



Rutland City Standards Board Plan of Operation

Serving:

Northeast Primary School
Northwest Primary School
Pierpoint Primary Learning Center
Rutland Intermediate School
Rutland Middle School
Rutland High School
Stafford Technical Center
SUCCESS

**Early Essential Education
Headstart Program**

Approved by Vermont Standards
Board for Professional Educators:
Date: 8/9/06

Ratified by Rutland
City Educators:
Date

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PLAN OF OPERATIONS

Rutland City Local Standards Board

Date: May 31, 2006

SECTION ONE

BOARD OPERATIONS

I. PURPOSE

A local standards board shall be established and maintained for the primary purpose of recommending teachers/administrators for re-licensure. Such recommendations shall be based on an L/RSB-approved Individual Professional Development Plan (IPDP) and corresponding L/RSB-approved professional development activities; an L/RSB-approved professional portfolio; these regulations; standards defined by the VSBPE; and standards set forth in a local/regional plan of operation that has been approved locally/regionally and by the VSBPE.

*Administrators who also hold endorsements in fields other than administration shall renew those endorsements through the regional standards board.
(Vermont Licensing Regulations 5622 and 5632)*

The plan of operation shall address processes for board operation, operational procedures and requirements of educators and shall contain an appendix that includes LSB generated forms and materials, agreements and relevant VSBPE policy.

II. ESTABLISHMENT AND MAINTENANCE

Supervisory Union Schools

Each supervisory union/district, through its superintendent, shall be responsible for facilitating and supporting the local standards board development and operation. (Vermont Licensing Regulation 5621.4)

The Superintendent or designee shall be responsible for informing newly hired Vermont licensed teachers of the L/RSB's existence and contact information and providing the LSB with a list of a list of licensed educators served by the Board, (or copies of licenses), including endorsement(s), level(s) of license(s), and expiration date(s).

The agreement of support between the Superintendent of Rutland City and the Rutland City Local or Regional Standards Board shall be developed and included in an appendix in this plan.

III. BOARD OPERATIONS

A. Statement of Philosophy

It is our belief that professional development is necessary throughout the career of the educator. We further believe that student learning improves when educators undertake quality professional development activities. Professional development programs and activities should align with *Vermont's Framework of Standards and Learning Opportunities*. They should provide opportunities for educators to gain the knowledge and skills they feel are important to their position, to the improvement of student performance and learning, and to their performance as members of the profession. Local professional development programs should connect with the district's initiatives and assure that educators have a decisive voice at every stage of planning, implementation, and evaluation.

B. Statement of Board Responsibilities

The Rutland City Local Standards Board shall:

1. Follow this Plan of Operation that has been approved by the VSBPE. (*Vermont Licensing Regulation 5624.3*)
2. Amend the Plan of Operation as necessary and as requested by the VSBPE. All amendments are subject to approval of the VSBPE. (*Vermont Licensing Regulation 5624.4*)
3. Seek local approval of the Plan of Operation. (*Vermont Licensing Regulation 5622*)
4. Establish and communicate procedures to facilitate effective operation of Rutland City LSB) including procedures for prior and final approval of professional development activities. (*Vermont Licensing Regulation 5624.1*)
5. File an annual report with the VSBPE (*Vermont Licensing Regulation 5624.2*)
6. File an annual report of grant expenses (*VSBPE policy SB/EI*)
7. Serve all Vermont licensed educators employed by Rutland City Public Schools
8. **Shall not** serve Vermont licensed independent educators in the supervisory union area.
9. Based on criteria located in the *Vermont Re-Licensing Process...A Handbook for Educators*. (*Approved as policy by VSBPE on 1/15/04 and Vermont Licensing Regulation 5622*)
 - a. Review and approve Individual Professional Development Plans (IPDP)
 - b. Review and approve professional development activities related to an educator's IPDP
 - c. Review and approve re-licensure portfolios
 - d. Communicate standards for high quality professional development
10. Recommend qualified educators for re-licensure including the following:
 - a. Renewal of Level I licenses/endorsements
 - b. Movement from Level I to Level II licensure
 - c. Renewal of Level II licenses/endorsements
 - d. Verification of professional development credits for re-instatement of lapsed endorsements
 - e. Professional development credits for the retired educator license
11. Sign and return license renewal forms to educators who have met re-licensure requirements.

