

## State Board of Education

### Draft Meeting Minutes

#### **Meeting Place: Virtual Teams Meeting/Video/Teleconference**

**1 National Life Drive, Davis N523, Montpelier, VT 05620**

**Call in #: 1-802-552-8456, Conference ID: 414 861 745#**

**Date: July 21, 2021**

#### **Present:**

**State Board Members (SBE):** Oliver Olsen, Chair; Jennifer Samuelson, Vice-Chair; Kim Gleason; Jenna O'Farrell; Angelita Peña; Tom Lovett; Lyle Jepson; and Dan French.

**Agency of Education (AOE):** Emily Simmons, Donna Russo-Savage, Maureen Gaidys.

**Others:** Mill Moore, Jennifer Stella, Betsy Rich, Genna Barnaby, Amy Hornblas, Heather Rice, Dana Katz, Jennifer Silpe-Katz, and Frank Zilka.

#### **Item A: Call to Order/Roll Call/Amendments to the Agenda**

Chair Olsen called the meeting to order at 8:34 a.m. and took roll call. He asked for amendments to the agenda and said he had one change. He said Item I will be postponed to the August meeting. There were no other amendments.

#### **Item B: Public to be Heard**

Chair Olsen asked for members of the public to identify themselves so he could determine the time allotted to this item. There were 9 members; he allocated each member 1 minute to address the board and encouraged that any additional comments be submitted in writing to the SBE. There was a question about the American Rescue Plan – Elementary and Secondary School Emergency Relief (ARP- ESSER) plan and public comment for this being on this agenda; it was not on the agenda.

The following members of the public spoke to their opposition of wearing masks in schools, authority for mitigation strategies and concerns around the recovery plan: Jennifer Stella, Betsy Rich, Genna Barnaby, Amy Hornblas, Heather Rice, and Jennifer Silpe-Katz. Frank Zilka spoke about vaccinations and the policy at UVM. Andrea Altman had questions about the ARP ESSER plan and [how to get involved and offer comments](#) on this plan.

#### **Item C: Oath of Office for Angelita Peña**

Chair Olsen read the [Oath of Office](#) and Angelita Peña was sworn in as student voting member.

## **Item D: Consent Agenda**

Jepson moved to accept the consent agenda which included approval of the minutes of the June 16, 2021, SBE meeting; Gleason seconded the motion. There was no discussion. The vote passed with one abstention, Jennifer O'Farrell.

## **Item E: Board Announcements**

There were no announcements.

## **Item F: Student Report**

Peña spoke about some concern with teachers and students going back full force and stress associated with going from a class of 7 back to 15. She also spoke about what should be brought to the SBE and offered that it would be good to bring the SBE a positive light about what students learned and how they benefitted through COVID-19. There was discussion on a follow-up survey, summer programming, sports camps and plans for the fall.

## **Item G: Secretary's Update**

### Recovery Work

Secretary French spoke about the State Plan and that it was [posted on AOE website and open for public comment](#). He talked about planning for recovery, funding through ESSER, emphasis on opening schools, requirement for spending funds, working with the General Assembly, and the plan to present this plan to the education committees by the end of next week. He explained for members of the public, that the SBE has no role or authority over the guidance required to operate schools. Last year's guidance was through the Governor's executive order and since the state of emergency no longer exists, it is now a conversation between the Vermont Department of Health and AOE and that process is underway. He also spoke about the importance of student and parent voice to inform policy and that he is considering how to make that happen.

There was discussion on snow days, role of SBE in waivers, whole school remote learning not permissible under current law, lessons learned, remaining cognizant of public health expertise, school districts operationalizing guidance, timelines for schools, Summer Matters offerings, workforce challenges, morale in the education field, and data on school staff vaccinations.

### Task Force on the Implementation of the Pupil Weighting Factors Report

Secretary French spoke about this being an important activity and that he has been asked to testify on July 29, 2021, to this Task Force, where they will be getting foundational information on the weighting study and the current construction of education funding in Vermont. He surfaced this as an area of interest for the SBE as there are a lot of topics related to the weighting study that relate to the work of the SBE and suggested that they follow deliberations. Olsen said Samuelson has been in contact with the Task Force and this would be discussed in more detail under item K. Secretary French spoke about going out to bid for new assessment contract and said the SBE might have a role under state law to approve this and he would like to bring that to the SBE at an upcoming meeting. There were questions on how changing the assessment would impact the fidelity of the longitudinal analysis capabilities.

Chair Olsen called a recess at 9:43 a.m. until 10:00 a.m. He reconvened at 10:01 a.m.

### **Item H: Independent School Rules Subcommittee Update**

Vice Chair Samuelson spoke about moving away from an “independent school rules” subcommittee to a “rules series 2200” subcommittee because they are looking at the entire rules series. The subcommittee had its first meeting and divided work into Phase I and Phase II. Phase I work grew out of Act 173 and is off and running. Phase II work is going to look at the entire rules series and what changes might be appropriate. There are four public hearings scheduled for Phase I, which has now entered the formal rule-making process: August 26, 2021, at 12pm; September 15, 2021, at 4pm; October 20, 2021 at 4:30pm; and October 26, 2021, at 7pm. The subcommittee decided to work on language to be proposed by either AOE or Vermont Independent Schools Association (VISA) as public comment in the first Phase I hearing on August 26th to allow time for greater feedback from the general public on these and other Phase I changes. The next Rule Series 2200 subcommittee meeting is scheduled for August 2, 2021, at 9am.

Chair Olsen spoke about additional amendments outside of Act 173 and asked for input from the SBE on how they should process and react to public comment and how that should be monitored. There was discussion on reporting back to the full SBE on feedback from public comment, subcommittee distilling comments, having the full SBE hear public comment, culling themes of comments, attendance will be primarily virtual with meeting link to be sent to full SBE, and Simmons to do a first pass on compiling all public comments. There was consensus that this plan would work for all parties.

