

State Education Policy and Standards Overview in the Context of Legislatively Required Content/Curriculum

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2023 Bill Overview

2023 Bill Overview - Implications for Education Quality Standards

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Framing and General Context

Organizing Principle for Common Goal

16 V.S.A. § 1. Right to equal educational opportunity

The right to public education is integral to Vermont's constitutional form of government and its guarantees of political and civil rights. Further, the right to education is fundamental for the success of Vermont's children in a rapidly-changing society and global marketplace as well as for the State's own economic and social prosperity. To keep Vermont's democracy competitive and thriving, Vermont students must be afforded substantially equal access to a quality basic education. However, one of the strengths of Vermont's education system lies in its rich diversity and the ability for each local school district to adapt its educational program to local needs and desires. Therefore, it is the policy of the State that all Vermont children will be afforded educational opportunities that are substantially equal although educational programs may vary from district to district. (Added 1997, No. 60, § 2, eff. June 26, 1997.)

Responsibility and Authority

The State is ultimately responsible for education (quality and equity) -- education is a common benefit

- The State delegates authority to enact its responsibility.
- The State largely delegates authority to three entities:
 - The Electorate of a School District (budget, purchase real estate)
 - School District Boards (policy, curriculum, facilities)
 - District Superintendents (CEO, general administration)

Current Regulatory Initiatives Underway

- Developing District Quality Standards
- Act 1 revisions to Education Quality Standards submitted to State Board of Education by Ethnic and Social Equity Standards Advisory Working Group
- Education Recovery Plans and ARP Act grant fund management ongoing at State and Local level

Bill Review Details and Themes

2023 Bill Overview

H.228 – Financial Literacy -- proposes to

- require students in Vermont public schools to complete a course on personal finance as a condition of being awarded a high school diploma;
- require the State Board of Education to adopt standards for student performance in the content area of financial literacy; and
- require the State Board of Education to supervise the implementation of the required financial literacy course.

H.274 – Nutrition & Agriculture Education – proposes

- to amend 16 V.S.A. §906(5) to include nutrition and agriculture;
- *[t]he Secretary, in conjunction with the Agency of Agriculture, Food and Markets, shall develop an agriculture and nutrition education curriculum for elementary and secondary schools [...]*
- *[t]he State Board of Education shall ensure that agriculture and nutrition education is included in its education quality standards under subdivision 165(a)(3)(B) of this title; and*
- *[e]ach supervisory union shall ensure that agriculture and nutrition education is included in its union-wide curriculum.*

2023 Bill Overview (2)

[H.294/S.87](#) – Holocaust Education -- bills propose to

- require Vermont public schools to include HE in SU-wide curricula for grades six through 12 each year, beginning FY25.
 - Specifies minimum of 6 hours of instruction beginning grade 6
- require the Agency of Education to provide assistance in the development and maintenance of Holocaust education.
 - (1) identify sources, strategies, and content for providing and enhancing Holocaust education to students;
 - (2) advise superintendents and headmasters of approved independent schools in Vermont on strategies and content for Holocaust education;
 - (3) identify programs and sources of professional development related to providing Holocaust education;
 - (4) promote in schools and to the general population of Vermont implementation of Holocaust education; and
 - (5) carry out any other tasks it considers to be advisable to support the ability of the State to meet the goals of providing Holocaust education.

2023 Bill Overview (3)

H.335 – **Implement Recommendations of Literacy Council** – proposes

- [t]o implement the recommendations of the Advisory Council on Literacy to build literacy skills in reading, writing, and communication, and an enjoyment of literacy by supporting and implementing best practices and evidence-based methods in reading instruction, assessment, and remediation

H.353 – **Racial Equity Model Curriculum/Policy** - proposes to

- require the Agency of Education to develop a model curriculum to teach against hate speech and hateful imagery and symbols and to enable students to recognize discrimination;
- require the Agency of Education to develop a model racial equity policy for school districts and for school districts to adopt racial equity policies based on the model policy

2023 Bill Overview (4)

H.404 – Community Service Graduation Requirement – proposes to

- require that the Agency of Education design and implement a program that incorporates community service in all Vermont high schools as a graduation requirement by school year 2029–2030.

