



PEIC: Special Education Subcommittee–Meeting

August 7, 2024: 11:00 a.m. – 12:00 p.m.

Microsoft Teams Virtual
Meeting Call In: 802-552-8456
Conference ID: 505 625 976#
[Meeting Link](#)

DRAFT MEETING MINUTES

Present: Morgan Crossman, Building Bright Futures; Korinne Harvey, PEIC family representative; Mary Lundeen, Vermont Council of Special Education Administrators; Katie McCarthy, AOE; Janet McLaughlin, PEIC co-chair, AHS; Meg Porcella, PEIC member, AOE; Stephanie Ripley, Maple Run Unified School District; Keith Williams, Child Development Division
AOE: Molly Loomis, Facilitator; Suzanne Sprague,

Facilitator Molly Loomis called the meeting to order at 11:05 am. She welcomed the group, thanked them for making time to participate in the subcommittee, and reviewed and approved the [meeting agenda](#).

Loomis reviewed the charge of the PEIC, which is to assist the Agency of Education in improving and expanding accessible, affordable, and high-quality prekindergarten education for children on a full-day basis on or before July 1, 2026 by examining the delivery of prekindergarten education in Vermont and making recommendations to expand access for children through the public school system or private providers under contract with the school district, or both. The charge specified focusing on several considerations, including special education services for children participating in prekindergarten in both public and private settings. Recognizing that the PEIC needed additional expertise and information in this area, this subcommittee was formed to convene members of the PEIC, as well as invited guests with specific expertise, to better understand challenges and solutions related to prekindergarten special education services.

Loomis shared that the subcommittee would focus on answering two questions:

- What are the key issues/challenges that Vermont currently faces in the delivery of affordable, accessible, high-quality special education services for children participating in prekindergarten in both public and private settings; and
- What ideas/solutions to expand accessible, affordable, high-quality special education services for children do we want to include in the PEIC’s report to the Legislature.

Members of the subcommittee introduced themselves and described their roles and experiences with prekindergarten special education services. In addition to describing their professional involvement with special education, several participants shared that they are parents of children

who receive or received prekindergarten special education services.

Loomis invited the group to brainstorm the key issues or challenges they each see standing in the way of delivering high quality special education to services to children – across public and private settings as well as across developmental stages of three and four year olds.

- Katie McCarthy clarified that language related to child care includes the word “affordable” but that access to “free and appropriate” public education begins at age three and therefore includes free access to special education services.
- Morgan Crossman encouraged the group to integrate the perspectives that were recorded in the [discussion notes](#) from previous PEIC meetings.
- Meg Porcella shared that, during PEIC conversations, she has observed misunderstanding and confusion about how Vermont’s special education services are administered given the many bodies and programs involved. She doesn’t want to assume that readers of the PEIC Report will understand the terminology or how the services work.
- Steph Ripley noted that access to free and appropriate public education and access can mean many different things. Schools are able to meet kids’ needs holistically through supports like meals, transportation and access to licensed teachers, so it’s exciting to think that more young children could have access to these services by participating in school settings. She sees the major challenge to include finding sufficient physical space to serve children, while also aligning with regulations; having sufficient adults to provide 1-on-1 support when indicated by an IEP; and widespread challenges with passing school budgets. Having sufficient licensed teachers and the payroll taxes are cost challenges that districts are facing.
- McCarthy added that the U.S. Department of Health and Human Services and the U.S. Department of Education recently released a [joint policy statement](#) on inclusion of children with disabilities in early childhood programs. The document provides guidance on including both three- and four-year-olds through a mixed delivery system in both private and public settings. McCarthy expressed concern that the Act 76 intention to remove three-year-olds from prekindergarten doesn’t align with this national guidance for inclusion. This could impact the potential to create inclusive classrooms, in which at least five children do not have a disability. If the structure changes there’s potential to upset the placement process that supports creating more inclusive classrooms than special education classrooms.
- Crossman emphasized that when Building Bright Futures (BBF) gathered feedback from families, early childhood educators, and special educators about their concerns about Act 76, a primary concern was about what inclusive classrooms would like for three-year-olds and if these children would have access to settings where they could be educated alongside their typically developing peers in the least restrictive environments. BBF heard lots of concern around what removing three-year-olds from prekindergarten would mean for special education, workforce challenges with licensed educators, and how to support community-based programs to enroll three-year-olds with disabilities. Crossman offered to provide additional information from the federal government about the importance of supporting three- and four-year-olds through a mixed delivery system to meet special education needs.
- Mary Lundeen added that, from her experience working in a school district, all the complexity of meeting requirements for both Agency of Education and Agency of Human

Services is challenging. She shared that having the AOE oversee all four-year-olds in prekindergarten could reduce some of that complexity for schools. She also agreed that having sufficient physical space is a challenge, as is staffing, because it's so difficult to find any licensed early childhood educators to hire, let alone needed additional licensed teachers for prekindergarten classrooms.

