



Wednesday, May 15, 2019  
St. Johnsbury Academy  
1000 Main Street

Black Box Theater – Morse Center for the Arts  
St. Johnsbury, VT 05819

May 15, 2019

## Draft Minutes

### Present:

**State Board of Education (SBE):** Krista Huling, Chair; John Carroll, Vice Chair; Peter Peltz; Oliver Olsen; Callahan Beck; John O’Keefe; Kimberly Gleason; and William Mathis.

**Agency of Education (AOE):** Daniel French, Emily Simmons, Judy Cutler, Jay Ramsey, Maureen Gaidys.

**Others:** Thomas Lovett, headmaster, St. Johnsbury Academy; Mill Moore, VISA; Kerry Amidon, WSESU.

### **Item A: Call to Order, Roll Call and Introductions, and Amendments to the Agenda**

Chair Huling called the meeting to order at 8:58 a.m. and announced that the meeting was at St. Johnsbury Academy in recognition and honor of Callahan Beck, who is nearing the end of her term as student Board member. She asked members to introduce themselves. She asked if there were amendments to the agenda; there were none.

### **Item B: Welcome**

Chair Huling thanked St. Johnsbury Academy (SJA) Headmaster Thomas Lovett for hosting the Board and invited him to address the group. Lovett spoke about this being his last year and gave an over view of SJA, thanked the Board for their hard work, and commended Beck’s leadership. There was further discussion/questions on the changing political/economic environment, recruitment and partnerships, class sizes, etc.

### **Item C: Strategic Vision Planning**

Chair Huling spoke about small group conversations that happened at the last meeting and that the takeaways were the issue of student wellness. Carroll will be working on a draft document to update the Strategic Vision. Chair Huling spoke about the process/objective being to have a vision, look at the data and make some SMART goals. Chair Huling said the Board retreat would be in September and that the Strategic Vision would be revisited then. There was discussion on the Board retreat. Chair Huling decided on September 18 and 19 for the retreat and that it would be held in the southern part of the state.

Carroll agreed to have a rough draft of the Strategic Plan by June. There was discussion on an AOE vision/mission statement, revisiting the relationship between the Board and the AOE, an interactive exercise identifying roles and responsibilities, etc.

Chair Huling summarized the plan for the next few months: June – visioning piece; July – legislative work schedule, mission and visioning of the AOE, stakeholder feedback on vision statement from June; and August – see what comes out of July meeting and prepare for September meeting and retreat. Secretary French spoke to major policy initiatives already in play and pointed at significant structural reforms, and the need for an integrative model with education at the center.

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

Chair Huling asked if there were any members of the public to be heard. There were none. Chair Huling called recess at 10:00 a.m. Chair Huling called the meeting back to order at 10:16 a.m.

#### **Item E: Board Member Waiver Request**

Chair Huling started with Item E-2 to accommodate representatives who were present and other that were still travelling.

#### Windham Southeast Supervisory Union

Chair Huling offered that was a representative available for Windham Southeast Supervisory Union and advised that their request, pursuant to 16 V.S.A. § 261(d), was that the State Board of Education approve the request to waive the 16 V.S.A. § 266 default requirements for appointments to the Board, and that membership on the SU Board shall be appointed as follows, effective on the day the Windham Southeast School District, a unified union school district (UUSD), becomes fully operational: one member from the UUSD Board who resides in Brattleboro, one member from the UUSD Board who resides in Dummerston, one member from the UUSD Board who resides in Guilford, one member from the UUSD Board who resides in Putney, and one member from the Vernon School District Board. **MOTION:** Peltz moved to accept the Secretary’s recommendation; Beck seconded. **VOTE:** Chair Huling called the vote. The vote passed unanimously.

#### Southwest Vermont Supervisory Union and Battenkill Valley Supervisory Union

Chair Huling introduced the Southwest Vermont Supervisory Union and Battenkill Valley Supervisory Union’s waiver request that the State Board rescind its 2013 waiver of requirements for SVSU Board composition and that the provisions of 16 V.S.A. § 266 apply to membership on the SVSU Board beginning on July 1, 2019; and that the State Board endorse the appointment of representatives from the Arlington and Sandgate School Districts to the SVSU Board in November 2019 so that the SVSU Board can begin to operate on November 15, 2019, as an expanded board serving what will be the new SVSU constituency. She asked for questions and comments. There was discussion on the constitutional requirement of proportionality for membership on an SU board. **MOTION:** Carroll moved to approve the Secretary’s recommended action; O’Keefe seconded. **VOTE:** Chair Huling called the vote. The vote passed unanimously.

#### Windham Central Supervisory Union

Chair Huling invited the representative from Windham Central Supervisory Union to address the Board regarding the Secretary's recommended action, pursuant to 16 V.S.A. § 261(d), that the State Board of Education approve the request of the Windham Central SU Board to waive the 16 V.S.A. § 266 default requirements for appointments to the Board, and that membership on the SU Board shall be appointed as follows, effective on July 1, 2019: two members from the Marlboro School District Board, three members from the River Valleys Unified School District Board, one member from the Stratton School District Board, six members from the West River Modified Union Education District Board, two members from the Windham (Elementary) School District Board. The board representative/chair explained that they worked hard to be fair, that this was voted on twice, that they have met all Act 46 requirements, and asked for approval of the Secretary's Recommendation. There was discussion. **MOTION:** Carroll moved to adopt the Secretary's recommendation; Beck seconded. **VOTE:** Chair Huling called the vote. The vote passed unanimously.

