

State Board of Education

Draft Meeting Minutes

Meeting Place: Virtual Teams Meeting/Video/Teleconference

Call in #: 1-802-552-8456, Conference ID: 340 576 283#

Date: June 15, 2022

Present:

State Board Members (SBE): Oliver Olsen, Chair; Jennifer Samuelson, Vice-Chair; Patrick Brown; Kim Gleason, Tammy Kolbe; Tom Lovett; Gabrielle Lucci; Jenna O'Farrell; Lyle Jepson; Secretary Dan French

Agency of Education (AOE): Emily Simmons, Donna Russo-Savage, Maureen Gaidys, Patrick Halladay, Amy Scalabrini, Suzanne Sprague

Others:

Jay Nichols, Vermont Principals' Association (VPA); Aziza Malik, Teacher of the Year Candidate; Kate Mattina, Teacher of the Year Review Committee; Jamie Seeholzer, BRIGHTality Director; Rocky Spino, Brookhaven Director; Amy Clapp, Teacher of the Year Candidate; Lisa Bilowith, Jean Garvin School Administrator; Robyn Newton, Teacher of the Year Candidate; Abbie Bowker, Teacher of the Year Candidate; Katie Sullivan, Teacher of the Year Review Committee; Rebecca Haslam, Teacher of the Year Review Committee; Peter Burrows, Addison Central School District Superintendent; Rebecca McCalla, Teacher of the Year Review Committee; Maggi Ibrahim, Hartford School District Coach and Facilitator of Diversity, Equity and Inclusion; Roy Hathorn, Hartford School District Director of Secondary Curriculum Instruction and Assessment; Tom Debalsi, Hartford School District Superintendent; Patrick Reen, Mount Abraham Unified School District (MAUSD) Superintendent; Kevin Christie, Hartford School District School Board Chair; Tracy Wrend, Consultant; Dawn Griswold, Mount Abraham Unified School District Board Chair; Steve Cash, Ripton; Herb Olson, Starksboro; Sheila Soule, Addison Northwest School District (ANWSD) Superintendent; John Stroup, Addison Northwest School District Chair; Martha DeGraaf, co-chair, of the ANWSD and MAUSD Merger Study Committee, Marikate Kelley, co-chair of the ANWSD and MAUSD Merger Study Committee, Krista Siringo, Bristol.

Introductions and roll call

Chair Olsen called the meeting to order at 8:04 a.m. A roll call was called. There were no amendments to the agenda. Pupil weighting will be discussed in July.

Public to Be Heard

None

Review and Approve Meeting Minutes from May 18, 2022

Samuelson made a motion to approve the minutes from the May 18th meeting. Lovett seconded the motion. There was no discussion. The motion carried unanimously.

Board Announcements

Jepson said he attended a performance at the Paramount Theatre in which student member, Lucci, participated. He said she has great talents.

Student Member Recognition

Gleason said that Peña was unable to attend due to a work conflict. Samuelson read this [resolution](#) to honor Peña. Samuelson made a motion to accept the resolution. Gleason seconded. The motion carried unanimously.

Education Quality Standards (EQS) Subcommittee Update

Gleason said that she and Kolbe have met and discussed a work plan for the subcommittee. The first meeting is scheduled for later in the month. There will be a review of the side-by-side provided in the Act 1 Working Group Recommendation, and the chair and/or co-chair of the Act 1 Working Group will attend. The second meeting will focus on the definitions section of the proposed rule; specifically, the words discrimination, anti-discrimination and equity will be determined. It will allow for common understanding at the remaining meetings. Kolbe said they will reach out to a broad range of stakeholders for their input and comments on the definitions.

Windham Northeast Union Elementary School District and Addison Central School District – certification of USD continuation after withdrawal

Russo-Savage said the General Assembly (GA) recently changed the law in Chapter 11, which governs the creation, operation, and withdrawal from union school districts. She said the prior version of Chapter 11 was used by Westminster and Ripton to withdraw from their respective union school districts. There was no deadline required for certifying the membership change to the districts' composition to the Secretary of State. The certifications, which conform to both the new and the old statutes, will identify which towns the school districts are responsible for and additionally include that, until the new school district's operational date, the current union school district is responsible for the students in those town districts.

