

May 17, 2016

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.

MINUTES

Present

State Board of Education (SBE): Stephan Morse, Chair; Sean-Marie Oller, Vice Chair; Peter Peltz; William Mathis; Mark Perrin; Stacy Weinberger; Krista Huling; Dylan McAllister, Student Member; Rainbow Chen, Student member non-voting.

Agency of Education (AOE): Rebecca Holcombe, Amy Fowler, Greg Glennon, Pat Fitzsimmons, Megan Palchuk, Haley Dover, Morgan Ecklund, Maureen Gaidys

Others: Matt Levin, VT Early Childhood Alliance; Barbara Postman, Permanent Fund for VT's Children; Mill Moore, VT Independent Schools Association; Tiffany Pache, VTDigger.org; Joanne LeBlanc, OSSU Superintendent; Jonathan Wolft, Primmer; Jeff Francis, VT Superintendents Association; Nicole Mace, VT School Boards Association; Ned Kirsch, FWSU Superintendent; Judy De Nova, CSSU Superintendent, Bob Travers, CTE Director

Item A: Call to Order, Pledge of Allegiance, Roll Call

Chair Morse called the meeting to order at 9:41a.m., following a tour of the school. He led the Board in the Pledge of Allegiance and thanked Hazen for hosting.

Chair Morse acknowledged the absence of Scott Switzer, who had filmed SBE meetings for years. He announced that Scott had recently and suddenly passed away and called a moment of silence in honor of Scott and all he has done for the State Board of Education. He then explained that microphones were limited and that one would be passed around. He apologized for starting the meeting off on such a sad tone and he reminded those in attendance to sign the attendance sheet.

The members of the SBE introduced themselves.

Item B: Public to be heard

There were no members of the public to be heard.

Item C: Consent Agenda

Motion: Oller moved to approve the consent agenda as presented. The motion was seconded by Peltz.

Vote: The motion passed.

Specifically, the items approved were:

- C1. Minutes – April 19, 2016, SBE Meeting
- C2. Renewal of General and Special Education Independent School Approval- Mosaic Learning Center, So. Burlington & Morrisville; ages 5-22, grades K-12

Updates

Item D: Board Members Announcements and Student Representatives Emails

Chen shared that she was invited to attend and speak at the Noble Educators Summit in Little Rock, AK on July 27, 2016. They were intrigued by the fact the VT has student members on their State Board and they hope to amplify this story through this summit.

Peltz spoke with Hal Cohen, AHS Secretary and Paul Dragon, AHS Deputy Secretary and Melissa Bailey on the issue of coordinating efforts between AHS and AOE. They are making headway with the Community Profiles program with 15 indicators already chosen to be able to best channel resources for improved delivery both at the schools and on the home front – this is very encouraging.

Mathis shared three events of interest: 1) he attended an EQR meeting with AOE and this was very interesting and productive 2) four SBE members visited St. Johnsbury Academy and were very enlightened by their visit 3) he met with Michael DiNapoli, Education Policy Analyst for Senator Sanders' office and was glad to establish that connection.

Huling attended an ESSA meeting that was looking at indicators for schools. She offered that there are a number of upcoming events if any SBE members would like to be involved in this. The link to [get involved with ESSA](#) was sent previously and was also in the AOE's Weekly Field Memo.

Item E: Chair's Report

Chairman Morse again mentioned that there was a meeting at St. Johnsbury Academy attended by Chairman Morse, Mathis, Perrin and Peltz. It was a nice visit and the group learned a lot about how a large independent school works in this state. Chairman Morse noted that the day's agenda included an item addressing interest in forming a board committee in dealing with issues around Act 166; he said that would be included in the Secretary's report and that conversation will continue in more detail at the board retreat.

Morse shared copies of opinions from a class of 8th grade students at Rutland Town School District on whether Shakespeare is relevant in modern day America. Morse offered to share these with interested parties. The four letters supported relevance and were quite convincing.

On today's agenda some interest in forming a board committee in dealing with issues around ACT 166, but under Rebecca's report will discuss that today. We will continue that conversation in more detail at the board retreat.

Item F: Secretary's Report

Secretary Holcombe advised the group that the deadline for [applications](#) for the student SBE member have been extended. The link for applications is on both the AOE and the Governor's website. The new deadline is June 10, 2016.

Secretary Holcombe has attended several organizational meeting for mergers, and will be attending others over the next few months. She recently attended the Rutland South unification meeting and expressed that it was a pleasure joining those communities. She noted that simply unifying is already enabling better coordination and leadership, will preserve their schools, and has already freed up about \$445,000 off a \$17 million budget, with no changes made.

AHS and AOE continue to visit SUs, particularly those with a high or rising level of emotional/behavioral issues to hear from their side about accessibility and challenges and to find out what the Agencies can do in partnership to better support our school systems while helping schools maintain high level educational opportunities.