H. 413 – Computer Science – proposes to

- Require Agency of Education to develop and adopt computer science education standards for middle and secondary schools,
- establish the Computer Science Education Task Force to develop a statewide strategic plan for expanding computer science education in elementary and secondary schools, and
- Require Agency of Education to administer the Computer Science Teaching Endorsement Grant Program to support teachers adding a computer science teaching endorsement to a current teaching license.
- Agency of Education to issue a written report on the efficacy of establishing a formal State virtual kindergarten through grade 12 school.

2023 Bill Overview (5)

H.455 – Civics Test/Graduation Requirement– will require

- Beginning with the graduating class of 2025-26, public school and CTE students must either pass the exam produced by the U.S. Citizenship and Immigration Services or complete one semester of community service by volunteering with a local government office.

S. 133 – Miscellaneous Ed. Bill – that will (among other things)

- create a proficiency-based learning study committee to study proficiency-based learning and proficiency-based graduation requirements [...]
- The Committee shall have the administrative, technical, and legal assistance of the Vermont Agency of Education.

Connected Bills & Recently Passed/Past Acts

H.481 – Public Health Initiatives to Address Death by Suicide – proposes (among other things)

- the Director of Suicide Prevention, in collaboration with the Agency of Education and stakeholders, shall develop and submit a model protocol for all schools regarding suicide prevention, **education**, and postvention services to the House Committee on Health Care and to the Senate Committee on Health and Welfare.

H.106 – Academic Freedom of Public Educators – proposes to

- protect the academic freedom of public educators and their right to teach on matters of gender identity and systemic and structural racism.

AND

- [Act 28 of 2021](#)
- [Act 66 of 2021](#)
- [Act 67 of 2021](#)
- [Act 1 of 2019](#)
- [Act 173 of 2018](#)

2023 Bill Summarizing Themes

- Creates a council, task force, workgroup or committee that the AOE would need to staff/support: **3 (three)**
- Requires a legislative report: **2 (two)**
- Requires the AOE (and/or partners) to develop state-level curriculum/model curriculum: **4 (four)**
- Establishes a state-level, state-mandated graduation requirement: **3 (three)**
- Requires a state-level, state-mandated course, class, program, or test: **6 (six)**
- Requires the AOE (and/or partners) to develop state-level model policy or strategic plan: **3 (three)**
- Proposes adoption of state learning standards: **2 (two)**
 - For both, state-adopted standards already exist
- Establishes grant program: **1 (one)**
- Proposes funding to support state and/or local implementation efforts of bill: **0 (zero)**

Education Quality Standards Rule Series 2000

State Statute – 16 V.S.A.

Minimum Course of Study

§ 906. Course of study

- (a) *In public schools, approved and recognized independent schools, and in home study programs, learning experiences shall be provided for students in the minimum course of study.*
- (b) *For purposes of this title, the minimum course of study means learning experiences adapted to a student's age and ability in the fields of:*
- (1) *basic communication skills, including reading, writing, and the use of numbers;*
 - (2) *citizenship, history, and government in Vermont and the United States;*
 - (3) *physical education and comprehensive health education, including the effects of tobacco, alcoholic drinks, and drugs on the human system and on society;*
 - (4) *English, American, and other literature;*
 - (5) *the natural sciences; and*
 - (6) *the fine arts.*

State Board of Education Rules - Education Quality Standards

The purpose of these rules is to ensure that all students in Vermont public schools are afforded educational opportunities that are substantially equal in quality and enable them to achieve or exceed the standards approved by the State Board of Education.

These rules are designed to ensure continuous improvement in student performance, instruction and leadership to enable students to attain rigorous standards in high-quality programs. Nothing herein shall be construed to entitle any student to educational programs or services identical to those received by other students in the same or different school districts. Further, nothing herein shall create a private right of action. These rules are in addition to and, unless otherwise specifically stated, do not supersede other rules contained in the Vermont State Board of Education Manual of Rules and Practices.

SBE – Learning Standards

2111 Adoption of Performance Standards

Pursuant to 16 V.S.A. §164(9), the State Board of Education will implement and periodically update standards for student learning in appropriate content areas from kindergarten to grade 12.