Independent School Approval Review Committee

Lovett said they heard from four schools: Jean Garvin School; Baird School; Brookhaven; and BRIGHTality. The committee received updates from the AOE on each school and reviewed the reports in detail. The committee asked the schools questions where needed.

Lovett provided a description of the Jean Garvin School approval. He read the following motion:

That the State Board of Education grants an amendment to the general and special education independent school approval for Jean Garvin School in Williston, VT, to enable the school to add an intensive special education program to its current offerings for a term through June 30, 2023. This approval is conditional on the requirement that the school reports to the Agency of Education within five business days whenever any changes occur in enrollment, programs, policies, facilities, financial

capacity, staffing, or administration during the approval period. O'Farrell seconded the motion. The motion carried unanimously.

Lovett provided a description of the Baird School approval. Discussion followed regarding compliance with the new State Board rules, flexibility around capacity and an enrollment cap of 48 students. Lovett read the following motion:

That the State Board of Education grants an amendment to the general and special education independent school approval for Baird School in Burlington, VT, to enable the school to add an intensive special education program to its current offerings for a term through June 30, 2022, to coincide with the school's current approval period. This approval is conditional on the requirement that the school reports to the Agency of Education within five business days whenever any changes occur in enrollment, programs, policies, facilities, financial capacity, staffing, or administration during the approval period. Brown seconded the motion. The motion carried unanimously.

Lovett provided a description of the Brookhaven School approval. Discussion followed regarding whether they are licensed by the Department of Children and Families (DCF). Lovett read the following motion:

That the State Board of Education grants an amendment to the general and special education independent school approval for Brookhaven Learning Center in Chelsea, VT, to enable the school to serve female students in its day program for a term through June 30, 2024, to coincide with the school's current approval period. This approval is conditional on the requirement that the school reports to the Agency of Education within five business days whenever any changes occur in enrollment, programs, policies, facilities, financial capacity, staffing, or administration during the approval period. O'Farrell seconded the motion. The motion carried unanimously.

Lovett provided a description of BRIGHTality approval. There was concern with the application regarding the timeline for completion of professional development (PD) around Life Space Crisis Intervention (LSCI), Diversity, Equity and Inclusion (DEI) and mandated reporting. Additionally, there was concern with their compliance with the Americans with Disabilities Act (ADA) regarding their facilities and the need for some handicap equipment. The subcommittee modified the Secretary's recommendation to read that BRIGHTality needs to bring the facilities into compliance before the first student day and if not, the AOE will resubmit its request for approval once ADA compliance is achieved. Lovett read the following modified motion:

That the State Board of Education grants initial general and special education independent school approval to BRIGHTality in St. Albans, VT, to serve up to 15 children/youth in grades 6-12 in the following disability areas: Autism Spectrum Disorder (ASD), Emotional Disturbance (ED), Intellectual Disability (ID), Multiple Disabilities (MD), Other Health Impairments (OHI), Specific Learning Disabilities (SLD), and Speech or Language Impairment (SLI). This approval is for two years through June 30, 2024, which is the maximum length allowed by SBE rule for initial approval. This approval is conditional on the requirement that the school reports to the Agency of Education within five business days whenever any changes occur in enrollment, programs, policies, facilities, financial capacity, staffing, or administration during the approval period. The approval is also conditional on the requirements that the school bring its facilities into ADA compliance and produce a timeline for professional development for training in Life Space Crisis Intervention (LSCI), Diversity, Equity, and Inclusion (DEI), Alert-Lockdown-Inform-Counter-Evacuate (ALICE), and mandatory reporting. These

requirements must be met before the first student day. O'Farrell seconded the motion. Gleason asked for notice on compliance with the condition before the first student day. Jepson made a friendly amendment for a specific timeline for PD in Life Space Crisis Intervention (LSCI), DEI, Alert-Lockdown-Inform-Counter-Evacuate (ALICE), and mandated reporting be presented to the AOE prior to the first student day. Lovett seconded. Seeholzer, Director BRIGHTality, said that the timeline is completed, and the PD has been scheduled before the first student day. The motion to amend the underlying motion carried unanimously. There was no further discussion on the amended motion. The amended motion carried unanimously.

