

State Board of Education

Draft Meeting Minutes

Via MS Teams Teleconference
Call in #: 1-802-828-7667
Conference ID: 196 647 573#

Date: June 21, 2023

Present:

State Board Members (SBE): Jennifer Samuelson, Chair; Tammy Kolbe, Vice Chair; Mohamedou Diop, Lyle Jepson, Tom Lovett, Gabrielle Lucci, Amara Severtson, Jenna O'Farrell, Richard Werner, Kim Gleason, and Heather Bouchey.

Agency of Education (AOE): Meg Porcella, Emily Simmons, Suzanne Sprague, Maureen Gaidys.

Others: Adam Walker, Media Factory; Jennifer Oldham, Lincoln School District

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

Chair Samuelson called the meeting to order at 8:31 a.m. and asked for roll call. She advised that Item L (Special Education Advisory Panel (SEAP) Update) will be postponed to the July meeting. She added that if there was no objection, Item J will be moved up and discussed after Item F. There was no objection.

Item B: Public to be Heard

Chair Samuelson recognized one member of the public and reminded that there was a two-minute limit.

Craig Hutt Vater – spoke in support of the Expeditionary School at Black River (ESBR). He provided a written statement and read that to the SBE. He gave history and background on ESBR. Following Act 46, the community agreed to close the 7-12 school and open an independent school. This is not an independent version of the old school but is re-imagined as a 21st century school and based on the expeditionary school concept. They opened during the pandemic. ESBR serves students who are not as successful at traditional schools. They have strong leadership, community support, and financial support. He offered the SBE to look at their website. He closed by saying that the ESBR have been in the approval process for two years and he would very much like approval prior to the moratorium taking effect.

Hutt Vater asked about a timeline and said the AOE was doing a site visit on June 22. Chair Samuelson said if ESBR's application comes before the SBE, they will do their best to call a special meeting.

Item C: Board Announcements

Chair Samuelson said that the August meeting will not be held on August 16, as that is a state holiday. She proposed August 9 for a virtual meeting and asked SBE members to note this and let her know if they had a problem with that date.

Chair Samuelson said she has re-arranged the Education Quality Standards (EQS) Rule Update Committee. Lovett will be stepping off this Committee and Diop and Werner will be joining the Committee. Kolbe and Gleason will remain co-chairs. She acknowledged Lovett for his hard work, dedication and perspective lent to the EQS Committee. Gleason offered that new student members could be considered for committee work to ensure student voice. At this point no student members have been appointed, so that will be revisited when appropriate.

Lastly, Chair Samuelson shared that Russo-Savage is retiring at the end of the month. She will be properly recognized at the July meeting, and she has been invaluable to the board over the years and will be missed.

Item D: Student Report

Chair Samuelson recognized Severtson. She is in Georgia for a Skills-USA competition and is the voting delegate who will be voting for the new national officers. After two long years, she graduated from cosmetology school, and she truly loved her school. She thanked the SBE for the opportunity to serve on the Board.

Chair Samuelson revisited Public to be Heard.

Craig Hutt Vater asked if other comments provided to the SBE in writing would be posted to the SBE webpage. Chair Samuelson spoke about a distinction between people appearing at a SBE meeting and providing a copy of their comments in writing to be included with the minutes versus members of the public emailing the Board to express their opinions or request information. She said public comments could be emailed to AOE and posted. There was discussion on posting written public comments, where to post these comments, hearing from people who cannot attend meetings, reading written comments into the public record, having public comments posted as they are related to an agenda item, and clear labeling of public comments provided to SBE members via email.

Lucci joined after having some technical difficulties. She said it is the end of the school year. She and fellow classmates have graduated and are off to do exciting things that will be both exciting and scary. She hopes that for all students who have not graduated, this is a good time to reflect on the past year and prepare for next year to be as successful as possible. For the summer Lucci will be visiting family and then enjoying a trip to Disney World at the end of the summer, prior to starting school. Chair Samuelson expressed appreciation for her participation on the SBE and her consistent thoughtfulness/even temperament and informative student reports.

Item E: Resolution for Amara Severtson

Chair Samuelson [this resolution of appreciation for Severtson](#). She also shared that SBE members contributed to a gift certificate for her to Salon Centric to help her purchase supplies need to get started in her career.

Item F: Approval of [May 17, 2023 Meeting Minutes](#)

Chair Samuelson asked for a motion. Lovett moved to approve the minutes; Gleason seconded. Chair Samuelson called the vote. The vote passed unanimously.

Item J: Education Quality Standards (EQS) Update

Gleason shared that she and Kolbe attended the Interagency Committee on Administrative Rules (ICAR) meeting on June 12. ICAR provided feedback and passed the rules for filing with some suggestions about filing details and improving the economic impact statement, but no changes to the EQS document itself. Next steps are planning for two or three public hearings, likely in September. Following the end of the public comment period, the EQS Committee will respond to feedback and return final EQS rules to the SBE for final approval. Kolbe agreed that it was a thoughtful conversation with ICAR and there was good feedback on adding more content around economic impact state, but no substantive feedback on the substance of the rules. The next step will be the EQS Committee will address the curriculum standards from the Act 1 Working Group that will accompany this rule. In the next few weeks, a thoughtful process will be developed on how to address these recommendations for curricular standards coming from the Act 1 Working Group. She welcomed Diop and Werner to the EQS Committee. Chair Samuelson shared that she asked the EQS Committee to take the first pass at the performance standards that will be provided by the Act 1 Working Group.

