



Act 173 Advisory Group
June 7, 2021, 9:30 a.m. – 12:00 p.m.

Draft Meeting Minutes

Microsoft Teams Virtual Meeting

Call In: 1-802-552-8456

Conference ID: 406 339 03#

Purpose of the Advisory Group per [Act 173 of 2018](#): To consider and make recommendations on the implementation of a census-based model of funding for students who require additional support.

Present:

Advisory Group (AG) Members: Meagan Roy, Chair; Marilyn Mahusky, Disability Law Project; Colin M. Robinson, (representing Jeff Fannon) Vermont-National Education Association (VT-NEA); Peter Garrecht, Vermont Council of Special Education Administrators-selected special educator; Cheryle Wilcox, Agency of Human Services, Department of Mental Health (DMH); Jeff Francis, Vermont Superintendents Association (VSA); Mill Moore, Vermont Independent Schools Association (VISA); Karen Price, Vermont Coalition for Disability Rights; Lisa Bisbee, VT-NEA-selected practitioner; Sue Ceglowski, Vermont School Boards Association; and Dan French, Agency of Education (AOE).

AOE: Meg Porcella; Chris Case, Anne Bordonaro, Jesse Roy, Maureen Gaidys.

Others: Kim Gleason, State Board of Education (SBE), Susan Aranoff, Chelsea Myers, Marianna Donnally, AHS.

Call to Order, Roll Call/Introductions/Amendments to Agenda

Chair Roy called the meeting to order at 9:32 a.m. There were no amendments to the agenda.

Review and Approve Minutes from April 5, 2021, Meeting

Chair Roy asked for a motion to approve the minutes from the April meeting. Moore moved; Ceglowski seconded. There was no discussion. Chair Roy called the vote. The motion passed.

Opportunity for Public to be Heard

There were no members of the public to be heard.

Presentations

Recovery Planning - Statewide themes from District Needs Assessments

Elementary and Secondary School Emergency Relief (ESSER) funding: Available funds and Agency priorities

Secretary French gave a general overview of planning and actions taken by the General Assembly (GA) on ESSER SEA set-aside funds. He shared that last week he had provided the AG with the collapsed needs assessment data for feedback and hoped that was helpful. Vermont had a successful response to the pandemic in education. AOE has been working on a recovery plan since the beginning of the year in anticipation of the end of the pandemic. This was separate from the federal planning, but one informed the other. He spoke about ESSER funds and that the themes have remained consistent throughout the pandemic. ESSER I was \$31 million with the State Education Agency (SEA) reserving 10%. ESSER II was

\$127 million, again split 90% (Local Education Agencies (LEAs) and 10% SEA (AOE). Under ESSER III, referred to as the American Rescue Plan Act (ARP), Vermont receives \$280 million with the same 90% LEA/10% SEA split. The difference is that the federal government is thinking about recovery so there is a planning requirement for state and local funding. The size of appropriation caught a lot of attention, especially that of the GA. The AOE started conversations with the GA around satisfying their authority, and the requirement that the Secretary of Education must provide assurances for how the money was spent. The result was a comprehensive approach for allocation of funds, approved in the Budget Bill. This brought together federal funds (focused on reopening schools) and our own recovery planning and intersected this with the GA's interest and authority over appropriating funds for a path forward for the state.

Secretary French summarized: 1) ESSER I has gone out and is spent or being spent; 2) ESSER II was allocated to summer programming (2021 and 2022); and, 3) ESSER III funds were included in the Budget Bill and are set to be disbursed over multiple years. There are set-aside funds that have been allocated to the three focus areas identified in our recovery plan (academics, re-engagement and social-emotional learning), augmented by one other – the safety and health of school facilities. The AOE is required to complete a state plan for spending the ESSER III SEA set-aside money. Drafting of this plan is underway and will be first submitted to the education committees no later than July 31 for approval, prior to being sent to U.S. Department of Education (US ED). This will be an iterative process, there will be stakeholder feedback (sought by the end of June) and AOE will come back to the GA next year for review and to make decisions for future work.

