

State Board of Education

Draft Meeting Minutes

VIRTUAL Teams Meeting/Video/Teleconference

Call in #: 1-802-828-7667, Conference ID: 359 459 658#

1 National Life Drive, Davis 5

Montpelier, VT 05602-2501

Date: July 20, 2022

Present:

State Board Members (SBE): Jennifer Samuelson, Chair; Patrick Brown; Tom Lovett; Tammy Kolbe; Lyle Jepson; Kim Gleason; Gabrielle Lucci; Dan French and Jenna O'Farrell (joined at 10:16 a.m.)

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

Others: Ken French, Victoria Riley, Tiffany Donza, Ryan Heraty, Leigh Pelletier, David Bickford, Jim Brockhausen, Rebecca Coffey, Alan Ouellette, Ken French, Liz Sayre, Marikate Kelley, Carole McBride, Sean Toohey, Patrick Reen, Sheila Soule, Dustin Corrigan, Erica Andrus, Keith Morrill, Kevin Hanson, Martha DeGraaf, Sarah LaPerle, Tracy Wrend, and Troy Paradee.

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

Chair Samuelson called the meeting to order at 8:01 a.m. and took roll call. She reminded the members that she would be chairing this meeting in Chair Olsen's absence.

Item B: Public to be Heard

Chair Samuelson asked if there were any members of the public to be heard; there were none.

Item C: Swearing in of Gabrielle Lucci as Voting State Board Member

Chair Samuelson swore in Lucci with the affirmation of allegiance and the affirmation of office.

Item D: Review & Approve June 15, 2022, Meeting Minutes

Chair Samuelson asked for a motion. Gleason moved; Brown seconded. The vote passed unanimously.

Item E: Board Announcements/Updates

Chair Samuelson had two announcements: 1) there would be no discussion on the Carson v. Makin case at this meeting or publicly, as the State Board of Education is party to litigation to which this decision is relevant, and 2) Samuelson was appointed as hearing officer in a tuition appeal and that case was voluntarily dismissed without prejudice and nothing further is pending. Kolbe reported that the Ripton subcommittee came together on June 24, 2022, for an organizational meeting and discussed

elements that the report would ideally include, due today. In addition to what was required in the memo dated May 31, 2022, there were additional elements identified: 1) any actions the school board has taken/will take to tuition students for grades it will not operate, 2) whether Ripton will offer PreK, and, if so, what action the board has taken/will take to operate its PreK program 3) any action the school board has taken/will take to ensure that Early Essential Education (EEE) services are available, 4) provision of financial modeling and a first-year budget that includes Career Technical Education (CTE) and 5) any action the school board has taken/will take to provide Drivers Education to its resident students. This report will need to be reviewed by subcommittee members and others (selected members from the public with professional expertise). Kolbe added that there is a schedule for these meetings and hearings. The goal is to draft an opinion the week of August 13, 2022. Chair Samuelson thanked the SBE committee members, AOE and others for taking on this work during the summer months.

Item F: Student Report

Lucci said she is sure many students are excited for summer and having time to destress and spend time together. No other updates. She returns to school on August 31, 2022.

Since the meeting was running ahead, Chair Samuelson skipped ahead to Item H.

Item H: Education Quality Standards (EQS) Update

Kolbe shared that the EQS subcommittee has met a few times and received public comment. Meeting minutes, as well as public comments from the June 30, 2022, EQS subcommittee meeting, are posted on the SBE webpage. Kolbe shared that there are a series of meetings coming up, although tomorrow's (July 21) meeting is canceled. Gleason said there was a good opportunity to listen and hear feedback at the last meeting. The committee wants to make sure the time is well spent on responding to this feedback.

Since there were still presenters for Item G that were not yet present, Chair Samuelson skipped ahead to Item N.

Item N: SBE Future Agenda(s), Workplan, Retreat

Chair Samuelson reminded Board members that the regular August meeting will be held on Friday, August 12, 2022, starting at 8:00 a.m. and not the normal third Wednesday of the month, due to conflicts in SBE members' schedules. The September meeting also needs to be rescheduled and will be scheduled concurrent with the retreat as Chair Olsen has a conflict with the regular September date. It was suggested that the Board shift the regular September meeting to a Friday and have the retreat on a Saturday to make it easier for those missing work. There was discussion. Gleason offered a reminder that this meeting would happen in Addison County and suggested a hybrid option for this meeting. Chair Samuelson said she will request a Doodle poll for Fridays and Saturdays through September. There was discussion on having a retreat in October, separating the retreat from the meeting, and, due to time constraints, not having bandwidth for a retreat at this time. Future agenda items were discussed: as many as seven independent school approvals, Ripton update, pupil weighting discussion, EQS Committee update, possibly diversity presentation from Milton, District Quality Standards and how the engagement plan should be developed, and an update from Secretary

French on plans for starting school this fall (with an anticipated increase in COVID-19 cases and considering the rise in school shootings nationwide).

