



VERMONT STATE BOARD OF EDUCATION  
Barre City Place  
219 North Main Street  
3rd Floor, Room 304  
Barre, Vermont 0564

February 21, 2017

ITEM E1

- 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.*

## Draft Minutes

### Present:

**State Board of Education (SBE):** Sean-Marie Oller, Vice-Chair; Mark Perrin; Connor Solimano; Bill Mathis; Bonnie Johnson-Aten; Rainbow Chen; Peter Peltz; Krista Huling; Stephan Morse (via phone)

**Agency of Education (AOE):** Rebecca Holcombe (arrived 1:00 p.m.); Donna Russo-Savage; Haley Dover; Martha Deiss; Suzanne Sprague

**Others:** Ken Page, VT Principals' Association; Kyle Midura, WCAX; Tiffany Pache, VTDigger; Mill Moore, VT Independent Schools Association; Jeff Francis, VT Superintendents Association; Josh O'Gorman, Act 46 Project; Elizabeth Novoty, MIC; Jonathan Wolff, Primmer/Lyndon Institute; Deborah Bucknam, Self; Justin Shipman, WCSU; Malena Agin, WCSU; Alice Worth, WCSU; Jo-Anne Unruh, VCSEA; Julie Longchamp, VT NEA; Rama Schneider, Williamstown; Peter Clark, Act 46 Consultant; Geo Honigford, Royalton; Steve Dale, Consultant WRVSU; Shelly Holt Allen, WCAX; Marilyn Mahusky, Disabilities Law Project, VCA; Stacy Patten, Ellis Mills; Kathy Galluzzu, Tunbridge; Liz York, Tunbridge; Francis Russell, Rochester; Lisa Floyd, Bethel; Bruce Labs, White River Valley SU; Bruce Hyde, Granville, Stockbridge, WRVSU; Mary Ellen Simmons, WRVSU; Nicole Mace, VSBA

### Item A: Call to Order

Vice Chair Oller called the meeting to order at 10:17 a.m. The members of the State Board of Education introduced themselves.

### Item B: Public to be Heard

Debra Buckman addressed the Board and indicated that the Board was in violation of the Public Records Law as well as their own rule of providing meeting agendas to the public two weeks in advance of the meeting. She added the Board was in violation of the Public Meeting Law. Vice Chair Oller advised that she will consult with the AOE Legal Counsel for a response.

### Item C: Consent Agenda

Motion to accept the consent agenda was made by Mathis. It was seconded by Peltz. Huling pointed out the inconsistency in the green sheets for the approval of independent schools. She suggested the independent reviews not editorialize when reporting on the school.

The motion passed unanimously. Items on the consent agenda:

1. Minutes – January 17, 2017 - SBE Meeting
2. Aurora School, Middlebury - Renewal of General Independent School Approval
3. Lake Champlain Waldorf School, Shelburne - Renewal of General Independent School Approval
4. Mater Christi, Burlington - Renewal of General Independent School Approval
5. Mid Vermont Christian School, White River Junction - Renewal of General Independent School Approval
6. Okemo Mountain School, Ludlow - Renewal of General Independent School Approval
7. Vermont Commons School, South Burlington - Renewal of General Independent School Approval

#### **Item D: Board Announcements**

Huling mentioned that she was a judge for the Bernie Sanders essay contest. She reviewed 80 essays. Huling continued that there is no identifiable information on the entries so the judges do not know who is writing them or what school the writer attends. She was pleased that she passed along Rainbow Chen's submission without knowing that she had written the essay.

Chen said that it was a great experience. She added that the 2<sup>nd</sup> place winner was from Winooski High School.

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

Vice Chair Oller began her report stating that last month the State Board passed along 3 finalists for the position of the Secretary of Education. She continued that she was pleased Secretary Holcombe was reappointed by Governor Scott.

Vice Chair Oller said that Item "P" will be removed from the agenda. Clare O'Shaughnessy explained that that school is now in compliance and has the appropriate staffing required.

#### **Item F: Committee Report**

Mathis reported that he will be talking with Senate Ed on Act 46 and the rules process. He continued that he will speak with the speaker regarding staffing needs for the AOE and the State Board of Education. Perrin added that he will be testifying regarding the merger process. He continued that he will urge them to not move forward with any changes to the law.

#### **Item G: Merger Proposal**

Windsor Central SU presented their merger proposal. The following members presented the proposal; Superintendent Alice Worth; Justin Shipman; Malena Agin; and Peter Clarke, Consultant.

