure.

A motion was made by Lyle Jepson and seconded by Patrick Brown to recommend to the full State Board of Education renewal of general education for grades 8-12 for a period of two years through June 2025 for the East Burke School, East Burke, Vermont. This is a conditional approval with the understanding that the school will report their financial condition to the Agency of Education no later than May 1, 2024. The report of financial condition will outline financial projections for sustainability through June 2025. The motion passed unanimously.

Champlain Valley Christian School, Vergennes, Vermont

Josh Souliere explained that the school has met the standards required for a K-8 school and staff are recommending a five-year renewal. The addendum of assurances has been signed. There were 47 students enrolled at the time of the visit. They anticipate more than 50 in 2023-2024. They do not take any public tuition funding. All students are private pay. The school provides differentiated instruction. They do not have a special educator. Kelly Boelens provides additional support. SLP services are provided from LEAs for several students. There are five full-time and four part-time staff members. All are qualified in their area of instruction.

A motion was made by Lyle Jepson and seconded by Jenna O'Farrell to recommend to the full State Board of Education renewal of general education for ages K-8 for a period of five years for Champlain Valley Christian School, Vergennes, Vermont. The motion passed unanimously.

The Mill School, Winooski, Vermont

Josh Souliere indicated that the Agency recommends a two-year renewal based upon findings associated with compulsory attendance requirements and maintenance of a register of daily attendance of its enrolled students.

Danielle Albrecht from the Mill School responded to questioning concerning attendance and daily scheduling. Morning check-in was discussed. Several students travel from a distance to the school. An adult always checks in the students. The process has been updated recently with color coding indicating reasons for absence, tardiness, etc. She feels confident that they have remediated the issue of student monitoring of attendance.

Ready or Not Ready is how they determine availability to learn. There are multiple rooms where students can be “not available”. Students rely upon transportation set up by the school. Each student has a customized plan of attendance. There is a new Director Position that provides administrative support that was not in place before.

A motion was made by Lyle Jepson and seconded by Patrick Brown to recommend to the full State Board of Education that the Mill School, Winooski, Vermont receive both a renewal of current general education and special education for three years through June of 2026. The motion passed unanimously.

Motion to enter Executive Session

Tom Lovett moved that the Board finds that the premature general public knowledge of confidential attorney-client communications made for the purpose of providing professional legal services to the body would clearly place the Board at a substantial disadvantage. This motion was seconded by Lyle Jepson and passed unanimously.

At 2:03 p.m. Tom Lovett moved that the Board go into executive session to receive confidential attorney-client communications made for the purpose of providing professional legal services to the body pursuant to 1 V.S.A. Section 313(a)(1)(F). Jenna O’Farrell seconded the motion, which passed unanimously.

Tom Lovett made motion to exit executive session at 2:32 p.m. The motion was seconded by Lyle Jepson and passed unanimously. The Committee reconvened.

Independent School Approvals

United Christian Academy, Newport, Vermont

Josh Souliere outlined the visit to United Christian Academy. The school is K–12 and provides differentiated instruction. The school substantially complies with the expectations of the rules. The AOE staff recommends a two-year approval.

Emily Simmons, AOE staff attorney, outlined a change in the Secretary’s recommendation, which includes the condition that the school sign and submit the attestation that the school is in compliance with the Public Accommodations Act. The Secretary recommends that the school be given until March 15, 2023 to comply with this requirement in order to receive Initial Approval.

In response to questions, United Christian Academy staff explained that all students are private pay. Active shooter and shelter in place policies are in place. They are working on operationalizing these procedures based upon state recommendations. Currently there are 64 students There are 21 staff, of which there are 11 full-time and 10 part-time.

A motion was made by Tom Lovett and seconded by Patrick Brown to recommend to the full State Board of Education that Initial Approval of general education for grades K-12 be approved for a period of five years through 2027 for the United Christian Academy, Newport, Vermont. The motion passed unanimously.

Tom Lovett moved and Lyle Jepson seconded the Secretary’s recommendation that United Christian Academy be conditionally approved for an initial approval period of two years, subject to the condition that, by the March SBE meeting, the school comes into compliance with the

requirements of State Board of Education Rule 2226.6, which requires that an applicant make a “demonstration that the school substantially complies with all statutory requirements for approved independent schools, with documentation of . . . [a]n assurance, signed by the Head of School, that the school complies with the Vermont Public Accommodations Act in all aspects of the school's admissions and operations.” If the school does not provide such an assurance by the deadline, the State Board would make a finding that the condition has not been met, and the school would not be approved. Based on AOE’s research, this option is consistent with how other independent schools seeking State Board approval have been treated, as conditional approval has been granted to other independent schools that failed to meet a limited number of the requirements for approval. The motion passed unanimously.

A United Christian Academy staff member asked for clarification of “compliance with” the Public Accommodations Act. Emily Simmons read from the Secretary’s recommendation. The memo was put in the chat.

Mid Vermont Christian School, White River Jct., Vermont

Josh Souliere outlined that the school meets the requirements for grades K-12. The Agency recommends a five-year renewal. The school is a member of the Association of Christian Schools International. There are 114 students Pre-K to 12. There are 14 full-time and 11 part-time instructors.

Tom Lovett indicated that this would also be conditional on the same signed assurance as outlined in the Secretary’s memo.

Discussion took place regarding serving special needs students. Local LEAs continue to test students but do not have staff to support students. Therefore, the school has hired staff in collaboration with the LEA. Out of State students attend from neighboring New Hampshire. New Hampshire students are all private pay.

Tom Lovett moved and Lyle Jepson seconded the Secretary’s recommendation that Mid Vermont Christian School be conditionally approved for a period of five years through 2027, subject to the condition that, by the March SBE meeting, the school comes into compliance with the requirements of State Board of Education Rule 2226.6, which requires that an applicant make a “demonstration that the school substantially complies with all statutory requirements for approved independent schools, with documentation of . . . [a]n assurance, signed by the Head of School, that the school complies with the Vermont Public Accommodations Act in all aspects of the school's admissions and operations.” If the school does not provide such an assurance by the deadline, the State Board would make a finding that the condition has not been met, and the school would not be approved. Based on AOE’s research, this option is consistent with how other independent schools seeking State Board approval have been treated, as conditional approval has been granted to other independent schools that failed to meet a limited number of the requirements for approval. The motion passed unanimously.

It was recommended that the school follow up with staff at the Agency of Education with questions.

Public to be Heard

Kelly Bushey, from Connected Circles, indicated that a student has been disenrolled from his public school because he cannot be successful there. She believes the approval process and timeline has pushed the student out. Ms. Bushey indicated that he is now a student drop out. Prior to the process, the student was enrolled 80% of the time. As of February 1st, she has not heard anything from the Agency of Education on her application for approval. She will submit written testimony to the AOE. An outline of AOE work indicates that Connected Circles application is still being reviewed by Agency staff and has not been moved to the Secretary of Education.

Adjourn

Jenna O'Farrell moved to adjourn the meeting. Patrick Brown seconded the motion. The meeting adjourned at 3:15 p.m.

Minutes prepared by Lyle Jepson.

