

State Board of Education

Draft Meeting Minutes

Meeting Place: Virtual Teams Meeting/Video/Teleconference

Call in #: 1-802-552-8456, Conference ID: 690 092 497#

Date: September 16, 2020

Present:

State Board Members (Board): John Carroll, Chair; Jenna O'Farrell, Vice Chair; Peter Peltz, William Mathis, Kim Gleason, Sabina Brochu, Kathy Lavoie, Oliver Olsen, Jennifer Samuelson, Angelita Peña, and Dan French.

Agency of Education (AOE): Deborah Ormsbee, Suzanne Sprague, Emily Simmons, Donna Russo-Savage, Maureen Gaidys.

Others: John Pelletier, Betsy Nolan, Becky Ebel, Susan Rosato, Lauralee Wilson, Helyn Strom-Henriksen, Homer Sumner.

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

Chair Carroll called the meeting to order at 9:30 a.m.

Item B: Consent Agenda/Board Announcements/Student Report

Consent Agenda:

Chair Carroll asked for a motion to approve the consent agenda items: minutes from the August 19, 2020 meeting and closure of the Brownell Mountain School, Williston, Vermont. Olsen moved to approve the consent agenda; Samuelson seconded. The motion passed. Samuelson asked for the record that her middle name is with a "D" for Deck.

Student Report:

Peña spoke about school starting and a survey that was sent out and that there appears to be a lot of anxiety around the hybrid schedule and scheduling; many kids are experiencing stress. She commented that things could have been handled better – that there was a lot of miscommunication between staff, students and parents. There was a lot of fear around chemicals used for cleaning and ventilation systems and concern around sports, facial coverings, social distancing and other safety measures.

Brochu spoke about her student network and work that has started to address racism in the schools. There have been a few meetings and the discussions have been great. Next, they will be meeting with a woman from the Racial Equity for Vermont committee and this will help inform her first report to the Board. She added that she is playing golf and that it feels safe. She said students are wearing masks, but that they might not be CDC-approved masks, or they might not be worn properly. Brochu spoke about her school implementing social distancing by

mandatory seat assignments. She said at this time it feels like this is the best that can be done under the circumstances and she hopes that Vermont can continue to be the leader in the country on staying safe during this pandemic.

Board Announcements:

Gleason expressed tremendous gratitude for the work and collaboration across administrations, staff, teachers, students, families and community partners for getting students back to school. This was a huge lift and it is a continuous improvement model that is vastly improved since the spring and there has been a lot of intentional work and planning. O'Farrell thanked the students for their report and encouraged them to continue asking questions, as they have a unique perspective that will help guide the practice of the Board. Olsen reported that in response to August's public to be heard comments on data suppression, there has been some subsequent communication and based on his preliminary review, he thinks it is a worthy topic of discussion at an upcoming meeting. Chair Carroll and Mathis concurred.

Item C: Public to be Heard

Chair Carroll asked if there were members of the public to be heard.

John Pelletier, Stowe, thanked the Board for spending time at the August meeting on the data suppression issue. He stated that it is important to provide the public with meaningful data on how its schools are doing. He hopes that for the October meeting the AOE will be asked for 2 documents – business rules for data suppression that existed for the 2017 Smarter Balanced Assessment Consortium (SBAC) assessment and prior years and what would cause data to be suppressed, and a document that states the data rules that are being applied. He added that whenever data is suppressed that it should be articulated in a public document that data-literate people and the public can readily understand. He also suggested that in regards to rules series 2500 a process step may have been missed.

Item D: Chair's Report

Chair Carroll reported that Representative Webb, House Education Chair, emailed him to advise that Secretary French requested a \$24K (30%) reduction in the Board's budget. He responded to Representative Webb who invited him to testify with a counter proposal. He continued that there are opportunities for reductions with travel reimbursements being well below normal due to COVID-19 and he proposed a reduction of \$10K. Chair Carroll added that it is very likely that the Board will need funds to retain attorneys. Chair Carroll shared that at a subsequent meeting the House Appropriations committee unanimously approved a reduction in spending of \$10K and they noted that only a 3% reduction was required. Chair Carroll said he felt that the honorable thing to do was to save money where possible. Chair Carroll's budget recommendation was adopted and included in the budget. He added that there was a lot of time spent on this and wished he had been notified in advance by Secretary French.

