

State Board of Education Education Quality Standards Rule Update Committee

Draft Meeting Minutes

Virtual Teams Meeting/Video/Teleconference
Call in #: 1-802-828-7667
Conference ID: 849 895 245#

Date: March 17, 2023

Present:

State Board of Education (SBE) Committee Members: Patrick Brown, Kim Gleason, Tammy Kolbe, and Tom Lovett
Agency of Education (AOE): Maureen Gaidys
Others: Jennifer Samuelson, Chair, State Board of Education

Call to Order/Roll Call/Amendments to Agenda

The meeting was called to order at 2:03 p.m. Brown, Gleason, Kolbe, and Lovett were present.

Public to be Heard

There were no members of the public wishing to be heard.

Approve February 21, 2023 and March 10, 2023 Meeting Minutes

Lovett made a motion to approve the minutes of the meetings of February 16 and March 10. Brown seconded the motion. There was no discussion. The motion passed unanimously.

Committee Discussion/Edits

The Committee discussed the Act 1 Working Group suggested language to clarify reference to “centering disability” in the 2120.2 Flexible Pathways section of the EQS:

Act 1 recommendation: 2120.2 Flexible Pathways (d) offer resources and learning opportunities that incorporate the civil and individual rights and importance of inclusion of people with disabilities in society.

The Committee made additional minor modifications. The new language will be:

*(d) offer resources and learning opportunities that **include** the civil and individual rights and **the importance of inclusion of people with disabilities in society.***

The Committee reviewed feedback from State Board of Education chair, Jennifer Samuelson. **(See attached.)**

- Chair Samuelson expressed concern with referencing “all students” in the statement of intent.

 - the Committee shared where in legislation “all Vermont” students are referenced in Title 16

 - the Committee altered the language of the purpose to read as follows:

 - The purpose of these rules is to ensure that all Vermont students **have access** to educational opportunities that are equitable, anti-racist, culturally responsive, anti-discriminatory, and inclusive, and substantially equal in quality, thus enabling each student to achieve or exceed the standards approved by the State Board of Education*

- Chair Samuelson expressed concern regarding the scope of the recommended changes to the EQS, and suggested that the changes should be within the legislative intent of Act 1

 - the Committee discussed the authority of the State Board for rule-making and that within that authority is the responsibility to update rules as necessary. When the rules are open all areas can and should be considered for update consistent with legislative and technical changes since the last update.

- Chair Samuelson raised the question regarding the legal effect or recourse for someone who feels they have been discriminated against, when the definition of discrimination for the purposes of these rules is expanded beyond federal or state law to consider matters such as socio-economic status. The Committee will refer this question to outside legal counsel and will also refer this question to the Act 1 working group for their feedback.

- Chair Samuelson had specific suggestion for edits and the Committee reviewed the document focusing on the more substantive suggestions.

 - The definition of Ethnic Group was discussed at length. Chair Samuelson was concerned that it was broader than defined in Act 1. The Committee shared the process of collaboration with the Act 1 Working Group, as we heard additional testimony from the Jewish Communities of Vermont and others. The Committee also reflected on the months of testimony that we heard specifically focused on the definition section of the EQS Rules, and believe that the definitions have been well informed and strike a balance between being too broad and too proscribed to allow for clarity and local context. These were the foundational questions posed to all those who testified before the EQS Committee.

 - It was noted that there was not a definition for “anti-racist” (it was accidentally removed from the working draft) and “neurodivergent”

- EQS Committee Chairs will follow up with Act 1 Working Group for suggestions
- There was a question if “caste” was necessary or if it could be encompassed by “socio-economic status”. This will also be referred to the Act 1 Working Group.
- It was noted that there was not a definition for “anti-racist” (it was accidentally removed from the working draft) and “neurodivergent”
- There were some technical corrections, along with questions that will require AOE follow-up.
 - Ed Tech and EST in the definitions, but not directly referenced in the document
 - Use of “learners” vs. “students” and “teacher” vs. “educator”
- The Committee will consider the feedback and response from the Act 1 Working group at our next meeting

Future Agenda Items

- Next meeting dates: TBD
- Targeting completion by the EQS Committee by the week of April 10th, Special Meeting of the State Board of Ed for consideration and approval of the revised EQS by the week of April 10, May ICAR filing

Adjourn

Kolbe made a motion to adjourn at 4:00 p.m. Lovett seconded. Motion passed unanimously.

Minutes prepared by
Kim Gleason
Co-Chair, EQS Committee