Supervisory union boards shall use the standards as the basis for the development and selection of curriculum, methods of instruction, locally developed assessments, and the content and skills taught and learned in school.

State Board Adopted Learning Standards

Vermont has adopted a variety of learning standards including:

- [Common Core State Standards \(CCSS\) for English Language Arts and Mathematics](#),
- [Next Generation Science Standards \(NGSS\)](#),
- [SHAPE America Physical Education Standards](#),
- [National Health Education Standards](#),
- [College, Career and Civic Life \(C3\) Framework for Social Studies State Standards](#),
- [ACTFL World Languages Standards](#)
- [National Core Arts Standards \(NCAS\)](#),
- [JumpStart Standards in K-12 Personal Finance Education](#)
- [International Standards for Technology Education \(ISTE\) Technology Standards](#)
- [Vermont Early Learning Standards \(VELS\)](#)

SBE - Adoption of Performance Standards

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SBE - 2120.5. Curriculum Content

2120.5. Curriculum Content. Each supervisory union board shall ensure the written and delivered curriculum within their supervisory union is aligned with the standards approved by the State Board of Education.

2120.5. Curriculum Content Continued (2)

Each school shall enable students to engage annually in rigorous, relevant and comprehensive learning opportunities that allows them to demonstrate proficiency in

- a. literacy (including critical thinking, language, reading, speaking and listening, and writing);
- b. mathematical content and practices (including numbers, operations, and the concepts of algebra and geometry by the end of grade 10);
- c. scientific inquiry and content knowledge (including the concepts of life sciences, physical sciences, earth and space sciences and engineering design);
- d. global citizenship (including the concepts of civics, economics, geography, world language, cultural studies and history);
- e. physical education and health education as defined in 16 V.S.A. §131;
- f. artistic expression (including visual, media and performing arts); and
- g. transferable skills (including communication, collaboration, creativity, innovation, inquiry, problem solving and the use of technology).

2120.5. Curriculum Content Continued (3)

- *Each school shall provide students in grades K-8 with at least two physical education classes per week.*
- *Each school shall provide students in grades 9-12 with one and one-half years of physical education or the equivalent thereof.*
- *Each school shall offer options for students in grades K-12 to participate in at least 30 minutes of physical activity within or outside of the school day. Physical activity may include recess and movement built into the curriculum, but does not replace physical education classes.*
- *Each school shall provide appropriate learning opportunities to all students to support their attainment of the standards approved by the State Board of Education.*
- *As required in 16 V.S.A. §2902, each public school shall provide support for students who require additional assistance in order to succeed or be challenged in the general education environment.*
- *Each school shall provide comprehensive elementary and secondary health and physical education learning experiences, including the effects of tobacco, alcohol and drugs on the human system for all students in accordance with sections 16 V.S.A. §131 and §906(b)(3).*
- *Each school shall ensure students are able to access academic and experiential learning opportunities that reflect their emerging abilities, interests and aspirations, as outlined in the students' Personalized Learning Plans.*

SBE - 2120.6. Curriculum Coordination

2120.6. Curriculum Coordination. As required in 16 V.S.A. §261a(a)(1), the board of each supervisory union shall ensure that each school implements the supervisory union's written and delivered curriculum, which shall be

- a. aligned with the standards approved by the State Board of Education;*
- b. coordinated across all grades to prepare students for graduation;*
- c. coordinated across the supervisory union, including sending high schools and technical centers;*
- d. informed by ongoing review of new research, changing learning opportunities, and updates to the standards approved by the State Board of Education;*
- e. designed to enable all students to achieve the graduation requirements;
and*
- f. integrated with technology across all disciplines.*

SBE - 2120.7. Graduation Requirements

2120.7. Graduation Requirements. A student meets the requirements for graduation when the student demonstrates evidence of proficiency in the curriculum outlined in 2120.5, and completion of any other requirements specified by the local board of the school attended by the student.