Item E: Secretary's Report

Chair Carroll invited Secretary French to address the Board. Secretary French said it was an oversight on his part to not bring the Board current on budget deliberations. He spoke about when he was hired as Secretary that he started a separation between the Board's and the AOE's

budget and that he still thinks it makes sense. He was very clear in his budget testimony that the Board would likely not be in favor of his recommendation and said it makes more sense going forward to have the Board develop their own budget. He clarified pieces of his testimony and said that he didn't propose a cut based on any percent.

Secretary French spoke about schools reopening in Vermont on September 8. He said so far it is going well. There were three cases over the weekend (Crossett Brook and Hartford). He spoke about schools opening at Step II and conversations happening about moving to Step III, reporting positive cases in schools with respect to Family Educational Rights and Privacy Act (FERPA) and Health Insurance Portability and Accountability Act (HIPAA), new and complex federal reimbursement streams for schools to have adequate resources, securing additional resources, and child nutrition program waivers for continued and more flexible feeding students through the fall.

There was discussion on adapting to a new delivery model, direct state support, communication issues, decision-making at the local level, [Vermont Virtual Learning Cooperative \(VTVLC\)](#), [Edmodo](#), funding, supplies, personal protective equipment, federal monies, national supply chain issues, and restrictions.

Chair Carroll asked Secretary French to speak about Kurn Hattin. Secretary French spoke about Kurn Hattin losing their license through the Department of Children and Families (DCF) and that it was something that the AOE would like to discuss with the Board at some point later, when General Counsel is present. Olsen expressed concern for discussing the topic without it being a properly warned agenda item. Secretary French said he was not comfortable making informal comments and that it should be addressed by his legal counsel. There was discussion on discussing this topic and the sensitive issues. Chair Carroll said he was not worried about asking for a factual report and wanted to know if children were still being educated at Kurn Hattin under the Board's authority of approving this school. Chair Carroll asked that AOE's legal counsel be available to address this later.

Chair Carroll asked about the Continuity of Learning Task Force (TF) and the plans moving forward. Secretary French spoke about [a recent press release, Making Revisions to the Grammar of Schooling - Education After COVID-19](#), that the Board should have received. He said the TF convened early in the pandemic and were charged with independent thinking and issuing a report. Secretary French said he would be happy to discuss their report further at a future meeting when the topic is appropriately warned. Secretary French said there is significant work to be done around the Education Quality Standards (EQS) and the Every Student Succeeds Act (ESSA) and how they are connected. He offered again to discuss this with the Board at a future meeting and said he would like to talk about how these items come together. He is very anxious to engage with the Board on these topics.

There was discussion on Form 11, harm due to data delays, using supports, homeschooling numbers increasing (over 100% over last year), freezing Average Daily Membership (ADM), hold harmless, fluctuations in ADM and enrollment, legislative decisions, policy dynamics, effect of the pandemic on small operating districts, initial proposal to include districts that had seen increases, difficulty in understanding the landscape until budgets are finalized, and that issues are very complex.

Chair Carroll called a recess at 10:34 a.m. to reconvene at 10:50 a.m. Olsen expressed concern over starting Item F before 11:00 a.m. as members of the public might want to hear that discussion. Chair Carroll suggested that the Board could hear from AOE's General Counsel on the Kurn Hattin issue at that time.

Chair Carroll reconvened at 10:50 a.m.

Chair Carroll stated that the discussion of Item F is for the Board and there is no need to wait on the public for this discussion. He offered that the meeting is recorded and if people don't know enough to join early, then they can listen to the recording.

