

May 19, 2015

The state of Vermont is a national and international leader in education. From exceptional teachers and visionary leadership to creative instruction and leading-edge assessment, Vermont enjoys a highly regarded educational system which serves as a model for other states and schools.

Approved MINUTES

Present

State Board of Education (SBE):

Stephan Morse, Chair; Sean-Marie Oller, Vice Chair; Krista Huling; Bonnie Johnson-Aten; Peter Peltz; Morgan MacIver; William Mathis; Dylan McAllister; Mark Perrin; Stacy Weinberger; Rebecca Holcombe

Agency of Education (AOE):

Amy Fowler; Jill Remick; Karin Edwards; Lindsay Simpson; Donna McAllister; Chris Case; Perry Thompson

Others:

Rama Schnieder, Williamstown resident; Nancy Thomas, Washington Northeast SU Superintendent; Julie Longchamp, VT-NEA; Mill Moore, Vermont Independent Schools Association; Steve Dale, Vermont School Boards Association; Ben Doyle, Vermont Arts Council

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

Chair Stephan Morse called the meeting to order at 9:35 AM. He then led the group in the Pledge of Allegiance and reminded those in attendance to sign the attendance sheet. The members of the SBE introduced themselves.

Item B: Public to be Heard (Items not on the day's agenda)

Schneider addressed the Board, asking them what they are willing to do, or to let happen, that is going to be different from how education has functioned in the past. He said the public education system is very complex with lots of mandates on schools. He felt that the Board should give local schools the flexibility to operate in ways they find to be most efficient.

Item C: Consent Agenda

Motion: Oller moved to approve the items on the Consent Agenda. Seconded by Mathis.

Vote: The motion passed unanimously (8-0).

Specifically, the items approved on the Consent Agenda were

1. Minutes of the April 21, 2015, SBE Meeting

2. Renewal of Independent School Approvals
 - a. Burke Mountain Academy, East Burke
 - b. Good Shepherd Catholic School, St. Johnsbury
 - c. Green Mountain Valley School, Waitsfield
 - d. The Putney School, Putney
 - e. Rock Point School, Burlington
 - f. Thetford Academy, Thetford
3. Amendment of Special Education Approval Status
 - a. Village School of North Bennington

Updates

Item D: Board Members' Announcements & Student Representatives' Emails

Weinberger said she had attended a smart start conference in North Carolina that had over 1100 attendees from 28 states, including 35 Vermonters. The conference focused on early education systems and strategies.

Peltz reported that he, Secretary Holcombe, MacIver and McAllister had attended an event at the State House regarding Act 77, Flexible Pathways. MacIver said that schools around the state attended the gathering to illustrate the successfulness of the program. McAllister added that it was nice to hold the event at the State House so the Legislators could see the positive effects of a law they had passed.

Mathis said he had attended a recent session on EQR, which he said was very well organized and presented and also will gain increased importance in light of the passage of H.361. He reported that he had also made several trips to the Legislature during the last month and participated in a NASBE conference call on the federal education legislation.

Oller said she, too, had attended the EQR session and was amazed by the energy and organization of the people in the room. Mathis noted that the Agency's capacity to implement EQR was worrisome to him.

Morse said he had also been to the Legislature several times in the last month. Both he and Mathis had raised capacity concerns several times with the House and Senate Education Committees. He is hopeful that the Legislature will add capacity back to the Agency's budget when it convenes in 2016.

Item E: Chair's Report

No report.

Item F: Legislative Update

Morse said the legislation approved by the Legislature, known as H.361, is the most significant piece of legislation he's seen and is an extremely important piece of public policy (not only education policy) for the State of Vermont. He said it is truly historic and long overdue, adding that the last time educational governance in Vermont was changed in such a significant way was in 1893.

Remick then reviewed several pieces of education-related legislation that received legislative approval this year:

- S.44 allowed the State Colleges to share the total number of early college admissions they are allotted under the law. Previously each had a cap of 18, now the 54 spaces can be split among them as needed. It also established a higher education savings fund for every Vermont student and requires the Agency to distribute financial literacy information to students and families.
- A change was made to the funding mechanism for dual enrollment. In fiscal year 2016 half of the cost was to be borne by the local school district; now, the funding for that will come from the Education Fund.
- Language was added to a bill regarding the Community High School of Vermont regarding those charged with crimes but not adjudicated as guilty. This has the potential to create dual adult education programs in the state and is the subject of ongoing discussions.
- H.480 was the technical corrections bill that brought statutory language into synch with the language of the Educational Quality Standards. Other changes included identifying the Multi-Tiered Systems of Support as the current best practice, adding PreK to the definition of education to allow schools to count PreK students for e-rate reimbursements, changing the entity for accountability determinations to the Supervisory Union level, and establishing an afterschool extended learning opportunities commission and fund.
- S.9 created a new felony if someone knew or should have known that a child was being abused and didn't report it to the proper authorities.
- S.138 ensures CTEs continue to be supported in offering courses and training in high demand sectors.
- H.361 was the benchmark education legislation passed this year. Remick reviewed some of its major components and said the matter would be covered in detail at the Board's retreat in June. The options for governance changes were reviewed. The fact that the longer of the two timelines proposed for these change was included in the final legislation will make it easier for the Agency and the Board to process the requests. This led to discussion about what the Board will do to set guidelines, rubrics and establish a measure for what a successful conversion looks like. It will also be important to determine what "equity of opportunity" means and how to identify it, or the lack of it. Taxes were discussed as was the Board's existing authority under the law to set limits and conditions on school districts as well as the newly granted authority to require districts to combine if it is determined they are not meeting the EQS. The Board briefly discussed the definition of adequacy as it pertains to a study called for in the bill.

The meeting recessed from 10:55 – 11:10.

Item G: Secretary's Report

Holcombe reported that the Agency had received the necessary permission to use EEI grant money to fund implementation of Act 166.

She also reported that the Agency had successfully posted for the position formerly held by Deputy Secretary Fischer. Depending on who the final candidate is it may be necessary to switch some duties around among the deputies. She went on to explain that as part of the Governor's budget plan for every four employees who retire, the Agency will be allowed to fill

one of those positions. This is not a cause for great concern at the Agency, but it could affect the Agency's capacity if the number of retirements exceed expectations. She said a lot of time is being spent analyzing the Agency's personnel and how their time is being spent. The ultimate goal is to position the Agency's resources around its critical core work: support of educational governance changes, and implementing EQS and EQR.

Oller thanked Holcombe for the work she did during the Legislative session. Holcombe extended her appreciation to Remick and Brad James who both spent a great deal of time at the Legislature. Morse added that it was quite possible there would have been no education bill this year had it not been for the good work Holcombe had done.

Discussion Items

Item H: Education Quality Standards Update

Fowler spoke about the differences between the Educational Quality Standards (EQS) and Educational Quality Reviews (EQR). She explained that today she would be talking about EQR, which is the way to measure how well the EQS are being achieved. She asked for feedback on what "substantially equal educational opportunities" are; what is an "educational opportunity" and what does "substantially equal" look like?

Fowler then moved on to her next question: should excellence be constrained to promote equity? As an example of a way to enforce equity, she asked if a school that provides 4 field trips each year should be required to only provide 2 if that is the most that other schools can provide. Or, if 2 is set as the "normal" number of field trips should the inequity be allowed to continue if some schools choose to provide more? To be clear, there were no plans to dictate the number of field trips a school is allowed to provide.

The restrictions of qualitative data were discussed and Fowler explained that the field visit portion of the EQR will be essential to help get the most complete picture of how well a SU/SD is implementing the EQS. She said that the EQR will begin by looking at data from the SU/SD level to ensure the data collected is broad enough to be reportable, but the schools making up the SU/SD will also be reviewed.

Item I: PreK Rulemaking: Status Update

Edwards reported that the site was up for public comment and statewide hearings at 7 sites throughout the state will be happening soon. After the hearings are complete and the comment period has ended she expects to be back in front of the SBE with the final proposed rules. Holcombe expressed her appreciation to Edwards and her team for the work they are doing regarding the Act 166 Rulemaking as well as the work they are doing on the PreK expansion grants.

Item J: Vermont Arts Council

Ben Doyle reviewed the VAC's initiatives and the activities and events they sponsor around the state. He said that a focus on standardized testing has served to marginalize the arts, as have budgetary restrictions. He was happy the EQS requires a demonstrated proficiency in arts standards and reviewed the results of a visioning session on the future of art in Vermont and

ways to increase students' access and exposure to art. There were 5 recommendations he gave that would have a big, positive impact on arts in Vermont:

- The Agency should have an arts content area specialist,
- National core arts standards should be adopted,
- High quality professional development for arts education and the coordination of art throughout the curriculum,
- Art tool kits should be built, and
- Partnerships between schools and art education should be fostered.

Doyle noted that there is consensus in the Vermont arts education community that the national arts standards should be adopted and added that Vermont is 1 of only 8 states without an art content area specialist in its Agency of Education. Art is the only aspect of the EQS that does not have a content specialist in Vermont.

Holcombe thanked him and the VAC for their hard work in promoting arts education and for stepping in to fill the void created when the AOE lost its position for an arts content area specialist. She said that the advocacy role VAC is playing is very important.

The meeting recessed from 12:15 – 1:15 PM for lunch.

