



Friday, January 12, 2018  
Conference Call  
Vermont Agency of Education  
Room #402  
219 North Main Street  
Barre, VT 05641

January 12, 2018

*Strategic Goals: (1) Ensure that Vermont's public education system operates within the framework of high expectations for every learner and ensure that there is equity in opportunity for all.  
(2) Ensure that the public education system is stable, efficient, and responsive to changes and ever-changing population needs, economic and 21st century issues.*

**State Board of Education  
Legislative Subcommittee Conference Call Meeting  
Draft Minutes**

**Present via Phone:**

**State Board of Education Legislative Subcommittee Members:** Peter Peltz, William Mathis, Krista Huling, Connor Solimano, and John Carroll.

**Agency of Education (AOE):** Maureen Gaidys

**Others:** None

**Item A: Call to Order**

Chair Peltz called the meeting to order at 9:01 a.m.

**Item B: Sign In for Guests/Callers**

Chair Peltz asked Board members to identify themselves. He asked callers outside of the Board to identify themselves; none did.

**Item C: Amendments to Agenda**

There were no amendments to the agenda.

**D: Approve January 10, 2018 Draft Minutes**

Huling moved to approve the minutes from the January 10, 2018 meeting; Solimano seconded. Peltz called a vote. The vote passed unanimously.

**Item E: Update – Robert Stirewalt**

Stirewalt was not present and it was thought he might be out sick, so this item was not addressed.

**Item F: Debrief on Report Presentations and Meet and Greet at the State House – Huling/Peltz**

Peltz said he thought it was a series of good meetings, and that they met everybody, including the Senate Education committee. Peltz thought the tenor was supportive and this was a good lead off to the session. Huling was most pleased that they were able to meet with Senate Education committee. The meeting with the Senate Pro Tem was delayed due to the passing of the marijuana legislation, but they did meet with Peter Sterling at 4:00 p.m.

Peltz said the meeting with the House Education committee had some good questions and exchanges. There was discussion on Proficiency Based Learning, the role of the House Education committee in legislating curriculum, a specific civics test that the House Education committee had received, an update on C3 (this needs to be provided to the committee in more detail), and Act 46. There was a lengthy exchange with Representative Long who is very concerned with the roll out of PBG and the lack of consistency and guidance from the state. Mathis shared that Title 16 references that curriculum is addressed at the local level and standards belong to the Board. Mathis said this would need to be revisited and given some attention. Solimano commented on the test being for civics only and not any other subject area. Peltz asked which interest group presented this to the committee and if they were connected to the federal government. Gaidys offered to request this test from the House Education committee; Huling thought that would be a good idea.

Representative Pearce talked about the alternate governance structure proposal from his constituents and the timeline for approval and said they were a day late and that there was sentiment that their proposal would not be considered. The subcommittee reassured him that this would still be considered. Huling said she received a request from Sharpe for the Board's feedback on both special education reports and details on the Board's role in relation to special education. Huling suggested Mathis to offer the historical perspective. Peltz commented that the UVM report was more substantial than the report on the delivery of special education services. Huling offered that the Board has more of a role in delivery of services than special education funding.

As a sidebar, Peltz offered that Secretary Holcombe and Governor Scott are going to Hardwick on January 16 to discuss special education in relation to high-needs SUs and that he would be there as a fly on the wall. Mathis said there is an entire chapter in Title 16 on special education and that this will need some reviewing. Peltz asked if this could segue into what critical legislative issues are brought to the Board to be presented to the Legislature. Peltz said the legislative subcommittee might need to meet more often and suggested that be discussed.

Huling asked if they could start with requests from the committees/meetings and shared the following:

- 1) The House Education committee's request that the Board identify pieces of legislation that are expensive and not effective and need to be changed. Peltz commented that there has been a history of them deflecting what they want to do, to the Board, so he suggested proceeding with caution. Huling clarified that it was framed as policy that was not effective, such as unfunded mandates (EpiPens) which might be a good starting point. Peltz said that is a huge request. Huling countered that it was a direct request. Huling asked if the plan was to disregard a direct ask from the Legislature. Peltz questioned if there was enough time and resources. Mathis suggested they assign the Board a staff person for this work. Peltz agreed that there is not capacity to do this.
- 2) Sharpe's request for the SBE's role in special education and for a breakdown on Title 16. Peltz offered to assist Mathis with this. Peltz went on to express concern with what is/is not happening as a coordinated effort on the home front and in the school and the need for better coordination. He said this would be addressed at the meeting on Tuesday. Huling and Mathis questioned what meeting. Peltz clarified that he was referring to the meeting with Governor

Scott and Secretary Holcombe at Orleans Southwest Office on January 16 to hear from people on the high costs and high needs of special education and that there are strong feelings in this area.

Peltz asked about other areas which requires the State Board's focus.