Item F: Battenkill Valley Supervisory Union (BVSU) and Southwest Vermont Supervisory Union (SWVSU)

Chair Carroll spoke about communication between BVSU and SWVSU and that there was still no clear commitment. At the September Board planning meeting, the Secretary offered his opinion that a delay was unwarranted as he knows these people and this situation best. Chair Carroll asked Secretary French to make a written recommendation and he asked the Secretary to offer his recommendation.

Secretary French spoke about sharing [his letter and position](#) with both superintendents. He added that he was contacted around February 2019 and asked how best to bring this topic to the Board. He suggested having this discussion ahead of the budget process and said their rationale to his "Redesigning the Future" plan was not that compelling. Their new rationale for a delay is COVID-19. His conclusion is the opposite - that the COVID-19 emergency puts more pressure on this situation and addressing the financial condition of the Education Fund. He added that COVID-19 presents a strong rationale to keep on track with the original timeline.

There was discussion on realistic expectations of BVSU and SWVSU, SWVSU already completing some of the work, specific actions that have been taken since the order, advice given by Secretary French (having two boards start to meet together, etc.), size of districts involved, not compromising students' education, availability of additional resources, this is not a merger but an assignment, students are usually not greatly impacted, sympathetic but not in favor of further delays, and ongoing resistance.

Chair Carroll asked the Board to brainstorm next steps. He suggested that many Board members are disinclined to support an extension. He suggested that he draft a letter to all parties involved characterizing the nature of the discussion and include the Secretary's memo. The letter will state that the Board supports the Secretary's recommendation and that this matter will be taken up and voted on at the October Board meeting. If nothing is done, no extension is granted, but he would like to have this on the October agenda and give them the opportunity to be heard prior to a vote. There was general agreement on this action and discussion on if giving them the opportunity to be heard would change anyone's mind or be a waste of time, predating Act 46, with reconsideration on the table no forward progress can be made, interim superintendents for the last decade, if a vote is required, and not delaying this any further.

Chair Carroll will send a letter affirming the Board's standing views and the deadline will remain as discussed.

Item G: Briefing on Issues Related to Rules Series 1300 and 2360

Chair Carroll invited Emily Simmons, AOE General Counsel, to address the Board. Simmons offered that all questions are valid questions. She spoke about Act 173 of 2018 being a special education reform law that requires much rulemaking work. The Board determined to take an existing rules series (2360 - special education delivery) and remove a chapter of those rules (current reimbursement model) and give them their own series number. She explained that when a series was open for rulemaking, every rule in that series was on the table for edits. In this case there are two rules series for one law because rules series 1300 will only encapsulate funding issues, the state-level mechanism for providing special education funds to the supervisory unions. Rules series 2360 will address special education delivery of services. The Board is in the middle of rulemaking on both rules series and public comment has been scheduled for both. This happened concurrent with the state of emergency. So far, there are 12 submissions and public comment is still open.

In May, the Board requested delays related to Act 173 and the deadlines were pushed back as well as the associated rulemaking timelines. Public comment on rules series 2360 and 1300 is open until at least December 31, 2020. The first sections of Act 173 become effective July 1, 2022. Another set of rules (series 2200 - independent schools) will open for public comment by June 30, 2021 and sections associated with independent schools become effective July 1, 2023. The next deadline is when the Board will cease to take public comment on the current rules. Simmons clarified that the public comment period is open until December 31, 2020 and that it doesn't need to be closed on that day but cannot be closed prior to that date. Chair Carroll clarified that for rules series 2200 June 30, 2021 is the date by which rulemaking needs to be initiated. Simmons reminded the group that Board members wanted at least one more public hearing and suggested they discuss this, perhaps in their calendar planning discussion later in the afternoon. She said they should talk about how work following public comment will be organized, how that information will be reviewed and synthesized, who needs to be heard from, what analysis is needed, request for Secretary's recommendation, etc. She offered that the Board can also hear further public comment on the Secretary's recommendation (at a regular Board meeting). Feedback can also be sought from the Act 173 Advisory Group. Simmons explained that the public comments are all in a SharePoint folder and all Board members have access to the file in real time. She gave a summary of public comments received to date. She spoke about the Board's authority to make any changes deemed necessary while the rules are opened. She reminded members to hear public comment with an open mind and give equal consideration until the comment period is closed. Lastly, she offered that the Board can seek out analysis and legal opinions from the AOE or others, but a lot of issues will fall under the pure discussion/will of the Board.

