

TESTIMONY PROVIDED TO: House Education Committee

FROM: Meagan Roy, Ed.D. (Superintendent, Washington Central Unified Union School District; Former Chair, Census-Based Funding Advisory Group)

TOPIC: Act 173 Implementation

DATE: January 18, 2024

Thank you for the opportunity to provide an update from the field regarding the implementation of Act 173. From 2018 to June of 2023, I served as Chair of the Census-Based Funding Advisory Committee, a legislatively-appointed committee charged with, among other things, advising the Agency of Education and school districts in the implementation of the Act. With the sunset of the Group, there is no longer a formal structure that has an advisory capacity. To support this testimony, I have gathered input from the Vermont Superintendents Association, Vermont Principals' Association, Vermont Council of Special Education Administrators, and the Vermont Curriculum Leaders Association.

I've organized my comments around the three questions posed by the committee. In several places, my testimony reiterates and references the final recommendations of the Advisory Group. It is instructive to this committee that many of my comments are indicative that the Advisory Group recommendations are still relevant - which is to say, there are still significant concerns about the coordination of implementation. A review of the final recommendations may be of interest to the committee ([linked here](#)).

What is the role of the Agency of Education in promoting best practices and have they been able to fulfill that role?

The Advisory Group identified four components of ongoing oversight and support that the Agency needs to provide in order to support implementation of the Act. It recommended that these components be part of a comprehensive and clearly articulated plan.

1. Identify the evidence-based practices and framework for implementation.

The Agency has been successful in identifying a policy framework that articulates evidenced-based practices in MTSS implementation. Some of this work predated Act 173 with the development and later revision of the [VTmtss Field Guide](#). In addition, the State has identified a [process document](#) that helps school districts navigate the Agency tools (this process document was distributed in June of 2022)

The remainder of the recommendations address the issue of coordination. It is the perspective of the education organizations that Agency efforts continue to fall short of the level of coordination necessary to support schools. While many resources exist on the Agency's website, and are pushed out via communication channels such as the Weekly Field Memo, resource distribution is not a substitute for comprehensive and cohesive approaches.

2. Design a multi-disciplinary model for professional development that would be accessible to districts at all levels of implementation.

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When asked, the Agency will reference a number of training and technical assistance efforts that they tie to implementation of Act 173. Some of those trainings pre-date the development of their framework, so it is somewhat unclear whether their origin was to support implementation. The offerings tend to take a scattershot approach originating in multiple areas of the Agency, and provide little in the way of cohesion for districts. Some of the offerings offer conflicting approaches to implementation, and some are inconsistent with Vermont's own field guide.

What is most missing in the Agency's model is coordination. Offering multiple options without a cohesive plan to channel individual districts to offerings results in disconnected efforts that generally benefit only those districts who are already engaged in the work. Technical assistance that is offered on an as-needed basis is not only insufficient to address the level of variability that continues to exist in the state, but perpetuates an incoherent approach that prevents the Agency from understanding what the state needs as a whole.

3. Identify those districts that would need significant support in implementation so that professional development resources could be targeted.

Our organizations do not believe the Agency has sufficient ability to identify districts in need of support. Without this ability to target their support, the state perpetuates long-standing inequities that exist between Vermont schools. We understand that the Agency references the MTSS survey as their primary metric for monitoring. However, the survey does not appear to collect the information necessary that would allow the AOE to identify those in need of more specific support. Technical assistance by the MTSS team, as noted above, is provided upon request rather than in any systematic way.

4. Develop a clear mechanism for ongoing monitoring and support for MTSS implementation.

What the state lacks is a clear manner to "formatively assess" implementation. Formative assessment with students is when a teacher identifies what learning target is being measured, collects data on where that student is, and then looks at the data to determine how to respond. It allows them to respond individually to the student's needs, and it allows them to assess patterns of learning that can drive overall instructional planning needs for the classroom and the broader school. This is what Vermont schools need.

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In 2023, the Agency distributed the [VTmtss Summary Report](#). This represents a potential step forward toward summarizing and using the data for impact; however, our organizations believe it is insufficient and does not appear to have impacted professional development offerings.

Do districts have access to other resources that are helping them implement best practices?

Vermont’s education organizations, along with other professional development entities (the Higher Education Collaborative and Educator Development Centers) have largely functioned to provide professional development to the state that is organized specifically around elements of MTSS/173 implementation. It is not unusual for outside organizations to provide resources; however, in this case it is clear that the education organizations are the primary provider of professional learning rather than playing a supplemental role. Again, this is without coordination of efforts from the Agency.

The issue of “resource access” is complex. Resources include human resources (Do schools have the substitute capacity that allows educators to leave the classroom so they can access professional development opportunities? Do schools have sufficient intervention resources to provide the services students need?), financial resources (for funding professional learning and providing staffing) and system capacity (there are many competing demands that make it difficult for districts to focus on implementation - early education, funding changes staffing shortages ongoing impacts of the pandemic, PCBs, school construction). It is beyond the scope of my testimony to speak broadly to the issue of resource access.

Are those districts who have been ahead of the curve able to demonstrate results in any way?

It is the perspective of Vermont’s education organizations that the Agency does not have a quantifiable way to identify successful implementation, nor do they have consistent student outcome measures that could be compared to document results.

Without this, it would be difficult to measure and identify districts who are ahead of the curve. