

Public Comment on Possible Delays to Act 173

House Committee on Education

April 21, 2020

Dear Senator Baruth and Representative Webb,

With passage of Act 173, we looked forward to a shift in educational practices to better meet the needs of students who struggle. As noted by the authors of the DMG report, a transition to a multi-tiered system of supports (MTSS) model “typically takes 1-3 years of close planning, research, and communication.” As advocates for people with disabilities, and as a member of the Census-based Funding Advisory Group, the Disability Law Project, even prior to COVID-19, was concerned that many of our school districts/supervisory unions (SD/SU) were not prepared to meet this challenge, in particular with respect to professional development and plans for implementing district-wide systems change. Challenges that have arisen from school closure and remote learning will exacerbate schools’ lack of readiness.

As such, we support a delay in implementation of Act 173.

In addition, although the potential for an implementation delay is currently being considered by your committees, the rulemaking process is underway, and we have learned the State Board of Education has no plans to delay that process, despite the COVID-19 emergency, or consideration of overall delay in implementing Act 173.

We support either a delay or an extension of the public hearing process for the current set of proposed rules pending before the State Board. Public hearings are scheduled beginning next week on the newly proposed Rule 1300 Series which addresses changes in funding, and amendments to the 2360 Series which relates to delivery of special education.

Because of the constraints imposed by the Governor’s Executive “Stay Home/Stay Safe” Order, the three public hearings, April 22, May 6, and May 20, are expected to be held remotely. It is important that parents and educators have a meaningful opportunity to participate in this process. The current demands placed on parents and educators, the two groups from whom the SBE must hear, in response to this public health crisis make it nearly impossible for them to participate. Consequently, the value of the public process is diluted. Parent and educator voices are critical to shaping an outcome that results in better outcomes for students. We urge you to support delay in implementation of Act 173, and its entire rulemaking process. Alternatively, to extend the public hearing process by 45 days after the Governor’s order is lifted.

Thank you for your consideration and for your continued dedication and leadership at this time of tumult and uncertainty.

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Vice Chair, Census-based Funding Advisory Group

Good Evening, Chair Webb, Chair Carroll, Secretary French and House Education Committee,

I am writing as a parent of Decoding Dyslexia Vermont and would like to respectfully request an extension of public comment regarding opening the Special Education rules as they pertain to ACT 173.

This is an important and critical juncture of assuring that ACT 173 is implemented with precision and fidelity to assure that all children in Vermont receive the best education possible. As the House members are aware Decoding Dyslexia parents and advocates spent many days testifying for changing in literacy practices throughout schools in Vermont and were able to reference how ACT 173 and MTSS play an important role in the education of all children with Specific Learning Disabilities. A common theme was the consistency of inconsistency in how MTSS is implemented in each district.

We held steadfast in our work on the literacy bill, continuing to monitor the State Board of Education an Census Based Advisory Council meetings to assure we could also bring our experiences and perspective to the implementation of ACT 173.

Currently each parent is under an enormous amount of stress trying to navigate our new world in the setting of COVID-19 as our Continuity of Learning plans were implemented this week. We are working as parents, teachers, special educators, and for many of us continued employees (I myself am a nurse and a school board committee member) and adding the stress of testifying in public comment just next week is an incredible undertaking to expect from parents at this time, yet of course our voices and experiences are such an integral part of this important decision and I am sure the State Board of Education wants to provide every opportunity for parents of children with disabilities to be heard.

It would be greatly appreciated if you would consider an extension of public comment from parents of children with disabilities- as our children are ultimately the individuals affected by the end result.

Thank you for your consideration and time.

Respectfully,

Marylynne Strachan on behalf of the parents, advocates , and children of Decoding Dyslexia Vermont.

Good evening,

I am so grateful to both committees for continuing their work related to the education of children in Vermont. In many of the advocacy circles there has been conversation as you are all aware of about extending the window for public comment on the special education rules due to the Covid-19 crisis. As a parent and Special education advocate I strongly encourage and ask for the public comment period to be extended. It is challenging in a normal situation to be courageous and available to engage in public comment opportunities, but to do so while trying to support children with disabilities navigating their education is impossible. Please do not allow another barrier to the very important voices of those experiencing the impact of the rules being discussed first hand.

Not only is it challenging for those parents juggling trying to help their own children and work, it could present even larger barriers for those parents that may live with their own disabilities. I look forward to following this discussion in both your committees live streams as well as the SBE. If you are looking for testimony from parents or advocates please don't hesitate to reach out to myself or anyone I have CC'ed for names of people who would be available and interested.

Thank you and have a great evening.

Katie Ballard-Essex Junction