March 7, 2016

Email message:

I am sorry that I am not available tomorrow to testify. I have provided feedback via email on an earlier version of the bill. I would strongly encourage testimony (at least some reaction) form Vermont Special Education administrators — many of whom you have heard from before (e.g., Joanne Unruh, representing the Vermont Council of Special Education Administrators; Carrie Lutz, Colchester School District; Meagan Roy, Chittenden South Supervisory Union; Marisa Duncan-Holley, Windham SE SU Brattleboro). These are some very sharp folks who understand the intricacies of Vermont special education funding and deal with it on a practical level on an ongoing basis. Few people understand it better than them, and other special ed administrators.

I remain concerned about some of the numbers in the bill (e.g., p. 13 "Full Equivalent Staffing") and their basis (e.g., Piccus Report) and whether this is meant to suggest a desired staffing level, or just meant to indicate what the state will provide? It doesn't take into account what other regular ed (e.g., literacy/numeracy specialists/coaches, Title I teachers) or special education (e.g., paraprofessionals, related services providers) are available. It seems to me that the State has an amount of money it makes available to schools to partially cover the costs of special education. So the task is simply how that money should be divided fairly to meet student needs. At present there is a lot of wrangling and misguided incentives (e.g., labeling students disabled to access more resources) to try to maximize money coming from the state. In doing so, I am not sure there is a need to establish "Full Equivalent Staffing" numbers, especially since their basis is questionable (at least from my perspective). Other than the adjustments and the hold backs, I am not sure what is holding us back from a very simple formula for distribution of available funds. What would be help from a financial modeling perspective would be to see how schools/districts differ in terms of the amount they receive under the current model and what they would receive in a new (proposed). This will likely be an adjustment for some schools, where the amount they receive from the Sate is less, while for others the amount increases. The initial year or two could be a real adjust in some communities, but if the model is fair, predictable, and allows for flexibility and innovation (rather than hampers it as it does now), then schools can adjust.

As I have offered to the Committee in the past, my general recommendation is to use a census (ADM) approach which is adjusted for poverty/ELL and a hold back to deal with small school protection against highly unusual circumstances. That the approach be simplified and predictable. That while the funding must ensure accountability, that it provide schools with flexibility that allows them to innovate and reducing paperwork and reporting demands (e.g., existing time studies).

It is unclear to me the extent to which this bill achieves these ends. For the last few years I have recommended that the AOE, in collaboration with key stakeholders be charged with developing a specific plan for funding that meets these fairness, simplicity, and flexibility standards. While I realize it the legislature's role to craft the laws, I think it would take a sustained effort of a full year period to develop such a plan. Maybe some

portion of the appropriation should be geared toward developing a specific plan in an effort to figure out a plausible and appropriate plan.

I also don't know whether some existing rules need to be undone by this round of legislation or whether they would need to be done in a subsequent round (e.g., if Vermont went to a predominantly census model, undoing things like what is commonly known as the "small group rule or the 51% rule" related to reimbursement).

I guess you might consider this a bit of informal testimony (though nothing I haven't already shared in the past). You are welcome to share this email with the Committee if tat would be helpful.

Best,
Michael

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