

# State Board of Education

## Draft Meeting Minutes

### Virtual via Microsoft Teams

[Meeting link](#)

Call in #: 1-802-552-8456, Conference ID: 630 750 72#

Date: September 20, 2023

### Present:

**State Board Members (SBE):** Jennifer Samuelson, Chair; Tammy Kolbe, Vice Chair; Tom Lovett; Lyle Jepson; Kim Gleason; Jenna O'Farrell (joined at 9:06 a.m.); Rich Werner; Grey Fearon; Aaliyah Willburn; and Heather Bouchey.

**Agency of Education (AOE):** Pat Pallas Gray, Emily Simmons, Maureen Gaidys, Suzanne Sprague

**Others:** Jay Nichols, Vermont Principals' Association; Jessica Meller, Jewish Community of Vermont; Amy Hornblas, Cabot; Barbara Barrett, Community Schoolhouse; Sue Ceglowski, Vermont School Boards Association; Jeff Francis, Vermont Superintendents Association; Edye; Representative Mary-Katherine Stone; Representative Kathleen James; Representative Angela Arsenault; Peter; Steven Berbeco; Amanda Garces, Vermont Human Rights Commission; Michael Martin, Rowland Foundation; Natahsa Eckart, Vermont National Education Association.

### Call to Order/Roll Call/Amendments to the Agenda

Chair Samuelson called the meeting to order at 8:45 a.m. and roll call was taken. There were no amendments to the agenda.

### Item A: Public to be Heard

Jay Nichols, Executive Director, Vermont Principals Association, read this [statement](#).

### Item B: Approval of August 9, 2023, Meeting Minutes and August 18, 2023, Meeting Minutes

Gleason moved to approve the [August 9, 2023 meeting minutes](#). Kolbe seconded the motion. There was no discussion. The motion carried.

Lovett moved to approve the [August 18, 2023 meeting minutes](#). Kolbe seconded the motion. The motion carried. Jepson abstained since he was not at the meeting.

### Item C: Board Announcements

Chair Samuelson said Act 72 of 2021, an act relating to addressing the needs and conditions of public-school facilities, requires the Secretary of Education in consultation with the Chair to update school construction facility standards. The State Board must adopt a revised capital outlay financing formula. Chair Samuelson added that, absent objection, she was naming Kolbe and Werner to work on updating the school facility standards with the AOE. There was no objection.

Chair Samuelson said that there are a series of stakeholder engagement meetings aimed at capturing feedback and fostering meaningful conversation regarding Act 29 of 2023, an act that aims to

bolster school safety measures across the state. She said that, absent objection, she was naming Werner to represent the State Board in that capacity. There was no objection.

### **Item D: Student Report**

Fearon said that school has begun along with school sporting competitions. He added that his school has implemented a strict no phone policy this year and that everyone is adjusting to it. Wilburn said that school has begun and that her family is hosting an exchange student from Barcelona.

### **Item E: Secretary Search Committee Update**

Chair Samuelson provided an update and said the committee has met twice. The job is posted on the State of Vermont website, EdWeek, Indeed and School Spring, and an AOE press release is forthcoming. The position is open until October 5. Interview topics will be discussed at the next meeting. Discussion followed regarding using a national search committee, SBE budget, applicant references, timeline and posting with other national education organizations.

### **Item F: Rule Series 2200 Committee Update**

Chair Samuelson said that this topic was scheduled to go before the Interagency Committee on Administrative Rules (ICAR) on September 11. Unfortunately, another entity took up much of the conversation and the topic was postponed. It will now go before ICAR on October 9.

### **Item G: Rule Series 2000 (EQS) Committee Update**

Kolbe provided a brief background. There has been one public hearing and two more are scheduled. These are posted on the AOE web site. The remaining two hearing dates are September 28 and October 3. Kolbe added that the deadline for submitting public comments is October 15. Public comment may also be submitted in writing at [SBE.PublicComment@vermont.gov](mailto:SBE.PublicComment@vermont.gov). Discussion followed regarding keeping revisions to Rule Series 2200 and EQS in parallel, process for handling public comments that are emailed directly to State Board members instead of the SBE public comment email address and adding a link to the public comments on the State Board rulemaking page.

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

Interim Secretary Bouchey provided an update on the [AOE's release of the 2022 data of the annual snapshot](#). She explained the AOE is federally required to provide this information under the Every Student Succeeds Act (ESSA). She mentioned that the AOE is still going through and breaking down the data by grade and by different historically marginalized groups. She added that this is not the only information that is used to understand students' academic performance. This information is used to determine which schools qualify for additional federal support. Interim Secretary Bouchey said the state is approaching proficiency in math, English language arts and science. Math scores are trending upward. She added that the achievement gap between historically marginalized groups and non-historically marginalized groups is increasing and said we must get very serious about addressing equity in the state to ensure that all students are showing progress and growth. She added that 13 schools no longer require comprehensive support. The administration of the assessment went more smoothly than in 2021.