Item G: Addison Northwest School District (ANWSD)/Mt. Abraham Unified School District (MAUSD) Merger Proposal

Chair Samuelson gave background information and discussed how this item will be addressed. She explained that the ANWSD/MAUSD merger study committee has a special meeting scheduled concurrently with this meeting so that it can respond to questions and feedback and that this item might be tabled and revisited later in the meeting. She invited members of the committee to present. Troy Paradee shared his presentation, "[ANWSD-MAUSD Merger Study Committee Recommendation.](#)" There was discussion on aggregating votes, closing a school with a two-thirds majority and if the votes would be combined, specifics for positions that would be eliminated (mostly central office staff), using a weighted vote for two-thirds majority, vision for middle and high school configuration 5 years from now, decision/logic for having voting weighted, the viability of a unified middle school, text missing on page 47 under "disposable property," transportation challenges and solutions and feedback from parents/communities, the context for numbers from thought exchange, and ensuring students get a quality education. Chair Samuelson asked if there were any suggestions for amendments other than clarifying the language on how the votes are counted. Russo-Savage offered some clarifying language, and suggested adding an additional sentence such as, "In the case of more than one town, the vote shall be aggregated..." Chair Samuelson added that she recommended that this clarification be added to both paragraph 1 and paragraph 2b on page 17 of [the ANWSD/MAUSD Merger Study Committee Report and Articles of Agreement](#). Chair Samuelson asked if there were any objections to making that recommendation. There were no objections. Chair Samuelson moved that the SBE recommend to the ANWSD/ MAUSD merger study committee that it amend page 17 of their report paragraphs 1 and 2b to clarify that, in the case of any vote, the votes shall be aggregated. Gleason seconded. There was discussion on Chapter 11 and the new law. Chair Samuelson called the vote. The vote passed unanimously. This agenda item was tabled, to be revisited at 11:20 a.m.

Chair Samuelson recessed at 9:46 a.m. to return at 10:00 a.m. and reconvened at 10:01 a.m.

Item J: Lincoln School District Update

Chair Samuelson gave factual background information and a recap of the direction for this discussion. As Lincoln considers its options, it is important to note that the status report from Ripton will be submitted no later than today so that the Board can issue its determination of preparedness in August; this determination may impact Ripton's desire to continue its withdrawal efforts which might, in turn, impact any discussion between Lincoln and Ripton to form their own Supervisory Union. In addition, Chair Olsen has reached out to neighboring supervisory unions to solicit their feedback on viable options for Lincoln. Chair Samuelson provided September 1, 2022, as the deadline for Lincoln to provide the Board with its preferences regarding the provision of supervisory union services in order to allow ample time for Board members to consider the various options before rendering a decision at the September meeting. There was discussion on being named an advisable district, operating under revised statutes in Chapter 11 (section 708, subsection b, and section 706(b)(2)), authority of the merger study committee, and next steps if the vote is in the affirmative to

make Lincoln an advisable district. Chair Samuelson said she will reach out and follow up with the representatives from Lincoln.

O'Farrell joined at 10:16 a.m.

Item K: Stowe/Lamoille South Unified Union School District (LSUUSD) request to finalize the Stowe withdrawal, pursuant to Section 5 of Act 176 – updated Alternative Governance Structure (AGS) Plan

Chair Samuelson introduced this topic and gave factual background information. She invited Stowe and the LSUUSD representatives to address the SBE. Ryan Heraty thanked the SBE and shared a presentation titled [Presentation to the State Board of Education by the Lamoille South Unified Union and Stowe Self-Selected Representatives](#). Russo-Savage spoke about there being no requirement for a special election prior to November 8, 2022. There was discussion on the timeline options, the budget process for the supervisory union (SU), and SU collective bargaining council. Chair Samuelson asked for confirmation that 1) there is agreement from boards that LSUUSD wishes to continue despite the withdrawal of Stowe and 2) the request is that an SU be created today to oversee what will become the Stowe School District and the LSUUSD (Elmore and Morristown). There was discussion on increase financial efficiencies, quality in education, equity in services, upgrades in Stowe, that this issue is contentious, an underlying current of the will of the electorate, boards wanting local control and local budgeting, capital improvements, staff shared across districts, and school safety.