C. Membership Composition

Membership of the LSB shall be composed of not less than five licensed educators. At least a majority of the membership shall be licensed teachers selected by licensed teachers (Vermont Licensing Regulation 5623). "Educator" means any person who provides administrative, instructional, or other educational services requiring licensure pursuant to these rules. (Vermont Licensing Regulation 5150)

Rutland Northeast – 2 Representatives
Rutland Northwest (Includes Pierpoint Primary Learning Center) – 2 Representative
Rutland Intermediate School Grades 3 / 4 – 2 Representatives
Rutland Intermediate School Grades 5 / 6 – 2 Representatives
Rutland Middle School – 2 Representatives
Rutland High School – 3/4 Representatives
SUCCESS / Longfellow (Includes psychologists, Occupational Therapist, Physical Therapist) – 1 Representative
Stafford Technical Center – 2 Representatives

In addition, the board elects a Board Chair, Vice Chair and Secretary from its members. Representation will be adjusted following these elections

D. Membership Selection

1. The licensed teachers in their schools shall select their board representative(s). The chairperson or building representative(s) may seek nominations for any vacancies at a particular school. Candidates may be self-nominated.
2. Selections for expired terms shall be held in April or at any time a vacancy occurs.

E. Terms of Office

The RCSB term of office shall be for three years. There shall be no limit on terms of office.

F. Officers

1. The officers shall consist of a Chairperson, a Vice Chairperson, and secretary who shall be elected from the board membership at the May meeting. Representation may be adjusted following these elections. Vacancies of officers shall be filled at the next regularly scheduled board meeting. The terms for officers are one year.
2. Officers will assume office after the last LSB meeting in June.

G. Duties and Responsibilities of Officers and Members

The Chair and/or the Co-Chair shall:

1. Preside at meetings;
2. Prepare the agenda;
3. Represent the board on all matters of established standards board policy;
4. Prepare and submit the annual report within the required timeframe to the VSBPE through the Department of Education;
5. Report expenditures for the previous year to the Department of Education within the required timeframe;
6. Provide the Superintendent with a list of educators who have been recommended for re-licensure, not recommended for re-licensure, and those who have not completed the re-licensure process by the deadline established by the board. Include the level(s) of licensure and the endorsement(s) of each of these individuals;
7. Sign license renewal forms after the board has made a recommendation, (or assign a designee and inform the Licensing Office);
8. Return signed license renewal forms to educators for their review and forwarding to the Licensing Office;
9. Ensure that all LSB members have access to current copies of documents and records;
10. Communicate with the LSB consultant in the Department of Education when questions arise;
11. Ensure there is representation at all training and conferences for LSB members sponsored by the VSBPE and the Department of Education;
12. Provide training and orientation for new LSB members;
13. Represent the LSB in any appeal of the LSB action by an educator to the VSBPE;
14. Inform the LSB consultant when a change of LSB chair or co-chair occurs.

The Chair, the Secretary, or the Chair's designee shall:

1. Take accurate minutes/reports of board meetings;
2. Provide for minutes to be posted or available to educators who request them;
3. Maintain files; and
4. File and mail all board correspondence.

All members of the L/RSB shall:

1. Become knowledgeable about the LSB Plan of Operation, licensing regulations, endorsement competencies and VSBPE policies and become informed when changes to these are made;
2. Review and take action on educators' IPDPs, professional development activities and re-licensure portfolios;
3. Recommend renewal or non-renewal of educators' licensure to the VSBPE;
4. Become knowledgeable about the school's initiatives for improving student learning;
5. Provide copies of and information about the Board's operating procedures and requirements to all educators and administrators;
6. Provide information and assistance to educators as they go through the re-licensing process;

7. At the beginning of each school year, inform and communicate with educators about procedures and requirements of the board and state regarding professional development and re-licensure;
8. Serve as a liaison between assigned educators and the board, communicate decisions of the LSB to individual educators and educators whom they represent.

H. Documents and Records

For reasons of legal defensibility:

1. The LSB shall maintain the following documents: (*VSBPE Rules, Regulation 5624*)
 - a. Board minutes;
 - b. The Rutland City Plan of Operation, including a complete copy of the *Five Standards for Vermont Educators* as an appendix
 - c. *The Regulations Governing the Licensing of Educators and the Preparation of Education Professionals* including a description of all current endorsement competencies
 - d. *The Vermont Re-Licensing Process: A Reflection of Ongoing Professional Growth, A Handbook for Educators*
 - e. Copy of VSBPE policies regarding re-licensing
 - f. A list of licensed educators served by the Board, (or copies of licenses), including endorsement(s), level(s) of license(s), and expiration date(s)
 - g. The most recent Annual Report
 - h. Past and current grant applications and correspondence
 - i. Any other documents, correspondence, or communications from the DOE and VSBPE; including paper copies of electronic newsletters, and emails relevant to board operation and procedures
 - j. Individual educator files, which shall contain:
 - a copy of the educator's license and other required credentials
 - approved IPDPs and amendments
 - documentation of approved professional development activities
 - form indicating portfolio approval
 - a copy of the educator license renewal form, after it has been signed by board chair
 - any correspondence between the board and educator.
2. All individual members of the LSB shall have a file that contains:
 - a. The Board Plan of Operation, including a complete copy of the *Five Standards for Vermont Educators* as an appendix;
 - b. *The Vermont Re-Licensing Process: A Reflection of Ongoing Professional Growth, A Handbook for Educators*
 - c. A link to information about endorsement competencies
 - d. List of licensed educators served by the Board, (or copies of licenses), including endorsement(s), level(s) of licenses held, and expiration date(s).
3. The outgoing Chair and members of the LSB will pass on their files and materials to their replacements at the end of their terms.

4. The contents of an educator's professional development file shall be maintained for the duration of the re-licensure cycle. A cycle is complete when the LSB receives a copy of the educator license renewal form from the Professional Standards and Licensing Office. A copy of the educator's current IPDP shall be kept.
5. The LSB may discard the contents of an educator's file one year after the end of the cycle if the educator is no longer associated with the school.
6. Transfer of Files:
Educators with Level II endorsements have 6 months to have their files transferred from their prior school to RCSB. Those individuals leaving RC school system also have 6 months to request transfer of their file. When educator files maintained by the LSB are released to, or at the request of, the transferring or retiring educator, a form shall be signed by both the educator and the chair, or designee, of the LSB. This form is located in Appendix M.

I. Approval of the Plan of Operation

1. The Rutland City LSB shall seek approval of their Plan of Operation from the educators in the supervisory union/district/ school, which the board serves.
2. Approval is indicated by a majority of those voting.
3. Voting shall take place at a district-wide meeting or through building level meetings. It may also occur through use of the school-wide computer network.
4. Date of approval shall be documented on a cover sheet with a final copy sent to the VSBPE through the Department of Education

J. Amendment of the Plan of Operation

The plan of operation may be amended according to procedures defined in said plan. All amendments shall be subject to approval by the VSBPE. (Vermont Licensing Regulations 5624.4 and 5635.4)

1. The LSB shall review and update the plan of operation at least every seven years or when requested by the VSBPE. A revised plan shall be submitted to the VSPBE for approval and will not be in effect until such approval is given.
2. Any change(s) in the LSB's operating procedures, required forms, or educational handouts shall be incorporated in the Plan of Operation as amendment(s).
3. Amendments to this plan shall be submitted in writing to the VSBPE for approval

Any licensed member of the Rutland City Public Schools may submit a proposed written amendment to the RCSB for consideration. The RCSB will discuss and vote upon the proposed amendment. If passed by a simple majority, the proposed amendment will be presented to the full membership for ratification. A simple majority is needed for ratification.

K. Volunteer Service

For the purposes of 1 V.S.A. 310(3), a local standards board is an administrative body and is not a board, council, or commission, nor a committee or subcommittee of a board, council or commission of a political subdivision of the state. Further, for the purposes of 3 V.S.A. 1101(b)(4), a member of a local standards board is a volunteer for the Vermont State Board of Education and provides services at the request of the State Board and under the direction and control of the State Board and the Standards Board for Professional Educators

SECTION TWO

BOARD OPERATING PROCEDURES AND REQUIREMENTS OF EDUCATORS SERVED BY THE RUTLAND CITY STANDARDS BOARD

I. PURPOSE

*A local standards board shall be established and maintained for the primary purpose of recommending teachers for re-licensure. Such recommendations shall be based on an L/RSB-approved Individual Professional Development Plan (IPDP) and corresponding L/RSB-approved professional development activities; an L/RSB-approved professional portfolio; these regulations; standards defined by the VSBPE; and standards set forth in a local/regional plan of operation that has been approved locally/regionally and by the VSBPE.
(Vermont Licensing Regulations 5622 and 5632)*

II. MEETINGS

- A.** Meeting dates and times will be established at the beginning of each school year and communicated to all educators and schools served by the LSB.
- 1. The RCSB shall meet monthly. Additional meetings, if necessary, shall be at the discretion of the Chairperson. The Chair will notify all members of the additional meetings. The meetings will be held at the Longfellow Administration Building or at another site designated by the RCSB Chairperson.
- 2. The dates for each meeting shall be posted in each building. All meetings shall be open to the public however; the RCSB reserves the right to hold executive sessions to discuss confidential matters.
- 1. 3. The first meeting shall be held in September and the last meeting shall be held in June each school year.

4. The board does not meet in the summer. Teachers seeking prior approval for summer activities after the June RCSB meeting of each year shall submit forms to the Superintendent's secretary to initial and date. Those activities will be acted upon during regular scheduled meetings beginning in September.
5. Additional meetings shall be called at the discretion of the chairperson. Board members will be notified through the district computer network.
6. A Quorum will consist of ten members of the board. A simple majority of the attending members of the RCSB is needed to ratify any decision.

III. PROCEDURES FOR DECISIONS

- A. The L/RSB will use Roberts' Rules of Order for Small Boards for formal deliberations.
- B. Timelines for Decisions
 1. An educator shall submit materials to the board representative no later than the Friday before the scheduled board meeting in order for action to be taken on those materials at the next scheduled meeting. The board may waive this requirement if the agenda and/or time allow(s).
 2. In order to receive action on re-licensure materials by June 30, those materials (i.e. IPDPs and portfolios) must be submitted to the LSB for consideration by the April meeting and no later than June 1. When an educator does not complete the license renewal process within the timeline established by the LSB, the LSB Chair will notify the educator's superintendent of the non-compliance within 30 days after the date of required submission. The board may waive this requirement if the agenda and/or time allow(s).
 3. Board approval of professional development activities, IPDPs or re-licensure portfolios shall be indicated in writing and dated on the submitted approval forms.
 4. Board requests for revisions to submitted IPDP/portfolio materials will be communicated in writing to the educator indicating reason(s) for the requested revision(s). A dated copy of the signed form must be retained by the LSB. Materials must be re-submitted in time for the next scheduled meeting. Should the educator wait to submit these materials at the June meeting, he/she must be present at the meeting prepared to make any revisions.
 5. Documentation of professional development activities for which re-licensure credit is sought must be submitted to the LSB within three (3) years of completion of the activity.
 6. Licensed educators new to the supervisory union/district shall submit documentation of their professional development activities within six months of employment.

7. The LSB will evaluate the professional development required to reinstate a lapsed endorsement, provided appropriate documentation is submitted. Such decisions will be handled during regularly scheduled meetings. Forms for reinstatement will be sent by the Licensing Office to the educator at the educator's request. (*Vermont Licensing Regulation 5435.2*)