There were comments and questions on low number of public comments, process talk vs. policy direction of the state, special education being both technical and emotional, factual information and analysis of information, and extension of the public comment period. There was discussion on having additional public comment as part of the October and November Board meetings and that it should be well publicized to get broader input, importance of relying on statutory intent when addressing an area as technical as special education, focus should be on the mechanics,

COVID-19 impact on rulemaking for both rules series, changing the organization of the spreadsheet so the Board can assess patterns and how the Board wants to pursue the areas of specific attention in rulemaking. Chair Carroll asked Simmons to describe the proposal for change as advocated and any opposition registered for that proposal (three columns: change, why do it, why we shouldn't do it). Simmons was reluctant to editorialize. Chair Carroll asked Simmons to have the public comment re-organized for the October Board meeting.

Chair Carroll asked Secretary French for a factual update on Kurn Hattin from Simmons. Secretary French concurred. Simmons clarified that the question was if there are Vermont students at the school. She explained that the school is a residential school and is no longer licensed to have students there on a residential basis. She said she was not comfortable reporting that there are no students there as she is not sure of the timing of compliance and that it is possible for an LEA to place a student in an approved independent school and she is not familiar enough with Kurn Hattin to know if they enrolled students for services outside of their residential program. Olsen asked to have this on an upcoming agenda to be considered by the Board and that would trigger a review process. Chair Carroll expressed discomfort over waiting 30 days to address this. He asked Secretary French to review this situation in the next few days and inform the Chair of any concerns so that the Chair could call a special meeting of the Board, if warranted.

Chair Carroll recessed for lunch at 12:18 p.m. to reconvene at 1:00 p.m.

Item H: Teacher of the Year (TOY) Presentations

Chair Carroll called the meeting back to order at 1:01 p.m. and asked Patrick Halladay, Education Quality Division Director, to introduce himself. Halladay advised the Board that the prior TOYs had reviewed this year's applicants and narrowed the pool down to these four finalists. Prior TOYs present were introduced: Karen Heath, 2005 TOY; Rebecca Haslam, 2015 TOY; Luke Foley, 2014 TOY; Kate McCann, 2017 TOY; and Katie Sullivan, 2007 TOY.

Halladay explained that the TOY finalists would give a short presentations and Board members were sent a rubric to use to score the presentations. Halladay introduced the TOY finalists:

Betsy Nolan—Music, Edmunds Elementary, Burlington: Nolan spoke about her unique position as a music teacher that allows her to see all students/teachers/families in the school, intrinsic value of the role of school community and outside community, the strength of her school and community, Vermont's local investment in schools, amazing community partners, Vermont's strong value for the arts, belief in freedom and unity which gives us strong value on social justice, pandemic requiring us to re-imagine education and put focus on social-emotional learning needs, creatively meeting the needs of students of color, advocating for social justice, sharing experiences with colleagues, diversity is not our goal but our reality – equity is our goal, passion for social justice, using music instruction teaching in a way that is empowering to marginalized populations, now is the time to utilize the energy and excitement of social justice and make this the center of the work we do in schools. She said that at the end of the day our job was about meeting kids where they are and taking them to the next level. She thanked the Board and said she was honored to be considered for the 2021 TOY.

Susan Rosato—English Language Learners, Colchester High School: Rosato presented and spoke about implementing a newcomer class, professional development, petitioning the school

board to increase the English Language Learners (ELL) faculty, dedicating her life to advocating for refugees, the importance of equity for all and addressing racism in schools, the Act 1 Advisory Group, working to eliminate curriculum inequities for her entire career, inspiring her colleagues, education is how people raise themselves out of poverty, her greatest strength is trusting relationships built with students and families, ELLs deserving bias-free curriculum and work with colleagues to make this better, that systems don't provide transportation to sports, concerts, after school programs, connecting families with other supportive families (and with internet and other resources), using student peers as mentors, creating multilingual videos for school reopening, supporting colleagues and helping them to understand unique ELL challenges (child care, visual and reading aids, food insecurity), and her mission to eliminate cultural biases in the curriculum. She expressed gratitude and thanked everyone for their dedication and support for education.