Rebecca contacted Senator Sanders' office regarding College Board's decision to charge fees to low-income students, via back billing these students \$15/exam. This is a critical exam - the only of its kind – and it can place students out of some introductory courses. Fifteen dollars per exam doesn't sound like a lot of money, but can be a lot for students who live in poverty.

With regards to ESSA, the AOE continues to provide input to our congressional delegation and to collect input on ESSA from a broad cross section of stakeholders. She encouraged people to think about ESSA as a tool for equity. One question we are grappling with is whether we will present data at the supervisory level, which is the LEA level for federal funds, or whether we will present it at the school level. If we continue to report at the school level, data is suppressed for the majority of subgroups, so equity concerns are not evident. We are continuing to push to report this at the supervisory level.

Update on the status of rulemaking and the Board's efforts to ensure all rules are current:

- 1) Approval of Post-Secondary Schools Those rules are still in process; they were opened by the Board in October 2015. We have consulted with stakeholders, ICAR has reviewed and subsequent to that rules were filed with SOS and notice of public comment has been extended. The deadline for public comment is June 28. Public meetings have been scheduled. AOE will post these on the AOE website for public to provide input. This will come back to the Board at the August meeting for final approval, they will then go back to legislature and they will have 45 days. Mathis inquired about feedback received.

Holcombe said the language (“correspondence schools”) needs to be updated, as well as contemplation of digital/online learning. Other states were consulted for best practices. Holcombe offered to update specifically on this at the next SBE meeting. Peltz asked who initiated this. The SBE initiated this. Huling asked if these rules could apply to high school if they offered post-secondary classes. This is not envisioned here.

- 2) Independent school approval. Rulemaking was opened at the January meeting. Since then there has been consultation with key stakeholders and requests for input. Preliminary input has been sought from VISA, CIS, and other lobbyists representing independent schools. There was feedback in respect to financial data, solvency, open enrollment not applying to schools with a specific/therapeutic purpose (e.g. schools serving students with a specific disability). Separately, there was also concern around exclusive special education schools perhaps not having enough emphasis on intentional transition to re-integrate, and concern about segregation across sites. Some of the latter concerns can be handled through the IEP process and not approval.

Secretary Holcombe shared that it was a very active year between ESSA in particular, a monumental piece of legislation, and some of what was going on in legislature this session - Act 77 and EQS. There is so much going on that it is hard sometimes to get ahead of which are the highest priority issues because everything feels urgent. Secretary Holcombe suggested that the Board decide on what issues they want at the core of their work over the next year and that we plan to spend time at the Board Retreat focusing on this. The SBE’s goals in their strategic plan are really equity and sustainability. The Secretary recommended the following three items for focus at this summer’s retreat: Governance Reform, Pre-K, and Small High Schools (which includes Act 77), and suggested the Board pick no more than two.

There was a variety of discussion on narrowing/broadening the focus for topics to be discussed at the upcoming SBE Retreat in July. Oller reinforced that the SBE can really only make a difference creating policy around what they have control over.

Morse called a five-minute recess at 10:56 a.m.
The meeting reconvened at 11:06 a.m.

Item: G – Committee Reports

None.

Item: H – ESSA Update - Amy Fowler, Deputy Secretary, Agency of Education

Deputy Secretary Fowler shared the timeline for ESSA. It is a fast timeline and we anticipate sending a plan to the feds next December, regulations come out in October or November. Anything we say up until we write the plan could change. She spoke of creating four critical bounce teams – Consolidated Federal Programs, Assessment & Accountability, School Effectiveness, and Educator Quality. There are over 150 big decisions to make and many of those come with sub-decisions. There were initially 500 indicators and the team worked to reduce this to 300 based on data available and any overlaps. The hope is to have a narrowed list of indicators for presentation to Secretary Holcombe by the end of the month.

Deputy Secretary Fowler explained the merged vocabulary---and the EQS is Vermont's definition of a "well-rounded education." The next discussion is scheduled for June 16 and will address 3 questions: 1) How will measures be combined to identify schools eligible for support? 2) How will the measures be weighted across categories? and 3) How will the manner of combining indicators impact improvement supports and strategies? The next meeting is open to the public and those interested can register on line on the [ESSA website](#). It is great to hear from folks who are not part of the education system.

Policy update: There is new ESSA statutory language addressing supplement, not supplant. And, there is a provision for comparability of services provided with state and local funds between Title I-A schools and non-Title I-A schools. The impact on Vermont is: 1) that we wrestle with tracking services and payment at the SU/SD level because this is done so differently across the state, 2) SUs have different town budgets that fund different services and pay different contractual rates 3) the degree to which the Chart of Accounts will support or be hindered 4) lack of information related to the auditing process.

