



Vermont
Superintendents
Association



Vermont Principals' Association

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Supporting Systems in Act 173 Implementation

PURPOSE

On October 18, 2019 the Vermont Superintendents Association and the Vermont Principals Association convened representative education stakeholders to discuss the implementation of Act 173. This report serves to recap and synthesize the main findings from that convening.

BACKGROUND & IMPORTANCE

Overview of Act 173 and the Policy Context

Vermont's Act 173 of 2018 aims to improve education for all students who may need additional support. The law, grounded in the research widely known in Vermont as the DMG Report and The UVM Study, intends to change the primary funding structure for special education from the current reimbursement model to a census-based block grant. If implemented as intended, the new funding structure will allow for more flexibility in how funds are spent, will simplify administrative burdens, and most importantly, align with the opportunities outlined in the DMG report and best practices to support all students.

Vermont's current policy landscape is complex and challenging; and, it is firmly grounded in a pursuit of equity, creating and maintaining safe learning environments, and moving towards greater systems' efficiency. Act 173, intended to enhance and develop systems to support the success of all students, builds upon the proficiency and personalization expectations of Act 77 and Vermont's Education Quality Standards. It relies upon the Act 46 intentions of equitable access to resources; coincides with the intentions of Act 166 to increase accessibility and opportunity for all students; and is supported further by Act 1 of 2019, which aims to encourage Vermont's education systems to recognize the importance of *all* students' cultures, contexts, and histories in their policies and pedagogy. Act 173 leverages each of these laws, and despite common rhetoric calling Act 173 "the special education funding law", will require fundamental changes in the general education classroom. This law is ultimately focused on "improving the quality of universal instructional practices" to "ensure core instruction meets the needs of most

students.”¹ Act 173 requires a new focused paradigm regarding the foundational systems that ensure student learning as well as the resources that fund them.²

A multi-tiered system of support, often shortened to VTmtss, is a critical element that undergirds the whole of Act 173. A central principle of VTmtss and Act 173 is that, “Success begins with committed educators who believe all students can learn and can achieve high standards as a result of effective teaching.”³ Without all education stakeholders embracing this core belief, Act 173 will likely not be effective.

The AOE’s theory of action regarding Act 173 prioritizes four “levers”. These include: educational support teams (EST), curriculum coordination, local comprehensive assessment systems, and needs-based professional development.⁴ These levers can be embedded into a coherent implementation plan -- a plan that recognizes the importance of emphasizing educational programs first in order to be best prepared for a shift in funding. Act 173 is, and will continue to be, a challenging undertaking requiring changes to each level of the education system as well as widespread belief that all students are worthy and capable of high standards of learning.

October 18, 2019 Meeting

“Identifying and investigating the views, interests, and capacities of [stakeholders] is necessary to understand education policy implementation, for their perception of education, their motivation and skills, and their reaction to the policy widely influence the enactment of the policy.”⁵

It is our belief that a critical step in developing an implementation plan for this law is engaging with the field often -- assessing broadly where systems are at and getting input on what they will need to successfully implement the changes required under the law. Our associations are well-positioned to gather this information and amplify voices from the field. Thus, the Vermont Superintendents Association and Vermont Principals Association facilitated a convening to assess the scope of Act 173 from the LEA level, determine critical communications steps and needs, assess the current professional learning landscape, and make recommendations for how to structure professional learning. Representatives from VSBA, VSA, VPA, VCSEA, VTCLA,

¹ [Act 173 Technical Guidance: Developing Systems to Support the Success of All Students](#), Vermont Agency of Education August 2019

² Dr. Andrew Jones’ Policy Brief to Mill River Unified Union School District

³ [VTmtss Field Guide](#), Vermont Agency of Education, 2019

⁴ [Act 173 Technical Guidance: Developing Systems to Support the Success of All Students](#), Vermont Agency of Education August 2019

⁵ Viennet, Romane, and Beatriz Pont. "Education Policy Implementation: A Literature Review and Proposed Framework. OECD Education Working Papers, No. 162." OECD Publishing (2017).

VASBO, VSBIT, Vermont Legal Aid, VT-NEA, Vermont Family Network, and school communications professionals were in attendance.