Item G: Secretary's Update

Secretary Bouchey provided the following updates:

- 1) Legislative: yesterday's veto session for the General Assembly resulted in an override of the Governor's vetoes on the Budget Bill and the childcare bill, so these are both now law. Both of these have implications. This substantiates legally the moratorium on new independent school approvals. In terms of the childcare bill, there will be another complex piece of committee work to be completed with PreK stakeholders across public and private entities.
- 2) New rule series 2200 and what AOE has been doing to help independent schools be ready to meet the new obligations: the AOE sent a non-binding survey to independent schools to collect data (39 surveys received, 17 from currently approved independent schools, 2 approved independent schools not moving forward, 20 therapeutic schools and 1 recognized school). Additionally, the AOE held a virtual office hour and had 38 participants and received positive feedback from the field; is finalizing a Frequently Asked Questions (FAQ) document that is under legal review; continues to create an updated electronic system; is updating its independent school webpage to house resources related to new requirements and ongoing supports; and, is planning office hours in July to assist schools with completing the new rate setting and independent school applications. Secretary Bouchey emphasized that AOE heard from folks who spoke publicly and that AOE is doing everything to assist independent schools so that they are ready to accept public funds.

There was discussion on the moratorium applying to recognized independent schools pursuing approved status, communicating with parents and families, Local Education Agency (LEA) responsibilities, SBE responsibility/role, approved therapeutic schools, clarification on the process starting July 1, additional/renewed attestations, and new application/attestation will address ability to receive public funds.

- 3) Independent schools affected by the moratorium: there are three schools, and AOE has heard much more from ESBR than the other two and is moving with speed and diligence and as fast as possible. There is a site visit scheduled for June 22, 2023 at ESBR and the hope is that this information can be incorporated into the application for initial approval that the SBE will consider. She noted that it has been said this has been a two-year process, but there was an initial approval process that ended in December 2022. The current application was received in April 2023 and the process was restarted. Secretary Bouchey thanked the AOE team for their heroic efforts and scheduling efforts on this truncated timeline. She added that AOE is listening and understands the impact of the moratorium.
- 4) District Quality Standards (DQS): these rules will go to the Legislative Committee on Administrative Rules (LCAR) on June 29, 2023 and the plan is to have DQS enacted shortly after a positive meeting with LCAR.

There was discussion about ESBR, the timeline of July 1, AOE will do what it can to complete the report by July 1, ESBR will need to consider waiving the 30-day review period in order to come before the Board before July 1st, Independent School Approval Review Committee meeting, Special SBE meeting, significantly truncated timeline, and that there is nothing in law to address independent schools that are in-process of approval. There was discussion on public comment on DQS. There was additional discussion on the status of the two remaining independent schools affected by the moratorium and scheduling meetings of the Independent School Approval Review Committee and SBE next week. There will be a Doodle poll to ensure a quorum for both meetings.

Item K: Lincoln School District (LSD) - Final Update

Chair Samuelson recognized Jennifer Oldham. She read the [Lincoln School District Update to the State Board of Education](#) that was provided to the SBE.

There was discussion on pending teacher contracts, status of Business Manager position, positions that will serve Business Manager functions, information provided is in conflict with LSD board meeting minutes, timeline for finalizing Business Office responsibilities, significant shift in stability of LSD's leadership team with no concrete plan to rectify that, outstanding licensure issues, status of the special educator position, communications to families, and policies and procedures in place. Chair Samuelson thanked Oldham for her update and wished Lincoln well.

Item H: Readiness of Implementation of Act 173

Secretary Bouchey spoke about public schools and what she has heard from them regarding their readiness to comply with the requirements of Act 173 that go into effect on July 1st. The Act 173 Advisory Group had its last meeting June 5, 2023 and is finalizing recommendations to the General Assembly. They have expressed concerns on readiness of the field for implementation of Act 173, especially for general educators and how these changes impact them. This gets at the heart of Act 173 and using Tier 1 interventions. There is not a lot required that is new. We need to ensure that robust Multi-Tiered Systems of Support (MTSS) are being used, that more differentiated instruction is offered, etc. The beginning of this transition might be a bit bumpy in some schools, but many districts are already doing this. We need to understand that the implementation period will be a process of transition.

There was discussion on the importance of patient support for independent schools as well as public schools, update on the census-based funding model part of Act 173, fiscal piece of Act 173 has been in place, mechanism for unanticipated extraordinary expenses (Title 16), and continued monitoring for General Assembly in case legislative adjustments are needed.

Item L: Special Education Advisory Panel (SEAP) Update, Katie Ballard

This item is postponed to the July meeting.

Item M: Future Meeting Planning

Chair Samuelson said the next meeting will address some independent school approvals, SEAP update, resolution for Russo-Savage, possible Teacher of the Year (TOY) presentations, EQS Committee update, Rules Series 2200 Committee update, and final Act 173 Update from the Interim Secretary.

There was discussion on several SBE members receiving public comment expressing desired characteristics (literacy education) for the next Secretary of Education, the status of Secretary of Education search, not copying all on response to honor Open Meeting Law, and the importance of SBE members being available and accessible to the public.

Item N: Public to be Heard

Chair Samuelson asked for members of the public to be heard. There were none.

Adjourn

Kolbe moved to adjourn; Lovett seconded. Chair Samuelson called the vote; the vote was unanimous, and the meeting adjourned at 10:33 a.m.

Minutes prepared by Maureen Gaidys.