The [ESSA webpage](#) is the best way to stay on top of this legislation. It is anticipated that SUs will have significant advantages over SDs in this scenario. Oller asked if Title money goes to a demographic. Deputy Secretary Fowler explained that the calculation is misunderstood and/or easily confused. The U.S. Department of Education uses census to allocate and SU/SDs use FRL data to distribute. Oller asked if there is supposed to be a district-wide contract. We still have local contracts. Article provided is nonpartisan and Deputy Secretary Fowler thought it would be helpful to review. This will also be provided to Donna Russo Savage to share with the Act 46 team.

Item: I – Proficiency Based Graduation Requirements - Amy Fowler, Deputy Secretary, Agency of Education

Deputy Secretary Fowler started with Curriculum Content (2120.5) – the SBE defines the standards and the SU/SD decides how this will be achieved. Graduation Requirements (2120.7) leaves how these are defined are up to the local entity. Learning outside the classroom is supervised by a content specialist. Proficiency Based Graduation (2120.8) – is a local decision, and not surprisingly, this is implemented differently across the state. State and local balance is needed. There is tension between the state and the role in establishing guardrails for equity and flexibility to local decision making. SU/SD leadership varies in their interpretation of Proficiency Based Learning and Graduation Requirements. It is often misunderstood that credits are not allowed. This is not true. Credits must be accounted for through a proficiency-based lens. PBL is a full-time commitment, in addition to Act 77, EQR, etc. and it is the same people implementing all of this. This is initiative overload.

Huling suggested that the timeline established might not be doable. That to have PBGR ready for freshmen starting this fall might be worth reconsidering. At the least we should be conscious of it.

Deputy Secretary Fowler explained that responsibilities are distributed between the State and the SU/SD and there is variation in implementation - different expectations and different levels of capacity, problems and solutions are defined differently. We are moving towards coherence. Vermont's Professional Learning Network vendor is almost finalized. The selected vendor will design and implement PBL. The AOE has realigned staff from Elementary and Secondary School Effectiveness to PBL, Personalization, MTSS and Quality Assurance, PreK – 12. We still have openings on these teams. AOE will work with Curriculum Directors, sharing protocols, developing guardrails that support equity, and collecting evidence on local implementation. It will be a systems level approach and we will enter the system where we can have the greatest impact.

Next steps: AOE will collaborate with partners for minimum expectations for Graduation Requirements, develop a model graduation policy to support EQS implementation and a process for reviewing Graduation Requirements to ensure they meet minimum standards. (There isn't a process to review this in the old way either, we will be creating a new process for review.)

Huling discussed the timeline with regard to minimum Graduation Requirements not being finalized yet and how this may affect incoming freshmen. Also - teachers need time to create curriculum and implement and practice. Fowler noted that the implementation is moving forward. This legislation was passed in 2013 and professional development was offered then. Some systems elected to begin by developing personalized learning plans, and some began by focusing on proficiency-based graduation. Chen added that she has spoken with some students who worry that colleges receiving student applications may not understand this.

At 12:11 p.m., Chairman Morse called a recess for lunch with the intent to reconvene at 12:45 p.m.

Chairman Morse called the meeting back to order at 12:50 p.m.

Morse explained that student members on the Board have served us well and that Vermont is unique in having student members. The Board wanted to honor McAllister's commitment and service to the State Board of Education.

Oller presented McAllister with a gift and a copy of a resolution that the Board created for him. She then read aloud the resolution.

McAllister shared that he will be attending Ithaca College and majoring in Occupational Therapy. He has been accepted into a five-year accelerated Master's program, and could be on a track to pursue a doctorate.

Item J: Communicating School Redesign (CSR) Course – Furthering Act 77 Implementation

Helen Beattie, Executive Director, UP for Learning

Helen organized a final presentation for the seven schools who were involved in this course.

At 2:25 p.m. the Board reconvened back in the library.

Item L: SBE Rule 2374 Petition – Franklin West Supervisory Union, Greg Glennon, General Counsel

Glennon gave a brief overview of the request from Superintendent Ned Kirsch to reassign FWSU to a new technical center region. According to the SBE rules, the decision needs to be made with consideration of 4 questions: 1) The change will not significantly affect technical center program enrollments, 2) The change will not significantly increase the distance between the technical center and the high school, 3) The change will provide more opportunities to students, and 4) The fiscal impact of the change will not be so great that the technical centers affected by the change cannot accommodate it and that other schools in a service region will have to assume a significantly larger portion of the costs of operating the technical center. Greg Glennon stated that the recommended action of the AOE was to deny the request.