Becky Ebel - Special Education, Vergennes Union High School: Ebel spoke about appreciation for and challenges of the small town agrarian nature of Vermont, her role as a special educator being the work of her heart, the fact that no one should be held back because of their differences, that Vermont embraces inclusive education, needing to help maintain focus on removing barriers to inequity, partnering with families, fighting for equity and savoring the moments of joyful learning, teachers and families working together to improve opportunities for students, having the fortune of educational travel experiences (Finland, Italy and Ethiopia) and learning from international and national colleagues, that the discrimination and stigma of students with disabilities (SWD) is an issue around the world, transforming our systems, universal design for learning (UDL) can create sustained change and remove barriers and benefit all learners, promoting the recognition and removal of biases and supporting student autonomy and choice, equity needs to be woven into the fabric of our schools, excited about this work, and that it could be cohesive across the state. She thanked the group for their time.

Lauralee Wilson—Elementary Math Coach, Georgia Elementary: Wilson spoke about her work as a classroom teacher, private school administrator and math coach/specialist, looking for roses among the thorns, two biggest issues that educational systems are dealing with now are the pandemic and equity issues, response to pandemic has highlighted equity issues, have learned a lot about hybrid learning, she was part of a team for students who needed supports, educated families as well as students, whether learning is in-person or remote families still rely on schools to support and guide them and be the cornerstone of the community, relationships matter regardless of your struggle, relationships need to be cultivated so traumatized students have access to supports, thirty years from now students might not remember what they learned but they will remember how they felt, cultivating these relationships will help to bring everyone on board and ensure that we are doing the best we can for everyone. She thanked the Board for their consideration and the opportunity to speak with them and acknowledged that she was among highly regarded colleagues.

Halladay explained that the committee was not able to narrow this down to three finalists and that was why there were four. He instructed Board members to complete the rubric and return it to Gaidys. Halladay thanked the prior TOYs for joining the meeting and wished everyone the best this school year. Chair Carroll thanked the TOY candidates for their interesting and challenging presentations and for their service as educators.

Item J: Dissolution of the Southern Valley Unified Union School District (SVUUSD)

Chair Carroll introduced item J and said that Helyn Strom-Henriksen, Vice-Chair, SVUUSD board, Readsboro and Homer Sumner, Chair, SVUUSD board, Halifax, were participating as well as Donna Russo-Savage, AOE Staff Attorney.

Russo-Savage was asked to set the context for this item. She stated that the situation was discussed generally at the August Board meeting and was about the process for a unified union school district (UUSD) to become independent town school districts. The process was in statute, is very bare bones, and this was the first one that has occurred in a long time. She explained that Halifax voters voted to withdraw from the UUSD and upon an affirmative vote, the Readsboro voters voted in agreement. Because there are only two districts involved, if one member withdraws, then the UUSD can no longer exist. There are several decisions required to be made, per statute. [A memo from Russo-Savage dated September 8, 2020](#) was provided detailing these decision points and the Board's authority. Sumner responded to some questions in a [letter to the Board](#). Russo-Savage offered to answer questions.

