
State Board of Education

Draft Meeting Minutes

VIRTUAL Teams Meeting/Video/Teleconference

Call in #: 1-802-828-7667, Conference ID: 374 772 535#

Date: December 21, 2022

Present:

State Board Members (SBE): Jennifer Samuelson, Chair; Tammy Kolbe, Vice Chair; Patrick Brown; Tom Lovett; Lyle Jepson; Kim Gleason; Gabrielle Lucci; Jenna O'Farrell, Richard Werner, and Dan French.

Agency of Education (AOE): Pat Pallas Gray, Patrick Halladay, J. Deborah Ormsbee, Emily Simmons, Maureen Gaidys.

Others: Marcy Webster, Oliver Olsen, Gary Blodgett, Mill Moore, Sunni Eriksen, Kelly Bushey, Rob Evans, Jamilah Vogel, Gwen Carmolli, Kendra Rickerby

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

Chair Samuelson called the meeting to order at 8:06 a.m. and roll call was taken. There were no amendments to the agenda.

Item B: Welcome New State Board Member and Oath of Office

Chair Samuelson introduced Richard Werner, from East Dover, owner of property management and maintenance company, and over the past couple of decades, has served his local school district and supervisory union and a variety of capacities. Werner shared that he served on the Dover School Board since prior to Act 60 and all through Act 68 and he chaired the Windham Central Supervisory Union. He said he is really excited to serve on the State Board and feels a lot of his experiences will really be a benefit. He expressed appreciation for the SBE's support.

Chair Samuelson administered the Oath of Allegiance and the Affirmation of Office to Werner.

Item C: Public to be Heard

Oliver Olsen: He welcomed Werner and expressed appreciation to the Board and wished the Board well.

Gary Blodgett, Chair of Expeditionary School at Black River (ESBR): He spoke about how he felt the process was flawed for independent school approval and that there is no room for independent schools to take corrective action.

Item D: Review and Approve November 16, 2022 Meeting Minutes

Gleason moved to approve the November 16, 2022, draft meeting minutes; Brown seconded. There was no discussion. Chair Samuelson called the vote. The vote passed unanimously. Werner abstained.

Item E: Board Announcements

Chair Samuelson recognized the SBE members for not always having enough time to review materials and recognized Sprague and Gaidys for keeping the SBE organized. She recognized Robin Newton, Vermont Teacher of the Year (VTOY) for 2023, who will begin her tenure on January 21, 2023. She also recognized and congratulated Patrick Brown who was honored as one of this year's 802 Diplomats by the Vermont Council on World Affairs. An 802 Diplomat is someone who engages with ideas and citizens of other countries and cultures to help enhance global thinking and awareness. Lastly, she reminded SBE members to check email daily.

Item F: Resolution for Oliver Olsen

Chair Samuelson read [this resolution for Oliver Olsen](#). Gleason moved to adopt the resolution; Kolbe seconded. The motion passed unanimously. Chair Samuelson will have the resolution sent to Olsen and he will be receiving a gift of appreciation, a bowl from Simon Pearce.

Item G: Student Report

Lucci spoke about a lot of students being out of school with sicknesses. She said it is concerning because when you miss school you fall behind, so many students come to school sick to avoid this. She said she wished there was a better support system for sick students.

Item H: Update on Education Quality Standards (EQS)

Gleason apologized for the voluminous information and said there will be an opportunity for greater discussion in January and thanked SBE members for their participation in the process. Kolbe shared a presentation on EQS (link to presentation is forthcoming). Kolbe said there will be a special SBE meeting to vote on the Committee's recommendations. Gleason reminded that the full SBE is welcome to give feedback on the EQS. The Administrative Procedure Act (APA) deadline for District Quality Standards (DQS) is February 1, 2023. Chair Samuelson said to expect at least one special meeting at the end of January.

There was discussion on the process of rulemaking, public hearings, most comment heard has been positive, dissenting voices have yet to be heard, student voice, and providing input to the EQS Rule Update Committee via email to Gleason or Kolbe.

Item J: Update on District Quality Standards (DQS)/Quality Assurance (QA) Standards

Secretary French spoke about the General Assembly charging the AOE with developing DQS and QA. This work needs to be provided to the Interagency Committee on Administrative Rules (ICAR) on February 1, 2023. The law describes three areas for DQS: business operations, facilities management and safety, and school board governance. These are new standards intended to augment EQS. This work is proceeding on schedule. The Vermont School Boards Association (VSBA) has come to consensus on school board governance, and he thanked the VSBA for their work. DQS does not have any inter-operability with EQS. The goal is to pull elements from DQS and EQS together into a robust

QA process. He spoke about how the current QA process includes the Data Snapshot and Integrated Field Reviews (IFRs), as described in the Every Student Succeeds Act (ESSA) State Plan – and these processes do not exist in regulation. The challenge is to build the new QA process in a cohesive manner. The work is progressing; the SBE has designated Kolbe to assist with this. The plan is to have this work completed early in the New Year and the body of the QA process will be presented to the SBE at a regular meeting, or perhaps one of their special meetings.