**Item F: Post-secondary Closing, Student Academic Records**

Chair Huling started with Southern VT College (SVC) and asked Emily Simmons, General Simmons, to introduce herself. Simmons spoke to the Secretary's recommended action that the State Board of Education approve Massachusetts College of Liberal Arts (MCLA) as the designated entity pursuant to 16 V.S.A. § 175, to act as permanent repository for SVC student academic records. Chair Huling asked if there were any questions. **MOTION:** Beck moved to accept the Secretary's recommendation; Carroll seconded. There was a question on if there was any pending legislation related to this. **VOTE:** Chair Huling called the vote. The vote passed unanimously.

Jennifer Scott, College of St. Joseph, (CSJ) introduced herself and reviewed the request that Our Lady of the Elms College, in Chicopee, MA be the permanent custodian of their academic records. She explained that this college was chosen as they are both sisters of St. Joseph Colleges and are have shared histories, shared founders, similar course offerings and were original teachout partners. There were questions/discussion. It was suggested that custodian of the website domain be Our Lady of the Elms and that should be part of the agreement. **MOTION:** Carroll moved that the State Board of Education approve that Our Lady of the Elms College, in Chicopee, MA is the designated entity per 16 V.S.A. § 175 as the permanent repository of the CSJ's academic records, with the understanding that the website domain ownership will also be transferred to Our Lady of the Elms; Gleason seconded. **VOTE:** Chair Huling called the vote. The vote passed unanimously.

Chair Huling called recess at 10:44 a.m. Chair Huling called reconvened the meeting at 11:02 a.m.

**Item G: Student Panel**

Beck invited a group of students to address the Board and asked them to introduce themselves; she followed this with a more detailed introduction. Chair Huling asked the student panel to speak about academics and what helped shape who they are and their core values. There was discussion on students as family and community, guidance counselors, self-direction and self-expression, opportunity for exploration, finding passion vs. areas of strength, CTE programs,

post-secondary aspirations, plans to return to VT (or not), articulation and communication skills, work ethic, class sizes, CAPSTONE projects, etc.

#### **Item H: Student Report**

Beck welcomed the Board to her school and thanked them for visiting. She spoke about student mental health and the support of the Academy's guidance department and the focus on student well-being since a tragedy last year. She reiterated that mental health is key to academic success.

#### **Item J: Resolution for Callahan Beck**

Chair Huling read a resolution for Beck and presented her with a signed, framed original of the resolution and some gifts from the University of Vermont. **MOTION:** Olsen moved to adopt the resolution; O'Keefe seconded. In keeping with tradition, Carroll led the Board in a choral performance of the Alma Mater, "UNIVERSITAS V. MONTIS." Chair Huling thanked Beck for her hard work and dedication over the last year.

Chair Huling called lunch recess at 11:54 a.m. Chair Huling reconvened the meeting at 12:51 p.m.

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

Chair Huling asked if there were any members of the public to be heard. There were none.

The schedule was a bit ahead of schedule; Chair Huling moved to the Chair's report.

#### **Item O: Chair's Report**

Chair Huling spoke about changing the date of the retreat, the conundrum of Act 173 and the delay of implementation and working with the Attorney General's office on hiring a lawyer for a licensing issue. She shared her personal experience with the Act 166 process and there was discussion on waiting lists, issues of equity, paperwork requirement, participation rates among lower income families, etc.

#### **Item L: The Compass School**

Chair Huling refreshed the group that at the last meeting there was a request to have The Compass School (TCS) address financial capacity and provide additional information. She cited Act 173, "*...If the State Board, after having provided the school a reasonable opportunity to respond, does not find that the school has satisfactorily responded or demonstrated its financial capacity, the State Board may establish a review team, that, with the consent of the school, includes a member of the Council of Independent Schools, to: (I) conduct a school visit to assess the school's financial capacity; (II) obtain from the school such financial documentation as the review team requires to perform its assessment; and (III) submit a report of its findings and recommendations to the State Board.*" Chair Huling explained that the objective was to review documents/information provided and decide as a Board if this satisfies the concerns. She invited TCS representatives to introduce themselves: Roxanne Blake, co-chair of the Compass School Board; Rick Gordon, headmaster; and Connie Kincaid-Brown, CPA/volunteer/TCS parent. Blake read a statement that spoke to the Board's concerns around transparency, 990s, timeliness, tax exempt status, etc. She spoke about engaging the firm Lawrence Reed CPS, P.C. and talked about their strategic plan for 2014-19.

