

## AOE Testimony: S.114

**Testimony To:** House Committee on Education

**Respectfully Submitted by:** Jess DeCarolis, Division Director, Student Pathways Division

**Date:** April 13, 2021

### Background and Rationale

- "Investing in the effectiveness of core reading instruction is critical for students in general education and students with disabilities"
- "Students with mild-to-moderate disabilities who struggle with reading may not be supported by teachers skilled in the teaching of reading."
- "While some special education teachers across the SU/SDs had a strong background in the teaching of reading, others indicated that they did not have the training or background to be effective supporting students struggling in reading."

The Agency has been dedicated to -- and commends this committee for its continued support and sustained focus on -- the implementation of Act 173 and improving literacy outcomes for all students. We agree that narrowing focus on PK-3 literacy instruction – consistent with our Blueprint – is an effective strategy for redressing the adverse impacts of COVID, addressing the findings of the DMG report, and realizing the goals of Act 173 in service to all Vermont students.

### Points for Consideration:

#### **Section 3 Literacy Grant Program; Appropriation**

Direct granting to SU/SDs, at a time when they have an enormous amount of funds, are managing myriad demands on them, and are confronting challenges related to recovery will not support the state-level and systemic change that we believe this body is looking for. Here's why:

- The funds to be appropriated are envisioned for fiscal years 2022 – 2024, with the first grant year to begin FY22. Fiscal year 2022 begins on July 1, 2021 – three months from now. This means that even if the Agency was to stand up a new grant program and application process, **we would be placing unbearable pressure on SU/SDs at exactly the moment that they are closing out FY21 and engaging in the essential recovery planning work that will be foundational to multi-year strategic planning.**
- A further complication develops as we consider what is described as a competitive grant program. There has been substantial discussion and commitment to issues of equity – including policies, processes, and systems that contribute to systemic inequity and racism. **With the proposed timeline, many smaller school systems, or systems with larger populations of historically marginalized student populations, or systems who have experienced disproportionate staffing issues, etc. could be unintentionally**

**disadvantaged when attempting to apply for a competitive grant program while managing recovery planning, fiscal year closeout and reporting, etc.**

- With this in mind, and as described in the current bill, this body's commitment to statewide improvement and support would not be realized if the **recipients of the literacy grants were a reflection on their capacity to apply for the grant and not their need or commitment to change.** No matter how well designed the grant program is, or how committed the Agency staff are in managing it, the timeline alone could and would be an impediment for applicants.
- Finally, as mentioned in this section and in Section 9, it would not be appropriate to have either the Advisory Council on Literacy or the Census-Based Funding Advisory Group make determinations on which supervisory unions would receive grants and how much – even in a consulting role. **There would be, by design, built-in conflicts of interest, and the potential appearance of unfair advantage given to awardees.** Removing this language would be another guard against systemic inequity.
- As previously shared by Secretary French, SU/SDs (LEAs) are required to set aside 20% of their ESSER III funds for learning loss. **An immediate and practicable solution in the near term should be to encourage districts to spend some of their required learning loss funds on literacy.**
- **This work should and could be embedded in the current recovery planning process** so as not to create another program for the Agency to administer, or for SU/SDs to develop and submit applications for, during this critical recovery phase.

#### **Section 4. Agency of Education; Staffing**

The Agency fully supports contracting for **project management services to support effective, statewide implementation of evidence-based literacy instruction**, consistent with Act 173 and our [Blueprint for Early Literacy Comprehensive System of Services PreK Through Grade Three](#), and including assisting districts with spending their funds on literacy. Here's why:

- A state-level contract, managed by existing Agency staff and teams, and aligned to the ongoing work of Act 173 and student-centered learning, would best position the State to achieve its goals of statewide literacy improvements, and **alleviate SU/SDs from the logistics of a grant program – e.g., the application and submission process, the hiring of consultants and experts (and likely competing against each other in a small state), the managing of funds, etc.**
- A state-level approach supports consistency and coherence across the state **and avoids the risk of pockets of improvement side-by-side with gaps in performance or opportunity.**
- **ESSER State set-aside funds can pay for these costs.**

The Agency does not support using one-time federal funds to establish a classified position at the Agency. Here's why:

- We are in agreement with the committee that **literacy is not a short-term initiative, and it deserves a sustainable approach.**

- Additionally, there are concerns in identifying a specific position that, as currently described in the bill, is **inconsistent with the existing position classification system and contributes to disparities in pay and responsibilities in state systems that already exist.**

### **Section 5. Advisory Council on Literacy**

- The Agency supports the creation of an Advisory Council on Literacy.
- However, re: (d)(1) – The Agency recommends that the committee consider adding language that would encourage the Advisory Council to be future forward in its orientation and consider implementing the existing literacy plan (the Blueprint) before recommending updates. The current Blueprint was revised on November 25, 2019 and published on the Agency website January 29, 2020 – less than two months before emergency closure. This literacy plan was developed with the expertise and counsel of representatives from Champlain College and UVM’s Department of Education, parents, VSA, the SBE, VPA, VCSEA, VTCLA, Building Bright Futures, and many others. It was informed by recommendations from the DMG report. We agree that there is a sense of urgency to moving this work forward now. **Saving the Council time on revising what has been revised, and focusing their efforts on plan innovations, such as supporting the development of board and system policies (e.g., on local assessment practices, evaluation and intervention practices, or needs-based professional learning) will move supervisory unions/districts, and the State, forward faster.**

### **Section 9. Agency of Education; Literacy Plan**

- Additionally, if an Advisory Council on Literacy is created, **there is an inherent tension in coordinating the spending of federal funds on state-identified literacy strategies and initiative while simultaneously updating the literacy plan (Blueprint) that outlines those strategies.** The Agency recommends that the Council develop a set of recommendations for updating the literacy plan, including regulatory requirements. This would necessarily be effective in both statewide implementation efforts supported through contracted services and existing Agency initiatives, as well as developing any future grant program (as recommended) to sustain a statewide framework for literacy improvements. A plan without regulatory requirements is not useful for improving outcomes.

### **Section 10. Teacher Preparation Programs; Review**

- **The Agency is currently working** with the Education Development Center/ Region 1 Comprehensive Center (R1CC) **to conduct an assessment of the degree to which educator preparation programs (EPPs) are adequately preparing teachers in Vermont to incorporate literacy instruction in their classrooms** and the degree to which preparation is in alignment with the state’s Literacy Blueprint.

### **Section 11. Agency of Education; Reports**

- The Agency has significant concerns about timing. Consistent with concerns raised in Sections 3 and 9, **Section 11 asks that the Agency report on implementation of this bill**

within 55 business days from today's testimony, and only 21 days after all recovery plans are due from SU/SDs.

### **Section 12/Section 9. Census-Based Funding Advisory Group**

- **The Agency does not support expanding the scope of the 173 Advisory Group.**
  - The Agency currently has an infrastructure, an internal cross-discipline team, that meets weekly to ensure coherence across programs and initiatives as they pertain to Act 173 implementation and then deploys out to the various advisory groups supporting Act 173. **Any literacy initiative will be a standing item for updates and discussion with the Census-Based Funding Advisory Group as a matter of course.**
  - Additionally, **there is an inherent risk of duplication, conflict, and, subsequently, incoherence and delay**, if two advisory councils are advising the agency but are governed by different legislative mandates.
  - Finally, consistent with concerns outlined in Section 3 related to conflicts of interest, it would be inappropriate to have any legislatively convened body of non-governmental employees help develop a grant program or best practices, and then determine awardees based on that grant program or its requirements, of which one or some of them could be recipients.