INTRODUCING THE STAKEHOLDERS TO THE POLICY

Explaining Act 173

"[Education policy implementation] involves a cognitive process of sense-making for the implementer, based on what she knows, what she understands of the policy, and what she believes the course of action should be."⁶

It is well understood amongst our organizations that the knowledge and understanding of Act 173 is tremendously variable across the state as well as within LEAs. A temperature reading of the room supported this view. Thus, the day began with a brief introduction to the law.

Following the introduction, we asked stakeholders to assess their current systems for practices that needed to change, how that practice needs to change, and who would be responsible for that change. The purpose of this activity was three-fold: (1) to allow for participants to make meaning of the law within their own context, (2) to gauge the perceived roles and responsibilities for change within their systems, and (3) to prime participants for our conversation on professional learning. While this activity was cursory, the changes were system-wide and multi-faceted. It is evident that specifying roles and responsibilities at each level (e.g. the state, practitioner associations, district and school leaders, and school personnel) is a critical step in planning for implementation. **See Appendix A for specific examples.**

PROFESSIONAL LEARNING

Our professional learning planning session began with assessing the current offerings available for activities related to Act 173 implementation. This led to a discussion of what professional learning would ideally include, according to the convened stakeholders.

Current Assessment of Professional Learning

Assessment of the current offerings for professional learning led to the following conclusions: (1) there tends to be one-size-fits-all and one-off events, (2) the professional learning landscape is crowded and overlapping, (3) offerings are not monitored for quality and alignment with the law, and (4) opportunities require staff and leaders to be away from their buildings frequently. Support for developing a guaranteed viable curriculum was stressed as a topic critical to successful Act

⁶ Viennet, Romane, and Beatriz Pont. "Education Policy Implementation: A Literature Review and Proposed Framework. OECD Education Working Papers, No. 162." *OECD Publishing* (2017).

173 implementation, but largely missing from support resources and professional learning opportunities thus far in the state.

Desired Professional Learning Elements

Our discussion on professional learning was prompted by the question: “What does a successful professional learning plan include?” The following is a synthesis of that discussion. It is important to note that the question that arose most often during this discussion was: “Who will be responsible for this work?”

State-Level Guiding Documents and Resources: Guidance, frameworks, and toolkits can all be useful to provide information to the field and orient the work to the current landscape. These tools, however, are most beneficial when they are clear about how to adapt the broad learning to individual contexts. Key guiding documents released for implementation should make key stakeholders’ tasks and responsibilities clear. The AOE’s released white papers are a clear example of guiding documents. They set a frame or a context to the work from a broader systems view.

Theory of Action and Measurements of Success: Crafting a clear, understandable theory of action can be critical to engagement. It serves to answer why it is important to do this work and broadly how to do it. In addition, stakeholders should convene to develop a set of success indicators for the state to continually assess the effectiveness of implementation of the law and at the local level to test and iterate on their implementation. As a state, we would be served well to develop measures of success and a strategy for analysis prior to implementation. Collecting data and analyzing the success of a policy well into the implementation process is both challenging and counterproductive to an iterative process. The “four levers” outlined by the AOE may be useful in defining measures of success.

Needs Assessment and Focusing on High-Needs Systems: Equitable implementation of this law requires an understanding that districts are starting from different places and targeting the most robust support to those districts. A readiness assessment could be developed as a cursory self-assessment of how prepared systems are for Act 173 implementation. The assessment would ideally also support reflection from SU/district and school leaders on high-priority items. Again, the “four levers” may be a useful starting point for the development of such a tool. Determining a method of identifying those systems most in need is critical -- this work likely can build on measurements that are already collected at the state level.

Targeted Coaching and Planning: A coaching model was revisited often throughout the working day. Participants felt that it was critical that the systems that are most in need of targeted and robust support receive it. It was suggested that expert regional coaches be identified to assess high-priority systems, support administrators in developing an action plan, and provide continual

support to those systems. There was widespread recognition that this model is heavily resource-dependent and identifying said experts would be challenging. A participant with experience in implementing health care policy recommended a public-private partnership or some version of using public funding to source an outside entity to organize and enact this work.