2120.8. Local Graduation Requirements

2120.8. Local Graduation Requirements. Each secondary school board is responsible for setting graduation requirements in accordance with these rules. Local graduation policy must define proficiency-based graduation requirements based on standards adopted by the State Board of Education. As required in 16 V.S.A. §261a(a)(1), it is the responsibility of the supervisory union board to ensure alignment in expectations for all students within a supervisory union. Schools may or may not use credits for the purposes of demonstrating that a student has met the graduation requirements. When used, credits must specify the proficiencies demonstrated in order to attain a credit and shall not be based on time spent in learning. Further, students may receive credit for learning that takes place outside of the school, the school day, or the classroom. Any credits earned must occur under the supervision of an appropriately licensed educator.

2120.1, 2020.2 and 2120.4

2120.2. Flexible Pathways.

- Schools must provide students the opportunity to experience learning through flexible and multiple pathways, including but not limited to career and technical education, virtual learning, work-based learning, service learning, dual enrollment and early college. Learning must occur under the supervision of an appropriately licensed educator. Learning expectations must be aligned with state expectations and standards.
- Students must be allowed to demonstrate proficiency by presenting multiple types of evidence, including but not limited to teacher-or student-designed assessments, portfolios, performances, exhibitions and projects

2120.1. Instructional Practices. *Instructional practices shall promote personalization for each student, and enable each student to successfully engage in the curriculum and meet the graduation requirements. Classroom instruction shall include a range of research-based instructional practices that most effectively improve student learning, as identified by national and Vermont guidance and locally collected and analyzed student data.*

2120.4. Personalized Learning Plans. As required in 16 V.S.A. § 941, schools shall ensure all students in grades seven through 12 shall have a Personalized Learning Plan [...]

2121.2 and 2121.3

- **2121.2. Staff.**

- *Each school shall employ instructional and administrative staff members who possess the knowledge and skills to implement the standards in alignment with professional educator standards established by the Vermont Standards Board for Professional Educators.*

- **2121.3. Needs Based Professional Learning.**

- *Each supervisory union shall develop and implement a system of appropriate needs-based professional learning for all professional staff, including administrators and other staff involved in student instruction, as required in 16 V.S.A. §261a(a)(5). Time for professional learning should be embedded into the school day.*
- *The school's professional learning system shall be aligned with its staff evaluation and supervision policies, Continuous Improvement Plan, supervisory union and district goals, and shall provide new staff members with appropriate opportunities for professional learning.*

2123.2. Development and Implementation of Local Comprehensive Assessment System

Each supervisory union shall develop, and each school shall implement, a local comprehensive assessment system that

- a. assesses the standards approved by the State Board of Education;*
- b. employs a balance of assessment types, including but not limited to, teacher-or student designed assessments, portfolios, performances, exhibitions and projects;*
- c. includes both formative and summative assessments;*
- d. enables decisions to be made about student progression and graduation, including measuring proficiency-based learning;*
- e. informs the development of Personalized Learning Plans and student support;*
- f. provides data that informs decisions regarding instruction, professional learning, and educational resources and curriculum; and*
- g. reflects strategies and goals outlined in the district's Continuous Improvement Plan.*

The performance criteria of the assessment system shall be clear [...]

Implementation and support by the Agency will be determined by the Secretary.

Impact

Moving to statewide, state-mandated curriculum, classes, and graduation requirements would have a cascade effect on education statute/regulation/policy, on the capacity and effectiveness of the AOE, on state and local budgets, on the capacity and effectiveness of supervisory unions/districts and schools, on the education system at large, and on students and families.

Fundamental Disruption to Regulatory Environment

Would require significant revision of Rule Series 2000 – Education Quality Standards

- Requested changes and additions to 16 V.S.A. will have greater downstream impacts in other statutes and rules such as the Education Quality Standards that are already currently undergoing review for proposed changes.
- Most of the changes identified in most of the bills above would be moderately to highly disruptive, divergent from current education regulation, responsibilities, and delivery systems, and thus incredibly destabilizing to the public education system.