IV. IPDP REQUIREMENTS AND APPROVAL PROCESSES

- A. A Level II License shall be issued, upon recommendation of a local or regional standards board, to educators who have an approved Individual Professional Development Plan (IPDP) for the ensuing licensure period.
- B. It is the responsibility of a Level II educator who has had an IPDP approved by one LSB, and who is subsequently employed by a school district under the jurisdiction of another L/RSB to transfer his or her IPDP and related activity forms to the new LSB within six months of employment (*Vermont Licensing Regulation 5626.1*)
- C. Approved Individual Professional Development Plans and corresponding approved professional development activities have reciprocity with local and regional standards boards throughout the state. (*Vermont Licensing Regulation 5625*)
- D. A Level II educator who does not have an approved IPDP, and is hired by a school district, shall submit an IPDP to the appropriate LSB within six months of employment. (*Vermont Licensing Regulation 5626.3*)
- E. Newly Vermont-licensed Level II educators transferring from out-of-state shall submit an approved IPDP to the LSB within six months of employment. (*Vermont Licensing Regulation 5626.2*)
- F. Licensed Level II educators re-entering the profession shall file an approved IPDP with the LSB within six months of employment. (*Vermont Licensing Regulation 5625*)

G. IPDP REQUIREMENTS

1. The Rutland City LSB will adhere to the IPDP requirements found in *Vermont Licensing Regulation 5421* and use, as a resource, the procedures for the development of the IPDP approved and adopted in policy by the VSBPE in the *Vermont Re-licensing Process: A Reflection of Ongoing Professional Growth, A Handbook for Educators* (January, 2004).
2. The Rutland City LSB will require each Level II educator and those educators moving from Level I to Level II to develop and file an IPDP at the time of license renewal before any professional development activities may be approved for re-licensure credit.
3. The Rutland City LSB will not recommend an educator for license renewal unless a new IPDP has been approved by the board.

H. CRITERIA FOR IPDP APPROVAL

(see Rubric for IPDP Evaluation on page 31 of the Vermont Re-licensing Process: A Reflection of Ongoing Professional Growth, A Handbook for Educators)

1. Regulations require that an IPDP shall include focused goals that:
 - a. Lead to improved practice and student learning;
 - b. Connect to each of the *Five Standards for Vermont Educators*;
 - c. Address the Knowledge and Performance Standards for each endorsement held;
 - d. Connect to the school's/district's initiatives for improving student learning;
 - e. Lead to professional development activities that will promote new learning and growth for the educator (*Vermont Licensing Regulations 5421.b and 5432.D*)

2. The process required for an IPDP to be approved:
 - a. The educator will submit an IPDP with a completed Cover Page (Appendix N) to the building representative.
 - b. RCSB building members will screen the IPDP and submit it to the RCSB for review and approval.
 - c. The IPDP shall be typed and professionally written.
 - d. The IPDP can be amended at any time up until September 30th of the renewal year.

3. Amending an IPDP
 - a. Any IPDP amendment proposal shall explain the rationale for the amendment, such as change of assignment or change of district focus.
 - b. The IPDP may be amended within the course of the seven (7) year re-licensure cycle. The educator should submit any IPDP amendment and reason for amendment to his/her building representative who will submit to RCSB for approval.

V. PROFESSIONAL DEVELOPMENT ACTIVITIES

A. Prior and Final Approval

1. The LSB cannot require prior approval as a condition for final approval of a professional development activity.

2. The LSB shall make prior approval available to educators and shall encourage its use. If prior approval is not sought, the LSB may not approve re-licensing credit after the activity has been completed if the activity does not address the goals in the educator's IPDP

3. Each educator must be familiar with the process and conditions for obtaining approval of professional development activities, as specified in this Plan of Operation.

4. Process
 - a. Have an approved, up-to date IPDP on file.
 - b. Carefully and thoroughly complete the Professional Development Activity Form (appendix N) for prior approval.
 - c. Submit form to RCSB building representatives.
 - d. Building representatives screen application.

- e. If the activity is academic coursework, workshops, district initiatives or conferences that relate to the IPDP, then the building representatives may grant prior approval.
- f. For other activities, the application will be submitted to the board for prior approval.
- g. After review, the form is returned to the applicant.
- h. Upon completion of the activity, the educator submits the original form with proper documentation to the building representatives. Examples of appropriate documentation are: grade reports, certificate of attendance, log of hours, time lines, journals, videotapes, letters, or critiques.
- i. The board acts on each application. If approval is granted, re-licensing credit is awarded. One copy of the form is returned to the educator for inclusion in his/her professional portfolio. One copy goes to the superintendent's office. The remaining copy is retained in the educator's RCSB file.