There was discussion on stakeholder engagement in January, SBE approving the engagement plan, having this work drive a revision to the ESSA State Plan, re-organizing the AOE to administer and staff the new rules and regulations, indicators to be considered in the QA process, QA process needs to be impactful while being cognizant of resources, timelines and opportunity for review of the engagement plan, QA process will allow for ongoing changes/continuous improvement, quality and equity gaps, building a structure that will enact quality and equity, EQS describes what our aspirations are and the QA process describes how it will be enacted.

Chair Samuelson moved to Item O since the meeting was running ahead of schedule.

Item O: State Board of Education Annual Report to the General Assembly

Chair Samuelson opened this topic for discussion and said if there was none, it could be put to vote.

There was discussion on the budget process, legal counsel, how potential issues are aligned with the budget process, Agency vs. SBE budget, signaling budget needs in the report, and SBE needing to better examine their budget. Chair Samuelson asked if the spirit of the budget issue was captured or if it needed more attention. There was discussion on language that addresses the SBE budget. This item was tabled to be discussed in the second half of the meeting after some editing.

Chair Samuelson recessed at 9:50 a.m. and reconvened at 10:01 a.m.

Item K: School Safety Presentation

Chair Samuelson introduced Rob Evans, School Safety Liaison Officer and Sunni Eriksen, Department of Public Safety. Evans and Eriksen shared this [Vermont School Safety Presentation](#). There was discussion on parent engagement in the school safety process, the [Vermont School Safety Center](#), communication being key, history and ongoing, hands-on support of the Vermont School Safety Center, real world technical expertise, suggestion to integrate diversity to address the changing demographic landscape of Vermont, focusing on individual experiences to avoid negative impacts, that we are well-positioned to do great work and this can be attributed to positive relationships with education partners required due to the dynamic nature of this work.

Item L: Colchester School District (CSD): Diversity, Equity, and Inclusion (DEI) Presentation

Brown shared that January would not have a DEI presentation. These presentations would resume in February with Spaulding High School. He introduced Jamilah Vogel, DEI Coordinator, CSD. Vogel shared her presentation titled, "[Diversity, Equity and Inclusion – Colchester School District.](#)"

There was discussion on regular statewide meetings for DEI coordinators, support for the DEI work, and the formation of the Vermont Education Equity Collective (VEEC).

Item M: Independent School Updates

Lovett said the recommendation was to adopt the [Secretary's recommendation to deny approval](#) for the Expeditionary School at Black River (ESBR). He explained that there was a lot of information provided but in the areas of concern, and after long consideration, there was not enough evidence to support approval. Brown reiterated that ESBR will be resubmitting their application, with encouragement from the Independent School Approval Review Committee. Lovett concurred and said they hope it will be expedited but recognized that they have no control over that piece of the process. Chair Samuelson cited rules that pertain to minimum course of study and school compliance (criminal record checks, etc.) and professional staff.

Lovett spoke about the minimum course of study and said there was not clear alignment of the school's philosophy and curriculum/learning goals, no evidence of compliance with proficiency-based student evaluation, communication with special educators was not clear, mandatory reporting compliance was not clear, and that crisis management plan and Hazing, Harassment and Bullying (HHB) policy was not clear. No evidence of professional development (PD) plan or how student progress was being assessed. Halladay added that regarding school discipline, there was a positive learning agreement but no comprehensive discipline plan. The model policy on HHB had not been adopted. There was only one Full-Time Equivalent (FTE) available for core instruction with pro bono support for other instruction and that financial capacity was 100% philanthropically funded and that is not considered sustainable.

Rickerby asked about the due process and asked for clarity from the SBE that what ESBR submits upon re-application will be reviewed at the time it is submitted. Chair Samuelson referred Rickerby to rule 2226 and 2227. Lovett said the Committee based their decision on the March report and multiple points of deficiencies and many of those were disputed by ESBR. The SBE Independent School Approval Review Committee did not find evidence of substantial compliance. Rickerby said she would work to provide Lovett with information in a different format. Rickerby said it was difficult to access and participate in this meeting.

Lovett moved to accept the [Secretary's recommended action](#); Brown seconded. Lovett said he hopes he can talk about the independent school approval process and hopes that ESBR's application will move forward upon re-application. Chair Samuelson called the vote. The vote passed unanimously.