Item K: Discuss Priorities for Board Retreat

Morse noted the Retreat will follow the June Board meeting and will take place at the Okemo Mountain Resort in Ludlow. He proposed that most of the time at the Retreat be spent talking about the implementation of H.361 and how the SBE and the AOE will work together.

Mathis cautioned about having too heavy a focus on H.361 at the expense of topics such as the quality of education and the gaps identified in the strategic plan. He would like to see the Board focus on programs to address the achievement gap in addition to developing a work plan for H.361.

Oller also made note of a concern raised in the strategic plan: rule review. She said that given the new direction set by H.361, thought should be given to rule reviews that are necessary to be successful and to parallel what is happening with the new law. The same concept of seeking parallelism should also be applied to content area standards.

Huling said that teachers would be appreciative of any guidance they could get regarding proficiency based graduation.

Board members agreed to send any other suggestions for Retreat discussion topics to Morse and Holcombe, who will work together to craft an Agenda for the Retreat.

Action/Tabled Items

Item L: Clarification Regarding Independent School Approvals

Glennon explained the purpose of this discussion was to clarify how the AOE interprets Rule 2225.9 of the State Board of Education Rules, which requires evidence of financial capacity for independent school approvals and renewals. He summarized that interpretation, saying that if

NESAC has accredited a school that AOE will use that as the necessary evidence of financial capacity. If a school has not sought NEASC (New England Association of Schools & Colleges) approval (or failed to achieve it) then the Rule lists 4 items, any or all of which can be used to verify financial capacity. If the reviewer feels that an item from that list does not adequately address the issue of financial capacity, the reviewer will ask for additional items. The Board felt that was a reasonable interpretation of the Rule.

Motion: Huling moved to support and endorse the AOE's interpretation of Rule 2225.9.
Seconded by Peltz.

Vote: The motion passed unanimously (8-0).

Item M: Adoption of New Standards for Health Education and Physical Education

Lindsay Simpson and Donna McAllister spoke to urge the Board to approve the national standards for both Health and Physical Education to replace the current grade expectations that exist in the two areas currently. Their recommendations will help to implement EQS since they represent a change to a proficiency based system. Adopting the standards will give teachers access to resources to help them move forward and will allow for a focus on individualization of learning at the local level. They explained how widespread the use of these standards was in Vermont already.

Oller asked about the topic of sex education, which can be controversial, and asked where in the Health Education Standards that topic begins to be addressed. McAllister explained that Vermont statute says such education can begin in grades K-6 and that such instruction must be grade appropriate. Thus the groundwork begins to be laid in Kindergarten with age appropriate content. There was also discussion about the rules and requirements for teaching Health Education and when a Health Education endorsement is required.

Regarding the Physical Education standards, Simpson explained that most Vermont Physical Education teachers are using both the standards that are being proposed for adoption as well as current grade expectation standards. She said that when kids develop a competency for physical education, research has shown they tend to be physically active throughout their lives.

Motion: Oller moved to adopt the national standards on Health Education, as recommended.
Seconded by Johnson-Aten.

Vote: The motion passed unanimously (8-0).

Motion: Oller moved to adopt the national standards on Physical Education, as recommended.
Seconded by MacIver.

Vote: The motion passed unanimously (8-0).

Item N: Strategic Plan: Define Nature of the Gaps

The following topics were discussed:

- Graduation rates for economically disadvantaged versus non-economically disadvantaged students.
- English Language Learners are a growing segment of the population.
- Is Special Education spending being used in the best way?
- Food security and how food insecurity at an early age can negatively impact brain surface area.
- The increasing number of students with struggling behavior and the equity gap as it relates to students who are out of the classroom. If students are in the office then they're not learning.
- The potential correlation between poverty and those receiving Special Education services and how to support children living in emotional dismay. To refer to them as emotionally disabled when they may be acting in certain ways as a result of emotional trauma may not be the most accurate; support should be provided in the least intrusive way possible.

Before calling for a motion to adjourn, Morse expressed his appreciation to Morgan MacIver for serving as a student representative on the Board for the last two years. He explained that Vermont has distinguished itself by having students on its SBE since the late 1990s. Oller read a resolution honoring MacIver for her dedication and commitment. A copy of that resolution is included at the end of, and is thus incorporated into, these Minutes.

Motion: Oller moved to adopt the resolution. Seconded by Perrin.

Vote: The motion carried unanimously (8-0-1) with Morse voting in favor and MacIver abstaining.

MacIver expressed thanks for the opportunity to serve on the SBE. She said it had helped her grow into the person she is today.

Adjourn

Motion: MacIver moved to adjourn the meeting at 3:00 PM. Seconded by Huling.

Vote: The motion passed unanimously (8-0).

Minutes recorded and prepared by Perry H. Thompson