(Educators will use the forms in Appendix N when submitting requests for approval of professional development activities for re-licensure credit.)

B. Number of Re-licensure Credits Required

1. "Re-licensing credit" means a unit of measure assigned by a local or regional standards board, or the Licensing Office, to a professional development activity that meets the standards for re-licensure. Fifteen clock hours of professional development is equal to one re-licensing credit, 7.5 hours is equal to ½ credit; ½ credit is the minimum credit awarded.
2. Clock hours submitted to the LSB shall be in increments of no less than thirty (30) minutes. Documentation of hours must be submitted for awarding of credits with the exception of college credits.
3. Level I to Level I (Regulation 5431.4,5,6)
Three (3) professional development credits are required in new learning in the knowledge and/or performance standards of each endorsement area held by an educator when the educator is not practicing in that endorsement area.
4. Level I to Level II
No professional development credits are required when moving from a Level I to a Level II.
5. Level II (Regulation 5432 E.3)
Three (3) of the nine (9) required re-licensing credits are required to be in new learning in the knowledge and/or performance standards of each endorsement(s) held. (These credits can overlap.)

C. Appropriate Activities for Professional Development and Re-licensure Credit

1. Professional development activities are those activities/experiences that help educators to fulfill the goals of their IPDP, are related to their endorsement competencies, and result in new learning and growth for the educator and greater student achievement. Use page 22 and Appendix E in *the Vermont Re-licensing Process: A Reflection of Ongoing*

Professional Growth, A Handbook for Educators and *VSBPE policies SB /H3 and SB/H4* in Appendix J of this plan to determine types of credit and credit limitations

2. In-service professional development sponsored by the district, aligned with the school's action plan, and related to the educator's IPDP, should be awarded re-licensing credit.
3. Educators may also choose professional development that is on-line. There is no official policy, at the time of this writing, regarding on-line professional development. However, if the professional development includes college credits, it must be from an accredited institution and an official transcript provided. Documentation of accreditation must be submitted. To verify accreditation, the teacher may contact the Department of Education. Prior approval of online professional development from the LSB is strongly recommended.
4. Other professional development may be obtained through the websites of recognized organizations (such as Association of Supervision and Curriculum Development (ASCD), National Middle School Association (NMSA), National Science Teachers Association (NSTA) and must include a certificate of on-line participation. Prior approval of online professional development from the LSB is recommended.

D. Paid Professional Development Activities

The LSB shall approve professional development that can be shown to provide new learning and growth for the educator even if the educator was compensated. The professional development activity must also relate to the educator's IPDP and/or endorsement knowledge and performance standards.

E. Criteria for Approval of Professional Development Activities (*Vermont Licensing Regulation 5432*)

1. Requests to the LSB for re-licensing credit(s) for professional development shall show a connection to the IPDP goals which reflect:
 - ___ evidence of new learning and growth for the educator
 - ___ how the educator's practice will be improved
 - ___ how student learning will be improved
 - ___ a connection to IPDP goal(s)
 - ___ a connection to the educator's endorsement(s)
 - ___ a connection to school initiatives to improve student learning
2. The LSB promotes the concept of job-embedded professional development and encourages educators to consider the many variations of non-traditional professional development.

VI. Re-licensure Portfolio

- A. The LSB shall adhere to the portfolio requirements found in *Vermont Licensing Regulation 5432 D* and use, as a resource, the recommendations presented in The Vermont Re-Licensing Process: A Reflection of Ongoing Professional Growth, A Handbook for Educators (*adopted by the VSBPE, January 2004*)

The local or regional standards board shall recommend renewal of a Level II endorsement if the applicant presents a professional portfolio that includes:

1. the current Individual Professional Development Plan (IPDP);
2. documentation of professional growth pursuant to the IPDP goals include:
 - a. reflection upon new learning and its impact upon professional practice;
 - b. reflection upon how changes in professional practice have impacted student performance;
 - c. linkages between individual professional development goals and activities, and school action plans or improvement initiatives, as appropriate;
 - d. demonstration of growth in each of the *Five Standards for Vermont Educators* which are in effect at the time the IPDP is approved or amended; and
 - e. documentation of a minimum of nine re-licensing credits per endorsement recommended for renewal. Re-licensure credits should be related to the educator's IPDP goals. Certain professional development activities may apply to more than one endorsement. However, at least three re-licensing credits must address the specific content knowledge and performance standards of each endorsement recommended for renewal. The local or regional standards board will determine the applicability of professional development activities and grant approval for re-licensing credits based upon a presentation by the license holder of the rationale for applying certain credits and activities to particular endorsement areas and IPDP goals.
3. evidence of any required additional licenses or credentials specific to a particular endorsement.
4. an approved IPDP that is developed through analysis of professional practice and student learning data, and that articulates the educator's professional development goals for the ensuing licensure period. The IPDP goals shall address the content knowledge and performance standards in effect at the time the endorsements are renewed, each of the *Five Standards for Vermont*

Educators, and the action plan or improvement initiatives of the school where the educator is employed, as appropriate.

VII. Reconsideration and Appeal Procedures

The process for reconsideration and appeal of a decision of the LSB is as follows:

A. Reconsideration:

1. During the process of approving an IPDP, professional development activities, or a professional portfolio, there may be disagreements between an educator and the Rutland City Local Standards Board. For example, an activity proposed by an applicant to meet one of his or her IPDP goals might be viewed as inappropriate or inadequate by a Standards Board. After receiving a written denial of credit of a professional development activity, an IPDP or a portfolio, dated and signed by the Rutland City LSB chair or the designee of the chair, the educator may then initiate a reconsideration process.
2. When the LSB denies an educator's IPDP, professional development activity, or re-licensure portfolio, the educator shall be given an opportunity to meet with the Board and discuss the educator's rationale as well as the reasons for the Board's denial.
3. It is important that the educator and the Rutland City LSB have opportunities to informally discuss the rationale for their positions, so that ultimately an agreement can be reached. The reconsideration process shall follow these guidelines:
 - a. An educator shall be allowed 30 days from the date of denial or request for revision to file a written request for reconsideration with the Chair of the Rutland City Board. A reconsideration discussion with the educator shall take place at the next regularly scheduled LSB/RSB meeting unless the educator and the Board agree in writing to a different date.
 - b. The Rutland City Board shall give a written decision to the educator, explaining the rationale for its decision within one week of the reconsideration meeting, unless the educator and the Board agree in writing to a different date. The written notice shall be signed and dated by the Board Chair.
 - c. If the Rutland City Board and the educator continue to disagree on a Board decision regarding an educator's IPDP, professional development activities, and/or re-licensure portfolio, the Board's decision shall be considered final.

B. Appeal Process following Recommendation for Denial of License Renewal

If the Rutland City LSB denies an educator's application for license renewal, the educator may appeal the LSB denial. The appeal process is as follows:

1. Notice

When a local or regional standards board has made a final recommendation that denial of an educator's re-licensure or renewal of endorsement is warranted on the basis of the failure to meet the requirements of, or develop, an Individual Professional Development Plan (IPDP) approved by the local or regional board, the failure to achieve sufficient professional development credits approved by the local or regional board, or the failure to meet each of the standards set forth in the *Five Standards for Vermont Educators: A Vision for Schooling*, or the failure to meet the requirements of, or develop, a professional portfolio, or the failure to fulfill other requirements set forth in the approved Plan of Operation for receiving a recommendation for license and/or endorsement renewal, the local or regional board shall:

send written notice of its decision and specific reasons for the decision to the educator within 10 days of the decisions and send a copy of said notice to the Licensing Office of the Vermont Department of Education;

provide the educator with written notice of the locally established options for reconsideration and appeal defined within the LSB/RSB Plan of Operation

provide the educator with written notice of criteria and procedures for appeal to the VSBPE and the State board of Education. This notice shall include the name of the Chair of the VSBPE

provide the educator with a copy of this policy outlining Vermont Standards Board for Professional Educators procedures for reviewing such recommendations.