Chair Olsen said that if State Board members have feedback on the independent school approval process to direct them to Lovett. Lovett thanked the AOE for its hard work.

Appoint Hearing Officer to Hear Tuition Appeal

Chair Olsen said there is a new tuition appeal from the Raboin family. The family was denied tuition payments from the school district. He recommended appointing Samuelson as the Hearing Officer. The appeal is not complete, and the missing information should be received soon. Chair Olsen suggested that the State Board proceed in appointing a Hearing Officer. Gleason moved to appoint Samuelson as the Hearing Officer in the tuition appeal for the Raboin family. Lovett seconded the motion. The motion carried unanimously.

Vermont Teacher of the Year (TOY) Presentations

Halladay introduced the Teacher of the Year candidates. A link was shared to a form for State Board members to provide feedback on each candidate. The forms will be shared with Secretary French who will make the final decision.

Presentations were heard from: Abbie Bowker, Champlain Valley Union High School; Amy Clapp, Salisbury Community School; Aziza Malik, Champlain Elementary School; and, Robyn Newton, Vergennes Union Elementary School.

Chair Olsen invited the current and a former TOY to address the State Board. Haslam, 2015 Teacher of the Year, said she enjoyed being a part of the process. She added that the teachers are being very innovative. She suggested to the candidate to create their own opportunities. McCalla, current Teacher of the Year, said it was amazing to be a part of the TOY process. She said to the candidates that they belong in the TOY group.

Hartford – Diversity, Equity, and Inclusion (DEI) Update

Tom Debalsi, Hartford School District Superintendent; Roy Hathorn, Hartford School District Director of Secondary Curriculum Instruction and Assessment; Maggi Ibrahim, Hartford School District Coach and Facilitator of Diversity, Equity, and Inclusion; and, Kevin Christie, Hartford School District School Board Chair addressed the State Board. This [presentation](#) was shared.

Chair Olsen called for a recess at 10:10 a.m. The meeting reconvened at 10:18 a.m.

Addison County Governance Timeline, Issues, Risks, and Contingencies

Chair Olsen shared a presentation [Addison County Governance Issues](#). He said that he hoped to facilitate discussion and to get the State Board and public oriented around some complex interrelated

decisions facing the State Board over the next few months. Topics covered during the presentation include: Typical Structure for a Supervisory District; Typical Structure for a Supervisory Union; State Board's Role in Governance Configuration; Current Configuration; Moving Pieces; Timeline & Key Decision Points for State Board; ANWSD / MAUSD Merger Proposal (July); Ripton Advisory Opinion (August); Decide Regional SU Configuration (September); Potential SU/SD Configuration Options; Potential SU/SD Options (Continued); Ripton & Lincoln - A Few Key Milestones; Issues & Risks; and, Risk Mitigation & Contingency Planning.

Discussion followed regarding Articles of Agreement and closing schools, impact the pandemic had on the academic workforce, stable governance solution, supervisory district is the preferred structure, possible merger of ANWSD and MAUSD effect on Starksboro, conditional provisions and if they apply to school districts, discretion in exercising authority, contingency plans, supervisory board configurations, authority of the AOE, special education and other responsibilities of a supervisory union, school closure versus governance, if a deconstructed school district can merge with a supervisory union and if Lincoln can rejoin the MAUSD.

Establish Committee to Review Ripton Status Report

Samuelson read the following motion:

I hereby move that the State Board of Education establish a Subcommittee to review the Ripton Status Report that will be submitted by the Ripton School District on or before July 20, 2022; consult with members of the Ripton School District and other individuals and entities, including the union school district and the Agency of Education; and prepare a proposed determination of preparedness to be considered and voted on by the full Board at its August meeting. The motion was seconded by Jepson. There was no discussion. The motion carried unanimously.

Chair Olsen is reaching out to volunteers to assist the committee. Jay Nichols, VPA, has volunteered. Kolbe will reach out to other members of the education community. Brown strongly recommended Val Gardner to assist the committee.