Professional Learning Communities: Professional learning communities both internal to school systems, regionally, and statewide were discussed as a means to share strategies, troubleshoot potential challenges, and avoid ‘reinventing the wheel’ in every system.

Sharing Resources and Best Practices: Related to professional learning communities, participants suggested a central location to house model resources for implementation. Access to shared resources should be easily accessible and organized. The aim would be to curate resources of the foundational practices supporting Act 173 implementation so that systems could use the knowledge to transfer to their own local contexts. More individual and localized highlights of systems doing good work could be used to galvanize support for the law.

Ancillary Trainings: While the bulk of professional learning resources should be allocated to systems implementing the DMG opportunities and best practices, there are still critical operational trainings that will need to take place. Topics should include, but are not limited to, funding shifts, changes to the rules, IEPs and service plans. These trainings could be regional, in-person workshops or provided as a series of webinars.

Communications Plan: Communicating about the law with various stakeholders was a common theme throughout the day. Participants recognized that different groups would need information framed in different ways. A coherent communications plan was identified as a crucial element of implementation, both at the state and local levels. Participants were asked to reflect on communication as it pertains to Act 173. Participants recognized that messaging varies depending on who is receiving the information. Furthermore, the change process is difficult and many may perceive the changes as a loss. Messaging should center around how changes are best for students, the change in funding is secondary.

LIMITATIONS

Cost

As with any large policy initiative, funding adequate support is challenging. The proposed coaching model will require targeted financial investment and is likely the most effective method of support for school systems, especially those systems that struggle. A discussion about support for implementation with stakeholders and legislators is warranted.

Expertise and Capacity

Robust professional learning opportunities and particularly coaching models calls for identification of ‘experts’. Not only do ‘experts’ need to be identified, but they need to be willing to take on this work. Vermont’s small education community makes finding enough well-qualified ‘experts’ challenging.

A challenge with implementing any law is capacity. It is challenging to find the resources and time to make institutional changes when also having to continue to operate school systems.

Leadership

Proper implementation of this law is a large undertaking. It is necessary to identify the entities and people that will lead the efforts. Coinciding with capacity challenges, ideally, there could be at least one individual that can be dedicated primarily to organizing this work.

Changing Mindsets is Hard

Finally, Act 173 requires a deep reflection on our own mindsets and the culture of schools. There needs to be widespread belief that *all* students are capable of learning at high levels. As students walk into school, every adult supporting their learning needs to view every student as their own -- the mindset of ‘those students’ or ‘not my kids’ cannot persist for the law to work.

CONCLUSION

The principles outlined in Act 173 are both challenging to implement and what are best for our students. The convening of key stakeholders is essential to informing how responsible entities should support LEAs in their implementation. This report aimed to synthesize the key findings from this convening and provide an additional resource to spark conversations about an implementation strategy.

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Appendix A

A Sample of Responses from the Roles and Responsibilities Activity

| Current Practice | Changes To... | Who is Responsible? | How Might It Get Done? |
|--|--|--|--|
| General educators often don't know what high-quality Tier 1 Instruction should look like | Integrated and inclusive settings | Directors of curriculum and special education, professional learning providers, practitioners, and AOE | Provide high-quality professional learning with general and special education teams learning together, AOE clarifies what high-quality instruction looks like, professional learning providers align with expectations |
| General lack of awareness of Act 173 | System-wide awareness of law and define changes | System leaders, school leaders, AOE, associations | There is a need for experts of the law, start internally, move to the board and public |
| Reliance on paraprofessionals | Improved opportunities for students, increased access to high-level expertise | Central office, building-level administrators, school boards | Examination of schools within the systems: How are paras used? How can we increase access to high-level expertise for struggling students? |
| Restrictive language in IEP services | IEP structure and process so that best practices are implemented and reflected | Principal, IEP teams, special education administrators, families, students | Make decisions based on need first. Change and clarify policy and procedures and make them transparent. |
| Practice is reactive to teaching needs, often teach to the middle | Universally designed learning environments | Classroom teachers, leadership teams | Training on Universal Design for Learning, change in mindset |