Gordon apologized for not filing Form 990s in a timely manner and spoke about fiscal responsibility, availability of 990 forms (school website), working draft of financial manual, dedication of school's teachers, regret for the delinquent filing, etc. There were questions/discussion on the next meeting of the board, compilation vs. audit, professional recommendations, a formal review at the 5-year renewal point, governance, fiduciary responsibilities, application of GASBE, checks and balances, plan to rectify, best practices, board expectations, members' tenure, timelines of discovery and notification, accountability and the importance of systems, prudent board composition being independent of the school, etc.

**MOTION:** Mathis moved to establish the review team as authorized in 16 V.S.A. § 166 that will submit a report of its findings and recommendations to the full Board and further that the Chair be authorized to appoint one or more members to the review team. Gleason seconded this motion. There was further discussion on the need to review financial capacity, that TCS is up for 5-year renewal, governance, need to be cautious to not cast a shadow on TCS, eagerness to address root issues, involvement of Department of Financial Regulation, spirit of the review team being to verify that representations are accurate and that this will be done in the next few months, etc. **VOTE:** Chair Huling called the vote. The vote passed unanimously.

#### **Item M: Act 173 Update**

Chair Huling stated that the Act 173 Advisory Group has asked to address the Board and she invited their representative to do so. Marilyn Mahusky, attorney from VT Legal Aid/Disability Law Project, and member of the Act 173 Advisory Group (AG), introduced herself. At the last meeting the AG voted her as vice chair and she clarified that she was speaking on behalf of the AG. Mahusky addressed the letter to the Board from Meagan Roy, Chair of the AG. Mahusky spoke about various concerns of delay on implementation, the federal requirement that Maintenance of Effort (MOE) be maintained, feedback on the rules, professional development, monitoring implementation, funding to independent schools, the weighting study, that the AG is in support of a delay, etc. There was further discussion.

Judy Cutler, AOE Legal Staff, introduced herself. Chair Huling asked about areas of agreement between the AOE and the AG. Cutler agreed with Mahusky's explanation and added that AOE is trying to affect the funding change with fidelity to state and federal law. There was discussion on MOE requirements, the UVM study, change in practice tied to change in funding system, and limited flexibility. Cutler continued to discuss the rulemaking timeline and that each step is subject to pressure points that can affect the timeline – and that the timeline can be adjusted. There was further discussion.

Chair Huling called a 10-minute break at 3:21 p.m. Chair Huling called the meeting back to order at 3:30 p.m.

#### **Item N: Consent Agenda/Board Announcements**

Consent Agenda – Peltz moved to accept the consent agenda. There was question on point of order. Carroll had a question on N-3, paragraph 2, *"...Other than annual reports, the next major responsibility regarding accreditation will a five-year interim evaluation report..."* he asked to know the specific date of the interim evaluation. Chair Huling responded that the date would be 5



years from the initial NEASC approval. Simmons offered that it would be 5 years from this year to coincide with the AOE's 5-year recommendation period. Secretary French offered to include a specific date in future recommendations. **MOTION:** Carroll moved to accept the consent agenda; Olsen seconded. **VOTE:** Chair Huling called the vote. The vote passed unanimously.

The following consent agenda items were approved:

1. Minutes – April 17, 2019 Meeting
2. Addison Northwest SD Waiver Request – 16 V.S.A. § 1071
3. Renewal of general independent school approval - Putney School

Board Announcements - Carroll shared that he has been accepted to a NASBE Equity Cohort and that this will involve two meetings in Washington, D.C and two teleconferences. Carroll will share what he learns with the Board.

#### **Item P and Q: Secretary's Report and Legislative Update**

Secretary French spoke about the project plan for initiatives that will be produced post-legislative session, that the legislative process is very dynamic, that AOE's move to National Life is on schedule, that visioning work is progressing and that will be shared with the Board, that recruitment is underway for both a CFO and a Deputy CFO. There was further discussion on recruitment challenges, new education-related legislation, Success by Six initiative, PreK, EDC report, the state report card going live in June, and equity gaps needing further discussion.

#### **Item R: Proficiency-Based Graduation Requirements**

Chair Huling gave the AOE credit for the work that has been done creating Proficiency-Based Grading (PBG) models and directed folks to the AOE website for resources. Secretary French shared the document provided to members and spoke to local districts having discretion on implementation, controversy around this, technical support provided, connecting this with MTSS, and strategies for personalizing learning (proficiency-based learning, personalized learning plans and flexible pathways). There was further discussion/questions on policies, Education Quality Standards, using the AOE website to review PBG, etc.

#### **Item S: Career Technical Education - Strategic Vision and Goals**

Chair Huling reminded the members that the request was for the Board to endorse the CTE vision and goals, as presented at the April meeting. **MOTION:** Carroll moved to accept the Secretary's recommendation; Gleason seconded. There was discussion. Chair Huling invited Jay Ramsey, AOE CTE State Director, to address the Board. There were questions and further discussion. **VOTE:** Chair Huling called the vote. The vote passed; Peltz voted nay. Carroll commended Ramsey on last month's presentation.

#### **Adjourn**

Chair Huling asked for a motion to adjourn. **MOTION:** Beck moved to adjourn; Gleason seconded. **VOTE:** The vote was unanimous. The meeting adjourned at 4:40 p.m.

Minutes recorded and prepared by Maureen Gaidys.