Motion 1 - Kolbe moved that:

Pursuant to subdivision 5(c)(2) of Act 176 of 2022, and upon consideration of both the written report and plan and also the oral testimony of the self-selected representatives of Stowe and the board of the Lamoille South Unified Union School District, the State Board of Education **DETERMINES** that:

- a) It is **likely** that the proposed new Stowe School District “will be prepared to assume full responsibility for the education of its resident students in a manner that substantially complies with educational quality standards as required by 16 V.S.A. § 165” on the proposed operational date of July 1, 2023.
- b) It is **likely** that “supervisory union services will be available to both the proposed new Stowe School District and the Lamoille South Unified Union School District” on the proposed operational date of July 1, 2023.

Gleason seconded. There was no discussion. Chair Samuelson called the vote. The vote passed unanimously.

Motion 2 - Kolbe moved that:

1. Pursuant to 16 V.S.A. § 724 as it existed when the self-selected representatives of Stowe initiated the withdrawal action (“Former § 724”), the State Board of Education **FINDS** that if it reconstitutes the Stowe School District for prekindergarten through grade 12 effective on July 1, 2023, the students living in Stowe “will attend a school that is in compliance with the rules adopted by the State Board pertaining to educational

programs” in the 2023-2024 academic year, including rules related to education quality standards and to other state and federal laws.

2. Pursuant to the Former § 724 and to subsection (5)(c) of Act 176 of 2022, and upon consideration of both the written report and plan and also the oral testimony of the self-selected representatives of Stowe and the board of the Lamoille South Unified Union School District submitted pursuant to subsection 5(b) of Act 176, the State Board of Education:
 - a) **APPROVES** the request of the Stowe voters to withdraw from the Lamoille South Unified Union School District (“LSUUSD”).
 - b) **DECLARES** that the withdrawal of Stowe from the LSUUSD shall be fully effective on **July 1, 2023**.
 - c) **DECLARES:**
 - I. That the Stowe School District is hereby reconstituted as a prekindergarten through grade 12 school district.
 - II. That the Stowe School District shall assume sole responsibility for the education of its resident students in prekindergarten through grade 12 on **July 1, 2023**, and that, until such time, the LSUUSD shall continue to be responsible for the education of all students residing in Stowe.
 - III. That, between **July 20, 2022** and **July 1, 2023**, the Stowe School District shall exist exclusively for the purpose of taking all steps necessary for the district to assume sole responsibility for the education of Stowe students in a manner that meets education quality standards and all other state and federal laws on July 1, 2023, including:
 - A. **Election of School Board Members.** The Secretary of State calls a special election at which the Stowe School District voters elect school board members pursuant to 16 V.S.A. § 424(c).
 - B. **Negotiation of Financial Agreement.** The Stowe School Board and the LSUUSD Board negotiate and finalize the proposed financial details of withdrawal pursuant to the Former § 724(c).
 - C. **Approval of Financial Agreement.** The voters residing in each *non*-withdrawing town within the LSUUSD vote to approve the negotiated financial arrangements pursuant to the Former § 724(c).
 - D. **Budget for Fiscal Year 2024.** The Stowe School Board prepares a proposed Fiscal Year 2024 budget, for the district’s first year of operations, and the voters of the district approve a budget for that year.
 - E. **Other Transitional Activities.** The Stowe School Board takes all other actions necessary to transition to full operations on July 1, 2023, including any actions pursuant to 16 V.S.A. § 1804 or otherwise that are necessary to address the collectively bargained rights of employees of the LSUUSD, the former employing entity.

Gleason seconded the motion. There was no discussion. The motion passed unanimously.

Motion 3 - Kolbe moved that:

Pursuant to 16 V.S.A. § 724(c) as it existed when the self-selected representatives of Stowe initiated the withdrawal action and Act 176, Section 5, of 2022:

- a) The State Board of Education **FINDS** that “it is in the best interests of the State, the students, and the school districts remaining in the unified union school district that the Lamoille South Unified Union School District continue to exist,” and
- b) The State Board of Education **DECLARES** that “the Lamoille South Unified Union School District shall continue to exist despite the withdrawal of Stowe as a member.”

Gleason seconded the motion. There was no discussion. The motion passed unanimously.

