

State Board of Education Education Quality Standards Rule Update Committee

Draft Meeting Minutes

Meeting Place: Virtual Teams Meeting/Video/Teleconference
Call in #: 1-802-828-7667, Conference ID: 551 618 719#

Date: November 15, 2022

Present:

State Board of Education (SBE) Subcommittee Members: Kimberly Gleason (co-Chair), Tammy Kolbe (co-Chair), Tom Lovett, & Patrick Brown

Agency of Education (AOE): Maureen Gaidys

Others: Mill Moore, Mark Hage

Call to Order, Roll Call/Amendments to Agenda

The meeting was called to order at 11:35 a.m.

Approval of Meeting Minutes

Lovett moved to approve the minutes from the November 3, 2022 meeting of the EQS Committee. Kolbe seconded. There was no discussion. The minutes were approved by unanimous vote.

Public to be Heard

No member of the public asked to be heard.

Invited testimony on revisions to EQS Section 2110 (Statement of Purpose) as proposed by the Act 1 Working Group

Mill Moore (Executive Director, Vermont Independent Schools Association and statutory member of the Act 1 Working Group). Mr. Moore shared that his association supports the work by the Act 1 Working Group and its recommendations, with one exception: the proposed revision to the EQS Statement of Purpose that would extend the application of these rules to approved independent schools. He shared with the committee three key points: (1) VISA does

not believe that the State Board of Education has statutory authority to require the EQS for approved independent schools; (2) VISA believes that Rule 2200 already includes explicit standards to protect students against discrimination, and that Act 1's goals for protecting students against discrimination are accomplished in Rule 2200; and (3) when the State Board initially adopted the EQS, it included an explicit statement of purpose, which recognized 16 VSA Section 165 that stipulates that EQS is mandatory for public schools and that independent schools may voluntarily comply.

Gleason noted that over time the law has evolved and that there may be inconsistencies in existing law with respect to the application of certain parts to independent schools, and by extension the EQS. Mr. Moore responded that he thought it would require statutory changes to apply EQS to independent schools. Gleason followed up by noting that if this is the case, then the SBE might seek to inform legislation and she was curious to better understand the evolution of current law.

Gleason asked Mr. Moore about which parts of the EQS were problematic for application to independent schools and asked that if VISA is supportive of Act 1 then she was curious about what content in the EQS was problematic (i.e., not in line with Act 1). Mr. Moore responded that he distinguishes the goals of Act 1 from the specifics of the EQS. Lovett added that he thought that VISA agreed with the goals of Act 1, but that under statute independent schools had the ability to pursue their goals in their own way, rather than a specific approach articulated by EQS. He also noted that the EQS includes other provisions that may be unworkable for independent schools (e.g., licensure requirements).

Moore also noted that the independent schools are subject to NEASC accreditation, which includes a separate set of standards and that Rule 2200 invokes NEASC standards for independent schools. Kolbe asked about the extent to which NEASC standards aligned with the provisions the Act 1 working group recommended for including in the EQS. Lovett responded that NEASC includes standards that are aligned with the Act 1 recommendations but are not as specific; however, a Vermont-specific addendum could be added that required more detail of independent schools about how they are meeting the NEASC standards (and that are aligned with specificity in the Act 1 recommendations).

Moore noted that VISA would not object to exploring developing a Vermont-specific addendum for NEASC accreditation that covered core elements of the Act 1 Working Group's recommendations. Lovett said that he would explore this further with NEASC. Kolbe raised the

question about the fact that not all approved independent schools are NEASC accredited. All agreed that this would be something that requires more thinking.

Mark Hage (Co-Chair Act 1 Working Group). Mr. Hage was asked to provide additional background and context for the Act 1 Working Group’s recommendation to extend the EQS to apply to approved independent schools. Before doing so, Mr. Hage noted that two members of the working group were appointed by VISA and that these individuals were deeply involved in developing the recommendations, including the Statement of Purpose. The only point on which they did not agree with the Working Group’s recommendations was extending the EQS to approved independent schools. On the recommendations related to anti-discrimination and anti-racism, the VISA representatives did not dissent.

Mr. Hage shared that there was a very strong sentiment on the part of all of the members of the Act 1 Working Group that the recommendations should impact every child, in every school, regardless of whether it was a public school or independent school. The Working Group also felt as if this was the intent of Act 1 – i.e., that all students in Vermont should attend schools that were anti-discrimination and anti-racist. The Act 1 Working Group felt as if the requirements articulated in their recommendations for changes to the EQS were the appropriate accountability framework for all schools.

Lovett asked Mr. Hage about whether he thought the NEASC standards captured the same principles that the Act 1 Working Group used to guide its recommendations, and whether more specificity was needed in NEASC standards. Mr. Hage noted that the NEASC standards are not as specific as the EQS recommendations (e.g., they do not mention protections for specific groups) and that he didn’t know if the NEASC standards went far enough in evaluating that every aspect of a school’s program reflects equity, justice, and inclusion for all students. Lovett noted that he thought the NEASC accreditation process is rigorous, but that he thought the difference was in the specificity.

Gleason noted that others who came before the Subcommittee had felt that the EQS struck an appropriate balance between specificity and clarity, so that the recommendations can be embraced in local context. Mr. Hage noted that the level of specificity was important because there is an extensive body of research that points toward a great deal of harm, historical and contemporary, and it was important that it is important that education in Vermont be culturally responsive and sensitive. It is important to honor this; students should have a right to those things no matter where they go to school.

Gleason noted that the Act 1 recommendations placed an additional responsibility on public schools and approved independent schools, and asked the question: Why should an independent school receiving public money not want to follow the recommendations?

Lovett asked a question about how the EQS would hold public schools accountable for meeting the Act 1 Working Group recommendations – who monitors, how do they monitor, and what are the consequences for non-compliance. Gleason responded by noting the requirements for a local comprehensive assessment plan and system. Kolbe noted that the forthcoming Quality Assurance Standards, being developed by AOE, would go further in monitoring compliance and providing recourse for the Agency to respond to non-compliance. There is an expectation that social equity standards will be incorporated in the new Quality Assurance Standards for public schools.

Lovett asked Mr. Hage if when recommending that the EQS apply to approved independent schools the committee considered all of the other requirements contained in the EQS (in addition to the Act 1 Working Group’s recommendations). Mr. Hage noted that the Act 1 Working Group did not consider other EQS requirements and that the intent in its recommendation to include approved independent schools was for the principles and recommended frameworks for implementing Act 1 apply to independent schools. Kolbe asked Mr. Hage if they had considered NEASC standards in their work. He indicated that they did not but was curious to know more and possibly think through how to incorporate recommendations made by the Working Group into NEASC standards.

Public to be Heard

Mr. Moore reiterated that VISA objected to the vehicle used to apply the Act 1 Working Group’s recommendations to independent schools (i.e., the EQS), but that VISA was open to thinking about other ways to incorporate the recommendations, either in NEASC accreditation and/or Rule 2200. VISA isn’t objecting to the Act 1 recommendations, but rather the fact that the EQS in its entirety would apply to approved independent schools.

Future Meetings & Agenda Items

The Committee’s next meeting will be the public hearing scheduled for November 30 from 6-8p.m.

The Committee also discussed that it would like to schedule a future meeting to talk further about the recommendation to apply EQS to independent schools and planned to invite heads of school from St. Johnsbury Academy and Burr and Burton, along with independent schools that have elected to comply with EQS.

Adjourn

Gleason moved to adjourn the meeting. Lovett seconded. The meeting was adjourned at 12:30 p.m.

Minutes prepared by Tammy Kolbe.