Lovett spoke about a couple issues that likely had no required action at this time. There is a backlog for school approvals. There are 36 schools operating on school approvals that were up for re-approval in 2020 and 2021. A new batch of schools will drop July 1, 2023. There are 11 schools with reports in hand and they have 30 days to respond before the January SBE meeting. At this time only 3 have

responded. There are 11 school visits scheduled between now and April 2023. By the May SBE meeting the SBE should have addressed at least 11 more schools. That does not significantly address the backlog and the current process is not going to clear the backlog anytime soon. Initial approval is a concern as these schools cannot receive publicly funded students until approved. He spoke about Connected Circles (formerly Stone Path Academy) and the need for more alternative schools to meet the needs of those students who need a specialized setting. He suggested that those schools applying for initial approval should be prioritized.

There was discussion on the origin of this backlog (pandemic), SBE's due diligence, weather disrupting school site visits, that AOE is prioritizing initial approvals, shift in landscape and other issues in addition to the backlog, effective date, and applicability of new rules (rule 2229, effective 7/2023), and deferring this discussion to the Independent School Approval Review Committee.

Item N: Guidelines for Public Communications outside State Board Meetings

Chair Samuelson referenced [guidelines as updated in 2019](#) and noted that there were no current SBE members who were part of the SBE then. She reminded the SBE of these guidelines and ratify them to be clear that the current composition of the SBE intends to have these guidelines apply. Chair Samuelson moved to ratify the guidelines for public communication outside SBE meetings as noted in the February 20, 2019 document included in the agenda packet. Kolbe seconded. There was no discussion. Chair Samuelson called the vote. The vote passed unanimously.

Item O (continued): State Board of Education Annual Report to the General Assembly

Chair Samuelson shared her suggested edits: *In consultation with the Agency, the Board plans to come before the General Assembly to discuss any anticipated adjustments to our annual budget in light of the Board's needs and responsibilities.*

Chair Samuelson asked for a motion to adopt the report to the Governor and General Assembly with the addition of the word changes in the above paragraph and including a change in the reference to "legal services" provided by the AOE (word substitution). Jepson moved to adopt the [revised version](#) of the State Board of Education's Annual Report to the Governor and General Assembly; Kolbe seconded. There was no further discussion. The vote passed unanimously.

Item P: Future Meeting Planning

Chair Samuelson said there would most likely be a special SBE meeting in January to address EQS, an AOE update on compliance with the DQS engagement plan, more independent school approvals, and an update from the Special Education State Advisory Council.

Item Q: Public to be Heard

Howard Weiss-Tisman, Vermont Public: He missed the prior discussion on the SBE's Annual Report and asked for a recap. Chair Samuelson explained that there were some edits/wordsmithing suggested and those were just voted on, following a continued discussion. He asked if the request for an attorney would require legislation. Chair Samuelson clarified that public comment was to hear from the public, not an opportunity for questions and discussion. She said he could email her to schedule a phone call.

Kelly Bushey, Connected Circles: She thanked Lovett and explained that Connected Circles is completely separate/different from Stone Path Academy and explained that she is here to advocate for the students who are feeling abandoned and isolated, and the level of disruption experienced. She appreciates the process and said the students they serve deserve a rigorous program. As of 12/1/2022 students are no longer served on the campus during school hours. Since this shift, attendance has declined, students are refusing to attend classes in public spaces and several students are not meeting their goals for graduation. She wants the SBE and AOE to understand the urgency of this situation. The AOE was on campus in October 2022, and it has been 6 weeks since the report was written. What is the timeline? New applications are taking priority; was told last spring the process would take 6-8 months, now it is 18 months. We are pushing students in desperate need away and we have a national mental health crisis. Bushey provided [her public comment](#) in writing.

Gary Blodgett, ESBR: He thanked Lovett and the Committee for sifting through the paperwork provided over the past 19 months. His school was trying to provide safe, affordable education for their students. He wished the visiting team could have had a second meeting to identify what has been corrected. He provided [his public comment](#) in writing.

Brian Goldman, Connected Circles: His major concern is the emotional wellbeing of students. These are some of the most vulnerable students are having major supports disrupted and school is more than an educational entity. Some of these students are struggling to learn in the community, which is outside their emotional safety zone. Not having a plan left students and staff vulnerable. He hopes that as a system, we can resolve these issues without leaving a whole slew of students with no place to go.

Adjourn

Lovett moved to adjourn; Brown seconded. The vote was unanimous, and the meeting adjourned at 11:57 a.m.

Minutes prepared by Maureen Gaidys.