



Monday, July 24, 2023
Virtual via Microsoft Teams
Call-in Number: 1-802-828-7667
Conference ID: 430 499 380#

State Board of Education Rule Series 2200 Committee

Approved Meeting Minutes

Present: Chair Samuelson, Tom Lovett, Kimberly Gleason

Others: Sarah Buxton, Attorney

Agency of Education (AOE): Maureen Gaidys

Call to Order, Roll Call, and Amendments to the Agenda

Chair Samuelson called the meeting to order at 9:02 a.m. and took roll call.

Gleason moved that an executive session be added to the agenda. This motion was seconded. The vote was unanimous to amend the agenda to add an executive session to follow Public to be Heard.

Public to be Heard

There was none.

Chair Samuelson moved to find that premature general public knowledge of legal implications of some decisions the SBE might make regarding amendments to these rules would place the board at a substantial disadvantage. Lovett seconded. Chair Samuelson further moved that the SBE enter executive session for the purpose of receiving legal advice from their attorney. Gleason seconded. Chair Samuelson called the vote and the vote passed.

The Committee entered executive session at 9:06 a.m.

The Committee ended executive session and rejoined the regular meeting at 9:16 a.m.

Working Session

Chair Samuelson gave background on the three buckets of work that Buxton has been tasked with: 1) including sections of Education Quality Standards (EQS) that stem from Act 1 work; 2) creating a framework for accrediting agencies who wish to be recognized by the Agency which would live on the State Board of Education (SBE) website so that rule series wouldn't need to be reopened in the event that the framework later changes and 3) annual attestation clause.

Buxton added that she was also asked to look at the EQS and flag components that might have justification for inclusion. Buxton said she made some stylistic changes (readability, clarity, general clean-up of rules). The two topics most appropriate for discussion are 1) annual compliance assurance that all approved independent schools (IS) need to submit and 2) sections that intersect with Act 1 that she has added in and if these are appropriately placed. Lastly, Buxton said the Committee might ask her at the end to rework this, so all requirements are in one place and the application process is simplified and in another place.

Buxton walked through the working document, [Draft Revisions to Rule Series 2200 with edits \(July 24, 2023\)](#).

There was discussion on definition of “school”, challenge of having three IS categories, that Act 1 should be incorporated at the approval status level, whether the rules should refer to “renewal” or “re-application”, options for accreditation, reciprocity, New England Association of Schools and Colleges (NEASC) accreditation, appendix to accreditation, inconsistency in addressing out-of-state programs and consistency with §828.

Buxton asked the committee for input on accreditation process and clarification on the Vermont-specific rider, and thoughts on whether the committee wants Buxton to separate and organize the application requirements and the approval process.

There was discussion on ceding responsibility to an outside organization to which accrediting organizations must belong in order to be recognized, options for accrediting organizations, reliability, creating a framework, criteria for accrediting entity, gathering more information (criteria) from accrediting organizations, including other criteria in addition to the accreditation process, not privileging one accrediting agency over another, naming more than one accrediting agency, and the number of accrediting agencies.

There was discussion on what to include in the Vermont-specific rider: “for good cause shown” clause, intentionality clause for incomplete/unsubmitted form, sharing agreement on rider with AOE and asking to have it included in the annual assurance, authority in statute (AOE and SBE), referencing “in consultation with the SBE”, five days and grace period, deadlines for extensions, accountability for the AOE, dates for distribution, requests for extensions (good cause), and checking with the AOE IS team for current and future process for timelines and website postings.

There was discussion on the next Committee meeting being August 4, and if a meeting was needed before then. It was decided that Buxton will complete her work and, depending upon the timing of that, then another short meeting may be scheduled prior to August 4. There was discussion on bringing a draft to the SBE for action at the August 9 meeting, calling a special SBE meeting, Interagency Committee on Administrative Rules (ICAR) timeline (filing due August 29 for September 12, 2023, ICAR meeting), and SBE preparation for approval. Buxton offered to re-organize the approval, procedure, and application sections on the front end. There was agreement on reorganizing the Series for the committee’s review and discussion of whether this suggestion should be brought before the SBE. Chair Samuelson said the bulk of elements that might be included in the Vermont rider are included in §2226.5, §2226.6 and §2226.7. Gleason asked to have the current Vermont-specific addendum and a blank AOE attestation form to receive public tuition provided and posted as part of this meeting’s materials.

Chair Samuelson thanked Buxton for her organization and work.

Adjourn

Gleason moved to adjourn; Lovett seconded. Chair Samuelson called the vote and it passed unanimously. The meeting adjourned at 11:35 a.m.

Meeting minutes prepared by: Maureen Gaidys