- 3) Senate Education Committee asked about Act 46, in which the entire Board is already vested.
- 4) Baruth asked that the Board look at the two special education reports with a special focus on equity and give the Senate Education committee their read on this. Mathis asked if he mentioned the Rule Series 2200 in relation to equity. Huling said that Rule Series 2200 did not come up at all with the Senate Education committee. The House Education committee also wanted feedback on the two special education reports, specifically the SBE's role.
- 5) Questions about PBG came up in both House and Senate Education committees. Both committees were concerned with the inconsistent roll out, and whether EQS needs to be reopened and more specifically defined. Huling commented that this topic was not anticipated.

Huling stated again that the whole Board is working on Act 46 and that she was unsure that this needed to be addressed by the subcommittee. Mathis asked if the idea was raised on folks wanting special consideration. Huling shared that Baruth and Sharpe agree that no changes for Act 46 were being entertained for this legislative session, and that both were supportive of the Board going forward with their work and did not want to add confusion. Peltz added that the Legislature was impressed with the mergers that have already happened.

#### **Item G: Next Steps**

Mathis asked for clarification on the equity request as it relates to special education, Act 166 and PreK vouchers, tracking dual enrollment, private schools, school choice, higher education access and special education in terms of aides. He noted that these half dozen equity issues are controversial and asked if the Board wanted to address them from that perspective. There was discussion on taking a piece-meal approach, the Senate Education committee's request for special attention to be given through the equity lens as it relates to the special education reports, and material provided by the two special education reports. Peltz offered to help Mathis with the special education and equity task and asked how the subcommittee wanted to break out on the other issues. Huling said special education is number one, Act 46 is already being handled as a full Board, and that leaves PBG and civics. Peltz questioned spending time on civics and if the Board has the capacity for this request. Huling reiterated her feeling that she needs to honor the direct request from the Legislature. Mathis suggested a one-page memorandum. There was discussion on what is specified and/or alluded to in Act 77, the role of the SBE, etc. Peltz asked Huling to take this on; Huling agreed. Mathis reiterated that this could be done in a one-page memo and that it could include the lack of capacity of the Board to handle the request. Huling shared that Sharpe asked her about capacity and wants more information and said to call that out when it is an issue – and specify that a position is needed at the state level and have it funded through legislation. Mathis said the PBG will be more difficult than special education, because at least there is infrastructure and capacity for special education, and this is not the case for PBG. Peltz asked if Solimano would help Huling with the PBG piece. Solimano agreed

to this and said he had experience and some different perspectives to offer. Peltz asked if this was enough for the time being. Huling agreed that it was. Mathis noted that money and ratios will come up somewhere and thinks it is liable to get some legs. Peltz suggested taking some time to let that unfold and said he was feeling good about things and where they were this year compared to last year.

Huling's wild card question, which is on the agenda for next Board meeting, is what to do about Rule Series 2200. Mathis said he interprets that the Board is not involved until the report is received. Huling said the report has been distributed; Huling said that Baruth believes his committee will take this up through legislation. Mathis suggested asking the Senate Education committee for a proposed solution and how the Board can help. He stressed making them be explicit. Peltz concurred. Huling agreed that there are no recommendations for the Board. Mathis reiterated that they should ask for more direction and wait until the Board meeting for further discussion. Huling asked if there would be a motion. Peltz agreed. Mathis asked to have it in writing that this was requested. Huling reiterated that there would be a motion and there was discussion on the specifics of the motion. Huling asked for a draft of the motion. Mathis volunteered to draft a motion and circulate it with the legislative subcommittee.

Mathis asked about any action/motion on special education. Huling clarified that they want a history lesson on special education and the role of the Board. Huling said this could also be helpful to the Board as they read both reports, and since these reports will be presented at the February Board meeting. Mathis said that Tammy Kolbe, UVM report author, has been asking about presenting to the Board and asked if he should continue to contact her about this. Huling said that the AOE is coordinating that and that Mathis could advise Kolbe that AOE would be in touch with her. Peltz asked if the final round of Act 46 would also be addressed at the February meeting. Huling said it was on the agenda. Peltz noted that Russo-Savage usually does not get much time and asked for an hour with her. Huling is working on this as well as a calendar that details the workflow of the Board.

Peltz asked about the next meeting of the legislative subcommittee. Huling suggested waiting until the day of the Board meeting, to see what comes out of that. Specifically, she suggested addressing it at the end when they discuss the calendar.

#### **Item H: Other**

Gaidys shared that the SOV is switching to Skype for Business and that there would be new options for the next conference call meeting, either dial-in or video and that there might be some glitches and some need for technical assistance, so we should plan accordingly for that.

#### **Item I: Adjourn**

Mathis moved to adjourn; Huling seconded. Peltz called the vote. The vote was unanimous to adjourn. The meeting adjourned at 9:57 a.m.

Minutes recorded and prepared by Maureen Gaidys.