

Approved Meeting Minutes

Meeting Place: Department of Taxes

Address: 133 State Street, Board Room #410; Montpelier, VT 05602

Date: October 12, 2018

Present:

Council Members: Meagan Roy, VCSEA; Tom Lovett, CIS; Jeff Francis, VSA; Mill Moore, VISA; Marilyn Mahusky, VLA/DLP; Brenda Fleming, VASBO; Jeff Fannon, Karen Price, VT Coalition for Disability Rights; VT-NEA; Sara Baker, VCSEA Special Educator; Dan French, AOE; Lisa Bisbee, VT-NEA Special Educator.

Others: Traci Sawyers, VCSEA; Chelsea Myers, VSA; Cammie Naylor, VLA.

Agency Staff: Judy Cutler, Tracy Watterson, Chris Case, Emily Byrne, Alena Berube, Maureen Gaidys.

Call to Order/Roll Call/Introductions

Roy called the meeting to order at 12:23 p.m. and asked members to introduce themselves. Lovett, Mahusky, Bisbee, Moore, Francis, Roy, Price, Baker, Fleming and French did so. Fannon joined a few minutes later. Roy asked for amendments to the agenda; there were none.

Review and Approve Minutes from September 14, 2018 Meeting

Roy advised that there was an error on the website and the wrong agenda was posted for this meeting. Gaidys said that was being corrected. Roy asked for a motion to approve the September minutes. Moore moved; Bisbee seconded. The motion passed unanimously, and the draft minutes were approved.

Committee Reports – Rulemaking Subcommittee

Roy started with a summary of the morning's subcommittee meeting and said they stuck with their charge, but discussed creating rules to implement Act 173, some of which might go beyond just the revision of the special education rules. Roy said there was discussion on reviewing the special education rules to see which pieces needed revision, if this was the extent of the charge, a single set of broader rules with a subsection on special education, or two side-by-side special education rules, that no recommendations were made and maintenance of effort and reporting to the federal government. It was suggested that AOE provide information on what is necessary to meet the recording requirements; AOE will present this and a proposed draft framework for this set of rules at the next meeting. Roy asked members of the full advisory group for their thoughts. Bisbee, member of the rulemaking subcommittee, asked for similar information from the AOE. Moore shared that his subcommittee had been extensively briefed by Case on where the AOE stands, how they are preparing for implementation and that there is a lot of work ahead (work groups, tasks, measurements of progress), which will be detailed at the next subcommittee meeting. Roy shared the actions of her subcommittee as 1) get information from the AOE and 2) draft framework of how the rules might be organized.

Committee Reports – Professional Learning Sequence (PLS) Subcommittee

Moore offered an update from the Professional Learning Sequence (PLS) subcommittee and said that they will get input from AOE at the next full meeting on what is already happening and what the group needs to know. The subcommittee discussed what PLS means and came to some consensus around training already credentialed employees, the major components of that, desired outcomes, principle obstacles to implementation, and that the 53 superintendents are the primary audience and the need for sensitivity to their time and competing needs. Case clarified that the AOE will share how it is internally organizing their approach to the work and how they might partner with the subcommittee. He said he would share existing contracts that address this work and how they all come together, reaction to what is proposed, etc.

Roy addressed that these two agendas were developed around the work of the two subcommittees and asked how the group wanted to proceed. French cautioned on the rules of Open Meeting Law and suggested sticking to the agenda. Moore confirmed that there were no other actions that came out of the PLS subcommittee meeting.

Francis said he was impressed with the input that was being given at the PLS subcommittee meeting and noted that there was a shortage of voting members. He asked if it would be appropriate, and thought it would fit with the agenda, to get some information about existing roles and knowledge gaps. Francis suggested three minutes of comment from members on what the law lacks and what is desired from implementation. French concurred that this was consistent with the agenda. Moore asked Francis for clarification. Francis elaborated that the AOE plays a significant role in the implementation of the law and that they are keenly interested in what their support should look like vis a vis the field. He asked members to use their understanding/impression of the law to speak to what their group could benefit from in terms of support and professional development.

Fleming said the biggest component is how the census-based funding will work in supporting all activities of the schools, that programs should be designed independent of funding, that the model is supported by Business Managers, but they are under extreme pressure for cost containment and need to understand how this will be incorporated into overall funding. She would want a better, fuller understanding of special education by business managers.

Baker spoke as a practitioner in the field and how she sees a need for fewer labels that are attached to services, and less time studies and work that doesn't really impact students. She liked that the model broadens the understanding of how everyone works together for the greater good.

Fannon spoke about recent conversations that had the theme of outcomes and what drives them. He stated that we should be setting goals for an improvement in systems that allows students to get the services they need in an efficient manner without taxing the system. He suggested that a better model would be where the back office (business managers) supports the front office (students and teachers).