Motion 4 - Kolbe moved:

1. That, pursuant to 16 V.S.A. § 261, the State Board of Education hereby creates a new supervisory union, the Lamoille South Supervisory Union, to be an “administrative, planning, and educational service unit” pursuant to 16 V.S.A. § 11, with the Lamoille South Unified Union School District (Elmore and Morristown) and the Stowe School District as member districts, to be fully operational on **July 1, 2023**;
2. That, between **July 20, 2022** and **July 1, 2023**, the supervisory union and its board members, once legally appointed, shall exist for the purpose of preparing for the date of full operations; and
3. That on **July 1, 2023** the Lamoille South Unified Union School District shall cease to be a supervisory district (i.e., cease to provide its own supervisory union services).

Gleason seconded the motion. Chair Samuelson clarified that number two should read: “That, between **July 20, 2022** and **July 1, 2023**, the supervisory union and its board members, once legally appointed, shall exist for the purpose of preparing for the date of full operations.” There was no discussion. Chair Samuelson called the vote. The vote passed unanimously.

Gleason acknowledged that the Stowe separation and SU structure seems to make the most sense in those communities where they are operating PK-12 and that this is not inconsistent with what was just voted on. Jepson added that if it isn’t working for the adults, then it is likely not working for the students. We are so small that he cannot imagine that working together wouldn’t be best for the students and hopes that work will continue.

Item L: Diversity Presentation, Adam Bunting, Champlain Valley Union High School (CVU)

Brown invited Adam Bunting to address the Board and share the work of CVU. Bunting shared his presentation titled, “From accountability to responsibility.” He shared that he is very excited that Cornel West is coming to Vermont. Journeys around Diversity, Equity and Inclusion (DEI) do not have a beginning and end, but perhaps some mile markers along the way. He discussed CVU’s core values, Likert responses, accomplishments since 2017, equity policy, becoming more intentional about data, and next steps. There was discussion on 4% of faculty/staff identifying as BIPOC and correlation with student population (11%) identifying as BIPOC, appreciation for Bunting’s presentation, advancement coming through increased connections, sharing what works across the state, emergence of common effort in Vermont, genuine student involvement, equity metrics (Engage software) and integrating informed DEI data into education quality standards (EQS), the confidentiality of student responses and work with advisors, participation in the non-anonymous survey, follow up with non-

participants, benefits of surveying three times a year, support for educators who lead advisories, and mental health of all students. Chair Samuelson thanked Bunting for his inspiring work.

Item G: *Revisit if Needed*-Addison Northwest School District (ANWSD)/Mt. Abraham Unified School District (MAUSD) Merger Proposal

Chair Samuelson introduced Tracy Wrend and Keith Morrill. Wrend shared a revised report on article 14B that was amended to include clarifying language. Morrill said they consulted with their lawyer and it is straightforward and read the amended language: "...for a school with students from more than one town, the vote will be co-mingled." And under Report amendment (page 42), "In the unlikely event that some school buildings may not be needed for educational purposes in the future, provisions for disposal of school property are based upon the outline in ANWSD and MAUSD's Articles of Agreement and provide for a return of property to towns for public use or sale per the provisions in the law." There was discussion on the column "Town 2000" and "Town 2010" and these numbers might want to be corrected.

Lucci moved that: pursuant to 16 V.S.A., Section 706, and after due consideration, the State Board of Education finds that the proposed formation of a new unified union school district by the ANWSD, the MAUSD, and possibly the Lincoln School District is (i) "in the best interests of the State, the students, and the school districts" and (ii) "aligns with the policy set forth in" 16 V.S.A. § 701. Jepson seconded. There was no discussion. The vote passed unanimously.

Lucci moved that pursuant to 16 V.S.A., section 706, and after due consideration, the Vermont State Board of Education approves the report and articles of agreement prepared by the merger study committee comprised of the ANWSD and the MAUSD dated June 27, 2022 and as amended on July 20, 2022. Gleason seconded. There was no discussion. Chair Samuelson called the vote. The vote passed unanimously. Kolbe acknowledged the subcommittee for its comprehensive and thoughtful report and flexibility and commitment.

Item M: Public to Be Heard

Chair Samuelson asked if there were any members of the public who wished to speak. There were none.

Item N: (*Revisited*)SBE Future Agenda(s), Workplan, Retreat

Gleason suggested that it would be helpful for Board members to have a single document that was updated as progress was made in regard to the many timelines and the separate bodies of work. Lovett suggested that the Board include more presentations on mental health engagement efforts like those at CVU at future meetings.

Adjourn

Gleason moved to adjourn; Kolbe seconded. The vote was unanimous to adjourn. The meeting adjourned at 11:51 a.m.

Minutes prepared by Maureen Gaidys.