Fundamental Disruption to Regulatory Environment

Would undermine the goals of landmark legislation – Act 77, Act 173, Act 1, Act 28, Act 67 – to ensure student-centered learning and educational equity

- Who is closest to the students? How do we ensure differentiation, personalization and flexible pathways?
- Would require greater uniformity in governance structures and district configuration, losing the core value statement laid out in 16 V.S.A. § 1
 - *However, one of the strengths of Vermont's education system lies in its rich diversity and the ability for each local school district to adapt its educational program to local needs and desires. Therefore, it is the policy of the State that all Vermont children will be afforded educational opportunities that are substantially equal although educational programs may vary from district to district.*

Fundamental Disruption to Regulatory Environment

- The bills requiring development of state-level curriculum/model curriculum (**four**); establishing a state-level, state-mandated graduation requirement (**three**); and/or requiring a state-level, state-mandated course, class, program, or test (**six**) pose the greatest destabilizing effect.
- Due consideration should be given to their collective impact, intent, and timing –
 - Why now?
 - Why so many?
 - What problem are they trying to solve?
 - What new problems might they create?

Destabilizing a Stressed Education System

Would disrupt long-term work/strategic plans and investments of both the AOE and SUs/SDs and schools

- Would disrupt progress/gains made in professional learning and efficacy, student outcomes and achievement
- Substantial \$\$ invested over time
- Increased challenges in recruiting and retaining staff who can't experience yet another pendulum swing in education

Would require substantial investment by the state to ensure quality development/revision of curriculum and/or assessments, corresponding professional learning and technical assistance

- Without funding identified to support the intent/requirements of statutory or policy mandates (like what has been proposed in many of the above bills) they communicate a lack of commitment to quality implementation

Destabilizing a Stressed Education System (2)

Bills propose to de-professionalize and disincentivize the field. Our education professionals have expertise.

- When education professionals have no agency, how will students develop agency?
- What is the decision matrix informing when choose to delegate our authority to schools and when we choose not to?
- Consider implications for depleted educator workforce

Bills risk situating Vermont education policy outside of established best practice and research.

- Current regulation supports evidence-based practices and continuous improvement
- Improvement science/systems thinking
 - less is more;
 - More intention – less complexity

**Creating the conditions that
support the long-term change
efforts for sustainable,
educational equity**

Design Considerations

Draft for longer timelines (3-year, 5-year, 10-year planning)

- Bills can establish and promote the conditions to realize core values and goals during legislative cycles
- The work to realize those values, goals and outcomes requires a much longer timeline and benefits from a sustained commitment and focus across multiple legislative cycles

Establish a strong and equitable foundation

- Myriad statutory, regulatory, and policy requirements will fail in implementation if they're built on a fundamental subsidence – mismatch between accountability and flexibility
- Adding increased policy requirements while simultaneously preserving or expanding carve outs will encourage further destabilization

Reduce complexity – just worth saying it again

Design Considerations

More work is more work. Invest in desired change.

Statewide appropriations and investments can support consistency while preserving responsiveness to local needs and student-centered learning

- State investment in State Learning Management System/Professional Learning Network to provide and sustain increased access to professional learning to support coherence statewide
- Predictable state appropriation to support the provision of statewide professional learning
- Fund mandates for appropriate implementation period/timeline
- Fund the development and administration of new grant programs

Don't require the AOE to engage in low-impact/high effort work with current staffing pattern.

- Preserve the AOE's capacity to serve systems, schools, educators, students and communities
- Reduce the commitment of technical assistance and administrative

Example: State Funding for Proficiency-Based Learning

- In 2021, Washington State began investing \$5 million over 3 years in the Mastery-Based Learning Collaborative and the legislature is now considering additional investment strategies to expand.
- In Utah, the \$3,489,000 grant in 2017-2018 was funded by [legislation in 2016](#). Recent legislation ([53F-5-501](#)) in 2020 allocates an additional \$2 million per year (since the Personalized, Competency-Based Learning grant started in 2020) of a total of \$8 million to date.
- The Idaho legislature has allocated \$1.05 million per year since the 2016-2017 school year through this current year, 2022-2023 for a \$7.35 million investment in mastery-based learning to date.

Reflection from the Field

[...] they are missing the importance of a guaranteed and viable curriculum and equity [...] when teachers look at their data and determine is most important; that is where the equity work becomes most transformational. It doesn't matter what we are talking about -- when you say this is what we guarantee for all of our students it's powerful; it takes time and unifies staff; it breaks down silos and unifies teams from the teacher to the school level to the district level. Deciding what is most important for all of our students [...] determine what is most essential and then breaking that down into targets that takes students to the path to proficiency through tight instructional cycle through a guaranteed and viable curriculum.