Price spoke as a parent of a child with a disability and how it is difficult to get this information to parents, that parents always call when something is wrong, that funding is the elephant in the room, anything that gives the perception that students with disabilities (SWD) will have to fight harder for services is not good, and that full inclusion is important and any model that promotes this is important.

Roy echoed what had been said earlier, that her organization is excited to be less categorical and that it will matter less what/how they are labeled, that students that have a right to services, that Act 173 doesn't expand entitlement rights as implemented, and that she's hopeful for the focus to be on the entire school system. She asked for clarity for what this means for how the work is done, communicating this to parents, and that the PLS is for schools.

Francis said that VSA can support a conveyance of information of the law, but can't always ensure consumption of the information. He spoke of the importance of recognizing that superintendents are the education leaders of the system, that what plays out can vary across SD/SUs, experience with Act 46 and Act 60 contributes to thinking around Act 173, that this is more complicated because it affects both the educational practice and the efficiency of the delivery system. He continued that the field will work hard to fulfill the better and more equitable opportunities but not with as much focus on economics and that superintendents need to know how teaching practice and the roles of principals and special educators will change and that business managers need a good understanding of the funding formula. Further, this will be communicated to teachers, families, school boards, etc. He will be looking to the AOE for help with construct of the communication and professional development of all involved. Francis said the approach of a simple form, with a rubric that showed the position on the system, understanding of the law, and how that relates to your work.

Moore said his focus would be on the 30 independent schools who have 45 students and a small amount with special education needs. He continued that there is concern over lack of special educators and that it will be up to the superintendent to find a teacher or deny the placement and that is a tough position for superintendents. Moore wants to ensure that everything possible is being done to properly train special education teachers.

Bisbee said that less paperwork and more time with students is a special educator's dream, that coming out of special education and general education silos is important, access to different people/expertise is important, implementation needs to be sure not to add a layer of bureaucracy, and there needs to be assurance to have the art of teaching and not a prescribed curriculum.

Mahusky spoke as a representative of parents and students in special education matters. She wants to make sure the entitlements for SWD are not lost despite the funding, that we are all focused on a system that involves what is needed, when, and early and often, making sure there is no delay in getting supports, and creating fluid systems with best practices.

Lovett said he represented a large independent school that serves a lot of special education students and that there will still be a number of students who require documentation and they will fall under the extraordinary cost exemption. He spoke about the need for cost containment,

high poverty areas and need for weighting, fear of a prescribed curriculum/best practice instead of trusting professional judgement, and that how independent schools will be funded under this law is the tricky part.

French said that was a helpful exercise and that it was a great idea for making the process more effective on how to support this work.

Roy reiterated the impact of this alongside all the other initiatives that are also being implemented in the field. Francis asked about periodic reports to the General Assembly (GA) and said it could be helpful for the GA to see this work as it unfolds and to understand how extensive this work is, with significant positive implications and that it will require capacity. There was discussion on representation of the group – which is determined in the law.

Timing of Deliverables

Roy asked for thoughts on the report due to the Legislature on or before January 15, 2019. French suggested working toward understanding the scope of the work and the size of the report after getting the information piece from the next meeting. Fannon suggested a required report in January and additional communication to the GA to understand the task at hand.

Fannon asked to hear from Bisbee and Baker on what works well and what doesn't. Bisbee asked the AOE about the SWIFT report. Watterson advised that the report is forthcoming. Roy suggested talking about this more as we plan the next agenda. Francis spoke about informing the GA and that advocating for no new initiatives is not always successful, and that there will be new committees and that legislators need a full view and appreciation for this law and how much work is needed for implementation. Fleming reiterated that this is landmark legislation. French suggested getting further understanding and then considering the design element of the deliverable and strategizing how to meet that.

Roy summarized expectations for the next meeting – the rules subcommittee will hear from the AOE about what is needed to collect for federal reporting and the PLS subcommittee will hear from the AOE on how the process is envisioned, areas of concern, workgroup assignments, and draft messaging to the field. Roy asked for input on what should be part of the full advisory group and subcommittees. French suggested a preliminary communication plan and how different agencies could contribute to that and coordinate among the groups.

There was discussion on scheduling meetings, meeting at a consistent time each month, and using Doodle polls going forward. The next full advisory group meeting will be November 19, 2018 at 9:30 a.m. The subcommittees will meet the same day, following lunch and there will be a Skype conference call option. Gaidys will send the invite once a location is determined.

Business Items

Byrne shared the reimbursement forms that were distributed to group members and explained the process for [per diem payments](#) that would apply for those not already compensated through another agency/organization. She said completed forms would need to be returned to Meagan and submitted to the AOE.

Other/Opportunity for Public to be Heard

Roy asked if there were any members of the public to be heard. There were none.

Roy reviewed the draft agenda for the next meeting: two presentations from the AOE and development of a communication plan. She said if there were other ideas, to forward them to her.

Adjourn

Mahusky moved to adjourn; Fleming seconded. Roy adjourned the meeting at 1:44 p.m.