Chair Olsen highlighted Rule 2226.8, which addresses lawful requirements relative to facilities. He noted that this is an important rule and needs to be kept in focus and ties back to Vermont’s Public Accommodations Act and requirements around non-discrimination in public facilities (schools) and the SBE needs to continue to support those important requirements.

### **Item I: Independent School Renewal – General Education Approval**

This item was removed from the agenda and postponed until the August meeting.

### **Item J: Ripton: Update on Supervisory Union Boundaries**

Secretary French shared that he talked with the superintendents of Addison Central School District (ACSD) and White River Valley Supervisory Union (WRVSU) to understand the context. He thinks it would be helpful to the SBE if he presented a recommendation on adding Ripton. He shared some quick conclusions: the ACSD superintendent is very interested in preserving the supervisory district structure and didn’t think this would be beneficial to the work. The WRVSU superintendent was concerned by the geography and distance and their board has had considerable conversation and are close to giving a statement on their position. There are choices to be made. Secretary French will continue his review and formulate a recommendation for the SBE to react to at a later meeting. There was discussion on another supervisory union to the south who expressed some opposition, limited options, not favorable reception to options, option for Ripton to become its own supervisory union, SBE’s authority

over supervisory union composition, deciding on standards to apply to these decisions, local consensus, school districts are the preferred governance structure, public policy and the desire to have smaller more streamlined governance at the local level, communities taking responsibility, useful to have analysis to stimulate conversation, and new statutory authority for SBE to have some authority to merge districts under specific conditions.

### **Item K: Discussion of Input for the Pupil Weighting Task Force (TF)**

Chair Olsen said that Vice Chair Samuelson has been in contact with the TF and the SBE is required to offer consultation. He said at one point they wanted the SBE to testify on Education Quality Standards (EQS), but Olsen offered deferring to the AOE on that and instead suggested that the SBE talk about its role is adjudicating the thorny issues (Act 46, public engagement in challenging issues, standards for small school grant applications) and share that history with the TF as he sees a role for the SBE doing more of that in the future. There was discussion on SBE owning EQS, AOE's responsibility to administer and oversee EQS, TF's charge is broader than EQS, separate conversation on the roles of the SBE and AOE, important to level set with the TF the work that has been the focus of the SBE, TF's scope of work, looking at the whole system, and Act 173.

Chair Olsen said he or Vice Chair Samuelson would testify at the next meeting of the TF, and he proposed keeping it at a high level and what has been the focus of the SBE, its role in EQS and rules and responsibilities of promulgating rules, and Act 173 and the block grant. He said there might be further opportunities to address the TF. It was noted that the SBE's focus has been adjudicating and not having a role in developing educational policy but that it has done a great job as a neutral facilitator in bringing various stakeholders together.

### **Item L: Retreat Planning**

Chair Olsen said the dates for the retreat are September 15 and 16, 2021 and asked if anyone had any challenges meeting in person. He proposed meeting for 1.5 days with one-half day for the SBE meeting and the remaining day dedicated to the retreat. He asked for discussion. There was discussion on having new members appointed prior to the retreat, moving retreat to October, October being hard for accommodations, avoiding Columbus Day weekend, and a Doodle poll for the end of October. Chair Olsen suggested discussing the report due to the General Assembly on the rules and responsibilities of AOE and SBE at the retreat. The committee to work on this report will be French, Jepson, Olsen and one more member. He would like to organize some meetings and preliminary work for discussion at the retreat. He opened this up to discussion of other retreat topics and suggested that the strategic plan guide the SBE's activities for next year.

There was discussion on stakeholder engagement, equity in education, roles and responsibilities (AOE vs. SBE), strategic planning for the upcoming year, future of stakeholder engagement and equity. Secretary French suggested having the AOE present their strategic plan and how that intersects with the state strategic plan, the future policies and priorities, and how those two points are projected forward with coherence. He said this would take one hour plus time for discussion. Chair Olsen would like to have that perspective up front and suggested that AOE

present that first, then equity, roles and responsibilities, stakeholder engagement and the SBE Strategic Plan. He asked for comments on this sequencing. There was discussion on including equity in the strategic plan, facilitated training for equity, and location for the retreat. Secretary French offered that AOE will explore venue options for the retreat.

### **Item M: SBE Agenda and Workplan**

Chair Olsen asked if there were any other topics that SBE members would like to have discussed at the next meeting. Samuelson asked about reports from Ripton and Westminster at the August meeting. Chair Olsen advised the SBE members to formulate questions in advance so that those could be shared in advance. Item I (independent school renewal) would be on the agenda for August. Chair Olsen spoke about the importance of not having independent school approvals in the consent agenda, but instead they should be discussed separately with the opportunity for review of materials and questions. He wants the SBE to be informed about any issues or concerns that might be known to the AOE in advance of the SBE extending independent school approval. Secretary French supported this. Vice Chair Samuelson said she reviewed prior meeting minutes and Ripton and Westminster are due back in September, but she thought it made sense to ask them back in August. Other topics offered were an update from the committee on rules series 2200 and the committee on SBE/AOE roles and responsibilities. Gleason said she was working to meet with Secretary French on AOE's equity work and suggested that for the August or September meeting. Secretary French suggested that this topic be continued at the retreat as it is situated in several initiatives/strands, and it is important to be examined as part of the SBE's role in advancing equity.

### **Adjourn**

Vice Chair Samuelson moved to adjourn; Gleason seconded. Chair Olsen called the vote. The vote passed and the meeting adjourned at 12:17 p.m.

Minutes prepared by Maureen Gaidys