Samuelson read the following motion:

I further move that the State Board of Education authorize its Chair to appoint members to the Ripton Status Report Review Subcommittee. Gleason seconded the motion. There was no discussion. The motion carried unanimously.

Chair Olsen appointed Jepson, O'Farrell, Gleason, Kolbe, and Olsen to constitute the 5-person committee.

Mt. Abraham Unified Union School District

Chair Olsen said the State Board must formalize that the MAUSD would remain a supervisory district following Lincoln's withdrawal.

Samuelson made the following motion:

I move that, pursuant to the version of 16 V.S.A. § 724(c) that existed on May 18, 2022, when the State Board of Education declared the creation and existence of the new Lincoln School District, the Board:

1. **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 Mount Abraham Unified School District continue to exist.”
2. **DECLARES** that “the Mount Abraham Unified School District shall continue to exist despite the withdrawal of Lincoln as a] member.”
3. **AUTHORIZES** the Chair to co-sign a certificate substantively identical to the Secretary’s certificate presented for informational purposes at the June 15, 2022, meeting.

The motion was seconded by Brown. There was no discussion. The motion carried unanimously.

Chair Olsen invited representatives from the Mount Abraham Unified School District to address the State Board to inform it of their position pertaining to a possible deconstruction of the school district. Superintendent Reen introduced Board Chair of the MAUSD, Dawn Griswold. Griswold said that, at its June 1st meeting, the board adopted a resolution that expressed its opposition to being reconstituted as a supervisory union and expressed its desire to remain a supervisory district. The reasons noted included opportunities for students, opportunities for management, avoiding unnecessary costs, budget votes and electorate, Act 46, and the development of a sustainable school district.

Reen shared the following [presentation](#). Topics covered during the presentation include impact on students, impact on staff, impact on taxpayers, governance structure of the former supervisory union, governance structure of school district and impact on possible merger. John Stroup, ANWSD Board Chair, addressed the State Board. The board agreed on a consensus statement that was shared by Superintendent Soule. Superintendent Soule, ANWSD, shared the following [public comment](#) in support of the merger study option underway in ANWSD and MAUSD and confirmed her Board’s desire to remain a supervisory district as opposed to a supervisory union. She said it provides the greatest opportunity to use staff flexibly, resulting in greater equity and efficiency. Marikate Kelley, co-chair of the ANWSD and MAUSD Merger Study Committee, addressed the State Board. She provided an update on the study committee’s work and its commitment to providing students with opportunities in an equitable way. Martha DeGraaf, co-chair, of the ANWSD and MAUSD Merger Study Committee, addressed the State Board. She emphasized that a merger between ANWSD and MAUSD was the best path forward due to declining enrollments and the tax rate trajectory. She added that a supervisory union structure goes against the goals of the committee and that Lincoln is an advisory district in the draft articles of agreement if it chooses to join the new district if approved.

Discussion followed regarding articles of agreement and electorate, focus on equitable opportunities for all students, amendments to the articles of agreement by the State Board, timeline, recommending changes to articles of agreement for the committee to consider, school closure language and whether withdrawing districts agree with the language and Lincoln voters should be included in any future votes.

SBE Agenda and Workplan

Chair Olsen said that he is unable to attend the July meeting due to a work conflict. Samuelson will chair the meeting. He said that the State Board may have its retreat in September in Addison County. Stowe will address the State Board in July.

Public to Be Heard

Herb Olson, Starksboro Save Our Schools Committee, addressed the State Board regarding the right to vote before a decision to close the Robinson Elementary School. He said the ANWSD/MAUSD merger Study Committee's draft articles of agreement do not include a vote if a decision to close a school was made. He would like to have been included in those decisions. He said the committee does not wish to seek harm to the district. There is significant tension in the educational community in his area. He opposes article of agreement number 2. He asked the State Board to encourage districts and towns to engage in constructive conversations to create the best possible opportunities for all students.

Adjourn

Gleason moved to adjourn; Samuelson seconded. The meeting adjourned at 12:38 p.m.

Minutes prepared by Suzanne Sprague