Motion to accept the merger proposal as written was made by Johnson-Aten. It was seconded by Peltz. Roll call vote:

Johnson-Aten – yes  
Perrin – yes  
Huling – yes  
Oller – yes  
Mathis – yes  
Peltz – yes  
Weinberger – yes  
Chen – yes  
Morse - yes

The motion passed unanimously.

Vice Chair called for a recess at 11:26 a.m.

The meeting reconvened at 11:37 a.m.

#### **Item H: Rules Series 2200 – New Draft Language**

Vice Chair Oller advised that there is a tab on the AOE web site that contains all the backup documentation for the Rules Series 2200. She continued it contains the original draft, 1<sup>st</sup> draft, revised draft, letters received and testimony received. Chris Leopold, SBE Attorney, referred to the January 31, 2017 draft and gave an overview as well as identified areas that have provoked lengthy discussion.

Vice Chair Oller advised that a lot of work has gone into the Rules Series 2200. She continued that she feels that more work needs to be done specifically in regards to Special Education and Open Enrollment.

Mathis made the following motion: I move that the Board postpone action on the 2200 Rules to the April 18, 2017 State Board meeting for the express purposes of enabling the 2200 Rules Subcommittee to engage in additional meetings with stakeholders and to provide the Subcommittee and the Board the opportunity and benefit of engaging fully with the Secretary of Education and the staff of the Agency of Education. To that end the board is requesting the Administration permit the Secretary and the Agency of Education to work with and inform the State Board of Education in the rule-making process.

The motion was seconded by Johnson- Aten.

A lengthy discussion followed. Mr. Morse stated this was not what he had agreed to with the Governor's office, and that the Vice Chair and Attorney Leopold had agreed on the motion without the last sentence. Vice Chair Oller stated she could not promise a motion would pass without the full Board weighing in on the rules or the motion, it is a Board decision not a decision to be made without input. Morse stated he wished Secretary Holcombe was making

this announcement but that he will announce that the Governor's office has agreed to let the AOE and the Secretary work with the Board. Vice Chair Oller asked what the other part of the deal is, Morse stated that the rules vote be postponed until the May SBE meeting.

Mathis withdrew his first motion and made the following motion:

I move that the Board postpone action on the 2200 Rules to the May 16, 2017 State Board meeting for the express purposes of enabling the 2200 Rules Subcommittee to engage in additional meetings with stakeholders and to provide the Subcommittee and the Board the opportunity and benefit of engaging fully with the Secretary of Education and the staff of the Agency of Education.

The motion was seconded by Johnson-Aten.

Roll call vote:

Johnson-Aten – yes

Perrin – yes

Huling – yes

Oller – no

Mathis – yes

Peltz – yes

Weinberger – yes

Chen – yes

Morse - yes

The motion passed 8-1. Oller voted nay.

Vice Chair Oller called for a lunch recess at 12:29 p.m.

The meeting reconvened at 1:27 p.m.

### **Item K: Secretary's Report**

Secretary Holcombe began by thanking the State Board of Education for nominating her and pushing her candidacy forward. She added that she is very pleased.

Secretary Holcombe advised that there is a weekly cabinet meeting that will conflict with the monthly State Board of Education meetings. She continued that the meetings may need to start later to accommodate her. Secretary Holcombe asked that perhaps the State Board will consider moving the meetings to the third Monday of each month instead of the 3rd Tuesday of each month.

Vice Chair Oller asked Secretary Holcombe if the Administration has allowed the AOE to work with the Board on the 2200 Rules Series. Secretary Holcombe confirmed the AOE will be able to offer technical assistance to the State Board of Education.

Secretary Holcombe said that U.S. Secretary of Education DeVos has made no changes to submission plan date for ESSA and it is still April 3<sup>rd</sup>. She added that the AOE will submit its application by this date. Secretary Holcombe said that the Higher Education regulations have also been rescinded and evaluations of these programs will not be based on test scores.

### **Item L: Student Report**

Chen began that in Chittenden County and Burlington High School students are currently fighting for their rights regarding media and student journalism. She continued that the students have gone to the legislature for help. Chen continued that it is a high school view versus a global view.

Chen presented a resolution saying that the State Board of Education asks all educators, together with their communities, to continue to ensure that every school remains a safe and supportive place for New Americans, as well as all other students and a place dedicated to helping all students succeed.

Chen made a motion for the Board to accept this resolution. Huling seconded the motion.

The motion passed unanimously.

