



Vermont  
Superintendents  
Association



To: House Committee on Education

Date: April 1, 2021

Testimony: S. 16 School Discipline; School Discipline Advisory Council

From: Sue Ceglowski, Executive Director Vermont School Boards Association

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Thank you for allowing us the opportunity to provide testimony on S.16 as passed by the Senate and sent to your Committee. For the record, I am Jay Nichols, Executive Director of the Vermont Principals' Association. I am testifying on behalf of the VPA along with the Vermont School Boards Association and the Vermont Superintendents Association. Additionally, we are sharing with you, in written form, our previous testimony on S. 16 in the Senate Education Committee on January 27, 2021. That testimony was very thorough as we addressed the bill as introduced in the Senate as well as the concerns that were discussed leading Senator Sears and Ram to bring forward the bill. Our testimony today will be specific to the version of the bill passed in the Senate.

#### Bill Purpose and Findings:

We are supportive of the purpose of the bill. Collecting and analyzing data to drive further actions, planning, and instructional methodology is something we value immensely. When we have a more accurate understanding of student discipline data in the state of Vermont, we will be better poised to use that data to inform decisions. In our original testimony, we discussed this in depth.

#### Section 1: Findings

We are not convinced that Vermont student exclusionary data mirrors national data. An accurate accounting of student discipline data is necessary. We fully support efforts to this end as we have already indicated. We need to really have a clear understanding of Vermont data and what that data tells us about our practices in our schools related to student discipline in general, and exclusionary practices, in particular.

#### Section 2: School Discipline Advisory Council; Report

A) We agree with the creation of a Council to collect and analyze data and to inform planning going forward

B) Membership:

· Our organizations will provide school administrators and other members as appropriate with the development of the School Discipline Advisory Council

· We question the original section 8 which calls for two special education teachers to be appointed by the Vermont Council of Special Educators and no special education administrators. Given the nature of special education law and the intersection between disciplinary actions and manifestation determination meetings necessary when disciplinary action is considered for a special education student, we feel that at least one member of the council should be a Special Education Director.

I think some tightness in this area is worth looking at. We actually like the original language around the advisory council makeup that specifies the positions or roles that will make up the genesis of the School Discipline Advisory Council. For example, the VPA was to have two principals, one secondary and one elementary, on the Council. It might be worthwhile to look at that previous language and discuss the value of proscribing the composition of the Council.

Finally, we are concerned that the Agency of Education may not have enough personnel to collect the data that this law will require and be able to share the data with the Advisory Council in an efficient and effective manner. We continue to worry that the AOE may not have sufficient personnel to participate meaningfully in this process and other tasks, given the increasing number of responsibilities being required of them.

#### Section 6: Change to § 1162

The same rules that apply to public schools and entities should be followed and applied to private schools. Schools still have the latitude to suspend when safety is at concern. This standard should be for all children 8 and younger whether in a public or private school. We respectfully ask that you change the language to say, “a student enrolled in a public school or a private school/program in which the institution is receiving public dollars for all or part of that student’s tuition”

Thank you for the opportunity to testify. We would be glad to answer any questions you may have at this point.