

**AGENCY OF EDUCATION
Montpelier, Vermont**

TEAM: School Finance

ITEM: Will the State Board of Education grant conditional initial independent school approval to the Expeditionary School of Black River (ESBR), Ludlow, VT to serve students in grades 7-12?

SECRETARY'S RECOMMENDED ACTION:

That the State Board of Education grants conditional initial independent school approval to the Expeditionary School of Black River, Ludlow, VT, to serve students in grades 7-12. This conditional approval is for one year, through June 30, 2024.

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.

This approval is also conditioned on the Expeditionary School of Black River meeting the following conditions outlined in the visiting team's report and listed below.

- 1. Content area staff must be hired prior to the first day of school and approved by the Agency of Education as meeting SBE Rule 2226.8.1. Qualifications for all school year 2023- 2024 staff must be submitted to the Agency of Education's Independent School Team allowing for a minimum of five days to review (prior to the start of school).**
- 2. ESBR must develop and maintain on file a plan for staff professional development and evaluation prior to the first day of school.**
- 3. ESBR must develop and maintain on file a plan for serving all students pursuant to SBE Rule 2229 prior to the first day of school.**
- 4. ESBR must have a plan in place for delivery of required state assessments by January 1, 2024.**
- 5. ESBR's direct instruction must be delivered by qualified staff to student(s) who are physically in attendance at the school.**
- 6. ESBR must continue its assessment of all incoming students for literacy and math.**
- 7. ESBR must develop or purchase a written curriculum to meet the Minimum Course of Study for age, grade and ability level.**
- 8. Prior to implementing a flexible pathway learning opportunity, ESBR must seek technical assistance**

STATUTORY AUTHORITY: Title 16 V.S.A. § 166 (b)
State Board Rules 2200

1. An independent school may operate and provide elementary and secondary education if it is approved by the State Board of Education.
2. The State Board of Education shall approve an independent school if it substantially complies with the Board's rules for independent schools, promulgated as Series 2200 (Independent School Program Approval).
3. The Expeditionary School of Black River is seeking initial general independent school approval to serve students in grades 7-12.
4. The Expeditionary School of Black River is currently operating as a recognized independent school.
5. Four sections of the new independent school rules took effect upon adoption on May 10, 2022. Those rules are Rule 2223 (Procedure), Rule 2224 (Reciprocity), Rule 2226 (Application) and Rule 2227 (Approval). The Expeditionary School of Black River provided a signed addendum attesting to meeting these new rules.

FISCAL IMPLICATIONS: none

STAFF AVAILABLE:

Josh Souliere, Assistant Director of Educator Quality Division

Cassandra Ryan, Director of Regulatory Compliance and Risk Management