Districts also have a planning requirement under ESSER III. AOE's hope is that our state recovery planning will support LEA planning as well. There is a separate funding stream for independent schools, Emergency Aid for Non-public Schools (EANS), administered directly by AOE to independent schools. Lastly, there is Governor's Emergency Education Relief (GEER) Fund, created back under the CARES Act. This funds EANS and there is also a discretionary amount of money (about \$1.9 million) that is appropriated by the Governor.

Secretary French provided a brief COVID-19 update. Vermont's case count is declining and is expected to reach an 80% vaccination rate soon. When the state of emergency ends, much of AOE's guidance goes away as its authority is derived from the emergency Executive Order. There have been two documents recently provided to the field, [recommendations for the end of the school year](#) and [instructional operations for fall 2021](#). In the fall, there will be a return to full in-person with remote learning still permissible as it was prior to the pandemic (individual basis, not schoolwide).

There was discussion on lifting restrictions and the effect of this on remaining school board meetings, Vermont Forward guidance, and challenges with planning for the state of emergency ending.

Professional Development (PD) Subcommittee

Porcella spoke about the subcommittee's work being organized into three buckets: educational support teams (ESTs), fiscal and changes to rules and how these Act 173-related items mesh with other recovery work that is in progress. She introduced Chris Case, Student Support Services Division Director, and added that there was a request to share with the entire AG [a presentation that Case created on recovery and PD](#) that he had provided earlier to subcommittee members.

Case's presentation talked about recovery planning, funding priorities, the subcommittee meeting summary, and next steps. He said this is work in progress and they are open for feedback.

Case spoke about needs assessment summary for social-emotional learning (SEL)/mental health/well-being, engagement/truancy, and academic achievement and success. He talked about AOE supports following the LEA assessment, technical assistance plans for Act 173-related PD (special education rule changes, educational support teams and fiscal impacts), and using a Multi-Tiered System of Support (MTSS) lens for this work. Case detailed technical assistance plans and key takeaways from the subcommittee meeting which included: forecast PD support timeline, recommending a workflow, and recognizing the enormity of recovery planning, resource library, messaging especially with local boards, and making connections between recovery and Act 173 implementation.

There were questions/discussion on desire for support on family engagement, thinking systemically to support student success, funding implications for LEAs sending students to independent schools and direct cost rates, pushback from educators on summer programming, concerning trends in the education workforce beyond the summer, and a requirement of ESSER to analyze the pandemic's effect on the education workforce.

Discussion

Professional Development Recommendations to Agency/ Use of Federal Funding

Chair Roy opened the conversation for recommendations. Mahusky expressed appreciation for the challenges and leadership taken by the AOE and the enormity of the work needed to move forward. Chair Roy agreed and said the information received at this meeting was helpful and she appreciated understanding the outline of where we are going, even though there are still questions about how the AG proceeds with its work. Discussion continued on how the AG wanted to proceed, need to remain cognizant of leveraging Act 173, not clear on impact of the pandemic on students, need to be open to understanding the impact, effect will vary across the state, hearing from the AG in the fall on how ESTs are working, utilizing community resources to strengthen schools around trauma-informed practices, regional social service deployment, integrated social services delivery in rural states, and concerning trends in workforce issues for mental health treatment and social service delivery. Chair Roy expressed concern about using recovery money to support mental health and the impact when the funding is gone and that some districts will have a decrease in short-term funds concurrent with the decrease in state special education spending.

Agenda Planning: Summer workplan

Chair Roy said she did not think the AG needed to meet over the summer and thought it could suspend its work while it digests information (ESTs) and plans for the fall. She asked the group for feedback.

There was discussion on AOE assessing ESTs and sharing that information, data inventory, triaging needs, defining the problem prior to creating solutions, brainstorming in the fall on ways to leverage Act 173, balancing out-of-the-box thinking with funding/leveraging opportunities, returning to in-person meetings in the fall, offering a remote option to ensure statewide accessibility, using a hybrid format, and meeting space available for future in-person meetings at the Waterbury complex. Chair Roy thanked the AOE for the information provided to the AG.

Adjourn

Chair Roy adjourned at 11:01 a.m.