Sumner said Halifax has every intention of continuing K-8 education and no intention of not having a school in town. He said the December vote was 100% to withdraw. Chair Carroll questioned enrollment by grade and no information provided for grade 8. Sumner provided that information. Olsen asked if Halifax and Readsboro board members and the public at large had clarity of understanding the impact of the Small Schools Grant (SSG). Sumner said his understanding was that there was an educational grant that would need to be pursued in lieu of the SSG. There was discussion on the revamped SSG or a different grant, that the metrics for the SSG had changed, and wanting to make sure that local boards and townspeople understand that it was not a categorical grant. Russo-Savage said that prior to about 2017-2018, SSGs were provided solely on size and then the Legislature required the Board to adopt new rules for SSGs. She explained that the SVUUSD has been and would have been eligible for a merger support grant (which took the place of SSGs) if they continued as a UUSD. Upon dissolution, the merger support grant goes away, and the towns would need to apply annually for it; it is now a much more subjective process. She offered for Sumner to contact AOE for further discussion on application details. Olsen wanted it understood that the funding was not guaranteed and could have a significant impact. Strom-Henriksen said at both information meetings in Readsboro voters were made aware of the financial implications. Sumner said Halifax taxpayers were also informed that there was a possibility that the SSG might be lost.

There was discussion/questions on information shared including specific implications of not receiving a SSG, impact on per pupil information, and that the effect on tax rates was shared with voters of both towns. Chair Carroll spoke about the statute directing the Board to consider only the well-being and future of the Halifax students and invited Strom-Henriksen to share plans for the educational future of Readsboro students. Strom-Henriksen said the plan was to keep the school open as long as it could and in the community and improve its standards. There was discussion on the role/authority of the Board, Board being charged with considering education quality throughout the state but that is separate from this process, limited authority, how/if dissolution affects central office operations, who can vote at the supervisory union (SU) level during interim period, statute clear on Board parameters, concerns about the viability of the districts, that the scenario was overlooked in Act 46, and that viability was not affected as Readsboro and Halifax gravitate in different directions.

Chair Carroll said the intent was to vote on this matter and referred members to the [memo from Russo-Savage dated September 8, 2020](#). There was discussion on grades without students or teachers and how this affects student preparation, concern on delivering educational quality and opportunities expected, [V.S.A. § 261](#) 16 (boundaries of SUs) giving the Board latitude, [V.S.A. § 261](#) does not address union school district boundaries, setting precedent, considering to make the concern a formal communication to the General Assembly (GA), taking action consistent with statute, and the need to raise the issue with the GA.

Chair Carroll asked for a motion. Olsen offered the motion read by Chair Carroll: I move that the State Board of Education:

- Finds that in the 2021-2022 academic year, the students living in Halifax “will attend a school that is in compliance with the rules adopted by the State Board pertaining to educational programs.”
- Approves the request of the Halifax voters to withdraw from the Southern Valley UUSD pursuant to 16 V.S.A. § 724(c).
- Declares that the withdrawal of Halifax from the Southern Valley UUSD shall be effective as of July 1, 2021.
- Finds that the Southern Valley UUSD is not viable without Halifax.
- Declares the UUSD to be dissolved effective July 1, 2021; provided, however, that the UUSD shall continue to exist until December 31, 2021 for the sole purpose of completing audits and performing any duties that no other district is legally able to perform.
- Declares the Halifax School District and the Readsboro School District to be reconstituted pursuant to 16 V.S.A. § 724(c) as follows:
 - Between September 16, 2020 and July 1, 2021, the Halifax School District shall exist solely for the purpose of transitioning to full operations. On July 1, 2021, the Halifax School District shall be fully operational and assume sole responsibility for the education of kindergarten through Grade 12 students residing in Halifax.
 - Between September 16, 2020 and July 1, 2021, the Readsboro School District shall exist solely for the purpose of transitioning to full operations. On July 1, 2021, the Readsboro School District shall be fully operational and assume sole responsibility for the education of kindergarten through Grade 12 students residing in Readsboro.
- Assigns the Halifax School District and the Readsboro School District to the Windham Southwest Supervisory Union and authorizes the boards of the two districts, once elected and sworn in, to appoint members to the Supervisory Union Board pursuant to 16 V.S.A. § 266.

Olsen moved the motion as stated; Lavoie seconded. There was a question on the dates referenced comporting with planned dissolution and re-constitution. Both Sumner and Strom-Henriksen replied in the affirmative. Chair Carroll asked for a roll call vote. The vote passed: Yes – 7 (O’Farrell, Olsen, Brochu, Samuelson, Gleason, Lavoie, Carroll); no – 2 (Peltz, Mathis).