- Crossman noted that another prekindergarten special education challenge she'd heard from stakeholders was cross-district service provision, which can impact equitable access for families.
- Crossman added that, although there are lots of challenges, there are also many ways that prekindergarten special education services are working well. For example, Vermont is leading the nation with the number of three- and four-year olds enrolled in prekindergarten, and the number of children with special healthcare needs being served. Feedback from stakeholders also pointed to the benefits of Prekindergarten Coordinators acting as liaisons and help connect families with services and the partnership among public, private and community settings.
- Keith Williams reiterated that the complexity of the system and the many players and programs involved in a young child's life is confusing and very challenging for families to navigate. It's hard for families to know who to complain to and when, especially when you don't know who the agency is or who it's overseen or monitored by. Children's Integrated Services sees confusion every day from multiple reporting and overseeing lines, the transition from Part C to Part B, and disruptions for families receiving services through different programs. Williams also reiterated that recruitment and retention is one of the biggest issues, not just for special educators but also for speech services, occupational theory, audiology and other professionals.
- McCarthy added another issue regarding three-year-olds, who have been kept at home during the pandemic and may seek PreK services in greater numbers. It's possible that teams may decide that the least restrictive environment for these children is at home, which means not being in an environment with their same-age peers.
- McLaughlin pointed out that while special education services are mandated, prekindergarten participation is not, so families often need to receive services in different settings. Sometimes conversations about the challenges with early childhood special education services focus only on structuring prekindergarten to better support special education. However, families may choose not to enroll children in prekindergarten for a variety of reasons, so the location of special education services can still be challenging, depending on family needs and school resources.
- McCarthy confirmed that children do not need to be enrolled in PreK to receive special education services and that they could receive services in their home or a child care setting – a decision made by their IEP team. She also confirmed that the area where prekindergarten and special education laws intersect is tricky because decisions about location of special education services are individualized and determined by district. Since UPK is portable but special education is not, AOE anticipated that this could be an issue and so consulted with OSEP and OCR but it didn't result in clear guidance. AOE encourages school districts to think outside the box to meet the needs of children and families but the law states that it's ultimately a district decision.

- Korinne Harvey shared her perspective as a parent who struggled to get services for her child when they transferred from early intervention to IEP services. She's heard the saying that the "money follows the child" for special education services but that was not her experience. There were no open spots for her son in PreK or private care settings in her supervisory union so she was bringing him to private IEP services, which wasn't ideal because he wasn't learning alongside his peers. She got special permission to have him transferred to a PreK classroom at a public school in different supervisory union, but was told that the IEP could not follow him, so he didn't have access to the PT, OT or speech services he needed. He was allowed to be in a typically developing classroom but only received services through a spreadsheet consultation with his teacher for the year. It felt like she didn't have options and had to choose between having a PreK classroom experience or receiving individual ISP services through the local supervisory union.
- Lundeen added to a previous point about IEP teams making the decisions about services for students, which are all based on the goals identified for the child. The border-crossing conversation is related to these goals and the reasonableness of the service and the availability of educators to provide services. IEPs offer for students to come to public schools for services so that they can meet more children's needs and I think they do try to be creative. We're trying to use technology, and although it's not always the best approach for the child, an IEP team can consider a speech need through technology and then also work hard to accommodate parents' schedules around the work day.
- Ripley observed that Harvey's story about her family's challenges sum up the struggles everyone has when it comes to special education. Having so many agencies involved in early education makes it very different for families to navigate. In care settings we're used to talking about goals related to home, family and community because young students need that bridge. Moving to public education, it's a different mandate - it's about access to education. Public schools have best intentions but they are often constrained by not having the resources to serve all students where they are. Districts get creative and sometimes reach out to other districts to provide services but, with huge caseloads, it can be a challenge to make it work. It's often a struggle when children transition from Early Intervention services to Essential Early Education services because each system has its own way to identify and assess needs, so the services a student qualifies for can change, or require more testing, and this is really hard for families to navigate.

Loomis wrapped up the meeting by describing next steps for the group and how to prepare for the next meeting.

No members of the public attended.
The meeting was adjourned at 11:50 am.
Meeting minutes recorded by Molly Loomis.