2. Exhaustion of Remedies

The Vermont Standards Board for Professional Educators will only review the recommendation of a local or regional standards board for denial of re-licensure or renewal of endorsement if the educator has exhausted or waived all local or regional appeal procedures.

3. Process for Appeal

An educator may appeal a recommendation by a local or regional standards board to deny an application for renewal or reinstatement of a license and/or endorsement(s) after exhaustion of remedies set forth in that standards board's Plan of Operation.

The appeal shall be initiated by the educator writing a letter to the Chair of the VSBPE within 30 days of the final notification of denial by a local or regional standards board.

If the educator does not file an appeal within the applicable time frame, unless he or she can demonstrate to the VSBPE that exceptional circumstances existed for the omission, the license or endorsement(s) shall be deemed denied.

4. VSBPE Procedures

The VSBPE, upon appeal by an aggrieved applicant, shall determine whether applicable procedures as set forth in Section V of this policy, were followed by the local or regional standards board and whether there are reasonable grounds for the recommendation of the local or regional standards board.

The Chair of the VSBPE may appoint a subcommittee to review the matter and recommend findings and disposition to the VSBPE, or the VSBPE may review the matter itself in accordance with this policy.

The applicant may be represented by counsel during the appeal.

5. Standards for VSBPE Review

- A)** In order for the Standards Board for Professional Educators to reject the recommendation of the local or regional standards board for denial of re-licensure or renewal of endorsement on the basis of the failure to have met the requirements of, or to have developed, an approved IPDP or failure to have achieved sufficient professional development credits, or failure to have fulfilled other requirements of the board's approved Plan of Operation that are necessary for an educator to receive a recommendation for license and/or endorsement renewal, the local or regional standards board must have abused its discretion in considering these issues. The Standards Board for Professional Educators may not substitute its judgment for that of a local or regional standards board on these specific issues.
- B)** For the purposes of this policy, the phrase "abused its discretion" means the local or regional standards board:
 - 1) failed to follow its own procedures in considering the educator's IPDP or professional development activities, or other requirements of the approved Plan of Operation that are necessary for an educator to receive a recommendation for license and/or endorsement renewal,
 - 2) failed to exercise its discretion by not acting on the educator's IPDP or request for professional development credit, or other requirements necessary for an educator's license and/or endorsement renewal, or
 - 3) exercised its discretion for clearly untenable reasons or to an extent clearly unreasonable.

6. Decision of VSBPE

If the Standards Board for Professional Educators finds that the local or regional standards board did not abuse its discretion, it shall accept the recommendation of the local or regional board. If it finds that the local or regional standards board did abuse its discretion it may either reject or modify the recommendation or remand the matter to the local or regional standards board for further deliberations.

The full VSBPE shall review any recommendations of its subcommittee or the local or regional board as well as any written or oral submissions of the parties at a regularly scheduled meeting no later than 60 days following the recommendation. If the VSBPE agrees with the recommendation, it shall adopt it. Otherwise, the VSBPE may issue its own recommendation with regard to licensure or endorsement.

The recommendation of the VSBPE shall be in writing and contain the reasons for the recommendation and, if unfavorable to the applicant, give notice to the applicant of the right to appeal the recommendation to the State Board of Education.

7. Appeal to the State Board of Education

If the Vermont Standards Board for Professional Educators votes to deny relicensure or endorsement renewal after following the process set forth in paragraph III above, the educator shall be notified in writing of the decision and its underlying reasons as well as of the automatic right of appeal to the Vermont State Board of Education and the procedures there of.

An appeal to the State Board of Education shall be filed in writing within 30 days of the date of the VSBPE recommendation. If an appeal is not filed within the applicable time frame, unless the applicant demonstrates to the VSBPE that exceptional circumstances existed for the omission, the license or endorsement shall be deemed denied.

Appeal to the State Board of Education shall be according Section 5713.1 D of the Rules Governing the Licensing of Educators and the Preparation of Educational Professionals

8. Educator Status During Appeal

When a denial of renewal is under appeal, the educator may continue to be employed as licensed until a decision is rendered or right of appeal is waived.