Interim Secretary Bouchey provided an update on Act 29 of 2023, a Working Group on Student Protections from Harassment and Discrimination in Schools. Topics discussed include compulsory education, truancy, and how victimized students access public education when they do not feel safe in school. The Vermont State truancy statute is broad and does not align with the Department of Children and Families (DCF) guidelines. This topic is also related to cross-agency work on chronic absenteeism. Another piece pertains to a severe and pervasive standard that allows employees that have experienced discrimination to hold the employer directly responsible. Some people are interested in applying this standard to schools on behalf of students.

Interim Secretary Bouchey provided an update on Act 72 of 2021, an act addressing the needs and conditions of public-school facilities. The School Construction Aid Task Force is working on providing background information to make sure members understand how bonding works at the local level. Task Force members are interested in how PCB remediation and mitigation will be addressed.

Interim Secretary Bouchey provided an update on Act 76 of 2023, an act to assist the Agency of Education in improving and expanding accessible, affordable, and high-quality prekindergarten education for children on a full-day basis. The AOE, in partnership with the Child Development Division (CDD) in the Agency of Human Services, has released a Request for Proposal (RFP) to contract with a facilitator to run the meeting, take the minutes and assist in the report writing. She said that she and co-chair, Janet McLaughlin, Deputy Commissioner of CDD, have a hard time facilitating and participating in the meetings.

Discussion followed regarding data transfer and comparability, vendor contract, assessment results obtained during the pandemic, delay in release of data, meeting the federal requirement and timeline, problem of reporting with two separate assessment vendors, concerns with measurement error, systematically biased scores for marginalized students, truncated timeline for ensuring field readiness, systematic examination of respondents versus non-respondents and alternative assessments.

## **Item J: Independent School Approvals**

### **Community Schoolhouse**

Lovett made a motion to accept the Secretary's recommendation and grant renewal of therapeutic independent school approval to serve students in grades K-8 and grant an amendment to add a high school program to Community Schoolhouse, Brattleboro, VT to serve students in grades 9-12. This approval is for five years, through June 30, 2028. 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. Jepson seconded. Jepson said the local education agencies (LEA) support the request to serve students in grades 9-12. The motion carried.

## **Item K: Act 1 Presentation**

Kolbe provided a brief introduction of the Ethnic and Social Equity Standards Working Group and reminded the State Board of its legislative charge to consider adopting the ethnic and social equity standards under [16 V.S.A. § 164 \(9\)](#). Amanda Garces, Chair, Ethnic and Social Equity Standards Advisory Working Group; Michael Martin, Ethnic and Social Equity Standards Advisory Working Group member; and, Natasha Eckart, Ethnic and Social Equity Standards Advisory Working Group member presented the [IRIS Ethnic Studies Standards Framework](#) to the State Board.

## **Item L: Establish Committee to Review the Ethnic Studies Standards Framework submitted by the Act 1 Working Group on July 3, 2023, and Appoint Members Thereto**

Chair Samuelson made a motion that the State Board of Education establish a committee to review the Ethnic Studies Standards Framework submitted by the Act 1 Working Group on July 3, 2023. Gleason seconded. The motion carried.

Chair Samuelson further moved that the State Board of Education authorize its Chair to appoint members to the Ethnic Studies Standards Framework Committee. Gleason seconded. The motion carried.

Chair Samuelson said the framework would be reviewed by members of the EQS Committee (Gleason, Kolbe, Diop, Werner and Fearon).

### **Item M: Accessibility Discussion**

Chair Samuelson provided background on the topic. She said the appropriate steps are in place to ensure that all members of the public have access to the State Board of Education meeting virtual links. In addition, she and Kolbe will join members of the Agency of Education at a meeting with the Office of Racial Equity to further explore the issues of accessibility. Discussion followed regarding the issue not being unique to the State Board, State Board receives support for its work by the Agency, uniformly addressing accessibility issues on a state-wide basis, Vermont Public Radio (VPR) article wrongly implied that the Chair was doing something inappropriate and seemed like a personal attack, following prior practices, current practices in line with other agencies and boards, reviewing and reflecting on prior practices, interest in improving accessibility, language barriers, commitment to get it right, continuous improvement and the State Board taking the first steps to improving accessibility across the state.

### **Item N: Future Meeting Planning**

Chair Samuelson said that if State Board members have ideas for schools to hold in-person meetings in October or November to email her directly. The next meeting will include a possible update from the Special Education Advisory Panel, Act 173 follow-up with the AOE fiscal staff, independent school approvals, independent school compliance with changes to Rule Series 2200, update on Rule Series 2200, update on Rule 2000 (EQS) and an update from the Secretary Search Committee. The October meeting is scheduled for the 25<sup>th</sup>.

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

Jessica Meller, Jewish Community of Vermont, read this [statement](#).

Amy Hornblas, Cabot, read this [statement](#).

### **Adjourn**

Kolbe moved to adjourn; Gleason seconded. The motion carried. The meeting was adjourned at 11:11 a.m.

Minutes prepared by Suzanne Sprague.