Glennon explained that in his October 2015 request for reassignment, Kirsch stated the basis for this request was that it was mainly due to the spending caps in Act 46. Since the petition was received, the spending caps have been repealed for FY18 and revised for FY17, and none of the three FWSU districts are subject to the revised spending caps for FY 17. Glennon mentioned that comment was invited among all affected districts, and the regional advisory boards of the CTE centers affected by FWSU's region change request. All of the comments received by AOE, from each affected party, were distributed and shared among all parties. The comments were compiled and reviewed by AOE, and shared with SBE members as part of the deliberative review process. (a 63 page packet distributed prior to the meeting). Glennon stated that another reason to delay action is because of Act 46 governance activity in the region, which is realigning many districts. It is the AOE's belief that it makes sense to have greater clarity around how current districts propose to organize themselves before resolving questions related to Technical Center region changes and/or reassignments.

Members Perrin and Oller inquired about the FTE enrollments for the Center for Technology, Essex (CTE) and Burlington Technical Center (BTC).

Ned Kirsch, superintendent, Franklin West SU: Kirsch stated he was not aware until the last minute that he would be able to present to the State Board at the hearing. He thought the process had been a bit confusing along the way and would like the procedure in the rules to be better spelled out. Kirsch stated that his request originated from Act 46 – Kirsch stated that

FWSU has done a great job budgeting and right-sizing their schools; they have the lowest per pupil spending in the state. Kirsch said FWSU started its own Act 46 study committee, and argued that they are a Franklin county SU, not a Chittenden County SU. Kirsch also stated that this request was not a reflection on the quality of CTE or BTC programs, but rather the structure. FWSU sends students to Essex for 2 full years. Since the high school in FWSU is not a large high school, this decreases what can be offered at the high school, because students are gone so long. If aligned with a different technical center, Kirsch stated that rural access to work-based learning – which is challenging -- could be coupled with transportation to ½ day CTE programs. This change would not affect students from Georgia who currently tuition to a variety of high schools. They will still attend tech education at the tech center affiliated with the high school they attend. Kirsch asked that the SBE be open to discussion if asked again, and that it is likely that this request will be made again.

Oller observed that the AOE had done due diligence and followed the appropriate rules. She added that she was full of empathy for his request.

Kirsch said he felt that he has met the burden of proof in respect to the rules. Peltz asked if students were surveyed on this issue. No.

Perrin noted that we are hung up on “significant” numbers, and that the numbers don’t seem that significant to him, but there is some missing information. Perrin and Kirsch agreed that there is a lot of information. Perrin asked when FWSU could re-petition. Glennon responded they could do so as soon as they want.

Judy DeNova, CSSU Supt and Bob Travers, CTE Director: DeNova spoke of the impact on loss of revenue. The students in question are spread across multiple programs, but represent a financial loss which would challenge CTE’s ability to fund all programs. She said there is strong student voice in respect to this issue. She said when the request came in, about 15-16 students were surveyed (on issues such as the drive, extracurricular activities, leaving their high school experience for a technical program, etc.) and the students said they maximized their learning time on the bus by using it as a rolling study hall.

Travers elaborated on the idea of student choice or preference for CTE. At the time he had 61 tuition students at CTE. They chose the CTE community because of what is offered. This is important to consider when we are thinking about Chittenden vs. Franklin County.

Travers also noted that Westford students, some of whom attend high school in FWSU, will be grandfathered until their high school career is finished.

Leeann Wright, Director of Northwest Technical Center at St. Albans: Wright said the number of students varies year to year, and that regional technical centers are to support the region. She stated that Georgia, Fairfax and Fletcher are in Franklin county.

Johnson-Aten asked if there was a sense of urgency. Kirsch responded no, that there would be a thoughtful transition period. He noted that more students are looking for flexible pathways to learning.

Oller moved to table the agenda item for further action until the August meeting of the State Board

MOTION by Oller: To table FWSU's request for a CTE boundary change until August 2016. Perrin seconded.

Chairman Morse called for a ROLL CALL VOTE.

YES: Perrin, Peltz, Huling, Oller, Mathis, Weinberger, McAllister

NO: Morse, Johnson-Aten.

The motion passed 7:2.

Other: State Board Retreat Agenda – Stephan Morse, Chair

The Board briefly discussed and agreed to have the main focus of June's Board Retreat be: Governance Reform, PreK (Act 166) and Small High Schools. Chairman Morse suggested that each Board member identify areas of interest in these three categories and email them to the Secretary.

Morse asked for clarification on AOE's staffing of the State Board. Secretary Holcombe advised that the duties are being shared – and there is cross-training between two staff to ensure appropriate support.

MOTION: McAllister motioned to adjourn. Huling seconded this motion.

VOTE: Unanimous in favor.

Meeting adjourned at 3:25 p.m.

Minutes recorded and prepared by Maureen Gaidys