### **Item M: Review of Revised Proposed Rules on Alternative Structures**

Donna Russo-Savage began by stating that the Public Comment period ended at the end of December. She compiled the comments, quoted in full, together with draft responses to each and links to resources on the Agency's Governance website (e.g., financial reimbursement grants for consultants; data sets). Russo-Savage said there were 5 basic categories of comments: clarification and simplification; rules as drafted and intent of law; districts that do not have resources; non-merging districts held to a higher standard; frustration with Act 46. She explained ways in which the potential revisions to the proposed rules address each category. She provided the members with copies of (1) the table with comments and proposed responses and (2) the draft revisions to the proposed rules to review in detail before the next meeting. Both will be posted on the State Board's and the School Governance webpages. The Board indicated that it will discuss, and potentially vote on, the proposed rules at the March 2017 State Board of Education meeting. It invited the public to submit comments to the proposed revisions. Once approved by the State Board, the Legislative Committee on Administrative Rules (LCAR) will review the proposed rules.

Vice Chair Oller commented that this process is the same process the Rules Series 2200 would follow.

### **Item N: C3 – Revise Social Science Standards**

Martha Deiss began by noting that the last time the social studies framework was reviewed and adopted was in 2004. She requested of the Board to allow her to research and propose an update to the Vermont Social Studies Standards which are national in scope, allow for a range of research-based instructional practices that most effectively improve student learning while

providing for college and career readiness, enable the demonstration of proficiency and are aligned with personalization and transferable skills.

Huling made the motion to allow this work. Perrin seconded the motion.

The motion passed unanimously.

### **Item Q: Merger Proposal**

White River Valley SU presented their merger proposal. The following members presented the proposal Superintendent Bruce Labs, Lisa Floyd, Bruce Hyde, Mary Ellen Simmons, Stephan Dale, Act 46 Consultant.

Chen made the motion to accept the White River Valley USD (PK-12 operating) proposal. Weinberger seconded the motion.

The motion passed [unanimously](#).

Chen made the motion to accept the First Branch USD (PK-8 operating/9-12 tuitioning) proposal. Perrin seconded the motion.

The motion passed [unanimously](#).

Peltz made the motion to accept the Granville-Hancock USD (PK-12 tuitioning) proposal. Perrin seconded the motion.

The motion passed [unanimously](#).

Vice Chair Oller addressed the violation comments made by Debra Buckman earlier in the meeting. She continued that State Board Rule 1223 reads that the agenda of the State Board shall be prepared by the commissioner and/or designee and upon consultation with the chair. Members of the State Board may add items by request. The agenda shall be distributed as close to two weeks prior to a regular meeting as practical. According to Vermont State Law, the meeting will be warned 48 hours in advance of a regular meeting and 24 hours in advance of a special meeting. Vice Chair Oller added that she confirmed that the AOE Legal Counsel will compose a response to Ms. Buckman.

Vice Chair Oller addressed the public records request and noted that the AOE supplied Debra Buckman with a response three days after her request stating that they received her letter and asked for clarification. Additionally, 10 days following the initial request, a letter was sent that included a fee estimate. The AOE Public Information Officer had not received a response. Vice Chair Oller said that Ms. Buckman will receive a response to this as well.

### **Item R: Discussion and Possible vote regarding choosing an Interim Chair**

Vice Chair Oller began and indicated that both hers and Stephan Morse's term expire on February 28<sup>th</sup>, 2017. She said that there should be a point person so things do not stop until the new chair is voted in at the March 21<sup>st</sup>, 2017 meeting.

Perrin made a motion to elect an interim chair and vice chair for the State Board of Education until the March 21<sup>st</sup>, 2017 meeting. The motion was seconded by Chen.

The motion passed 8-1. Morse voted nay.

Perrin made a motion to nominate Krista Huling as Interim Chair. This motion was seconded by Chen.

Johnson-Aten made a motion to nominate Bill Mathis as Interim Chair. Mathis declined the nomination.

The motion passed 8-0-1. Morse abstained.

Chen made a motion to nominate Bill Mathis as Interim Vice Chair. The motion was seconded by Johnson-Aten.

The motion passed 8-0-1. Morse abstained.

Jeff Francis of Vermont Superintendents Association wanted to acknowledge the service and contributions of both Stephan Morse and Sean-Marie Oller to the State Board of Education. He continued during the time that he has been observing the State Board, he's seen complicated issues and a lot of hard work that is very impressive. Francis added that he thanked Chair Morse and Vice Chair Oller for their very altruistic, civic-minded and democratic leadership.

Motion to adjourn was made by Vice Chair Oller. This was seconded by Huling.

Meeting adjourned at 3:35 p.m.

Minutes recorded and prepared by Suzanne Sprague