Olsen returned to the question of whether the Board will address whether these SU board members will be voting members before July 1 and whether the UUSD appointees will be voting members until that date. Russo-Savage said the new reconstituted districts will not be holding elections so they will not be able to appoint members to the SU for some time (at least 30-day warning). Russo-Savage offered to contact boards and their attorneys and have the topic

revisited at the October Board meeting. Chair Carroll thanked Sumner and Strom-Henriksen for joining the meeting.

Item K: School Safety Update

Chair Carroll invited Rob Evans to address the Board. Rob Evans, School Safety Liaison and Sunni Eriksen, Department of Public Safety, introduced themselves. Evans gave background on the School Crisis Planning Team and School Safety Center. He spoke about Vermont initiatives to address gaps. Eriksen spoke about the Behavioral Threat Assessment Program, an RFP, the incident at Fair Haven and what was learned, and the 2-phased approach. The presentation addressed training and safety exercises, drill guidance, online training resources, planning tools for administrators, school safety and security grant program, funding awards to schools, funding by project types (FY18-19, the first year), anonymous school safety tip line, Vermont School Safety Planning, Training and Exercise Initiative, and the school safety survey.

Due to time constraints, Chair Carroll transitioned Evans to the subject of School Resource Officers (SROs). Evans spoke about the mission of SROs, [16 V.S.A. § 1167](#), and national data on when SROs are not properly implemented. There was discussion on SROs participating in school safety work, inconsistencies in SRO involvement across districts, hearing students voices, diverse populations, unique cultures at each school, school safety was a community conversation, and the Board facilitating a statewide conversation for which some legislative action might be needed. Chair Carroll thanked Evans and Eriksen for attending and participating.

Item L: State Board of Education Rules Needing Updates

Chair Carroll suggested Simmons doing a brief introduction on the topic to be revisited at the next meeting. Simmons concurred. Emily Simmons, AOE General Counsel, addressed the Board. She spoke about the general need for rulemaking to keep rules up-to-date going forward as existing rules have revision dates that date back to the 1990s. There are some rules that have sunsetted and a few rules have many typos. These cannot be fixed without re-opening the entire series to rulemaking. There are multiple ways to prioritize how to address this clean-up project and she recommended leaving it up to the Board. Legal and research support will be needed to identify which rules are outdated. Chair Carroll talked about how it would need after-hours and weekend work and committees to be formed to do the work. The effort requires the lengthy Administrative Procedures Act (APA) process (8 months). Chair Carroll said he would speak with Simmons and develop a priority list. He offered another consideration - that in the work on reforming the role of the Board, that many of the existing rules that the Board has authority over would instead be turned over to the AOE. There was discussion on removing sunset rules through rulemaking and this deferred maintenance on rules needing a lot of work.

Item M: State Board of Education Workplan

Chair Carroll introduced his list of topics needing to be addressed: post-secondary institutions (re-licensing of Marlboro College), implicit bias training, Kurn Hattin follow-up, better understanding of data suppression questions, continuation of theme-by-theme collection of public comment, SRO discussion and what role if any the Board has, language from Russo-Savage on who can vote from Halifax and Readsboro, creating a draft to the General Assembly

on the Board's discovery of present statute related to Act 46 that might need reconsideration, presentation on policy coherence and Education Quality Standards, and next steps on updating rules.

There was discussion on implicit bias training and time and willingness to work outside a meeting on the topic, virtue in implicit bias training together, Chair's expectation that Board members work in between meetings, having a one-page summary of implicit bias training options by October meeting (Gleason), starting the conversation of dates and times that are best for most Board members (Lavoie will initiate this), dividing the "housekeeping" work among committees, and starting monthly meetings earlier (8:00 or 8:30 a.m.).

Adjourn:

Chair Carroll thanked State Board members and adjourned the meeting at 3:16 p.m.

Minutes prepared by Maureen Gaidys.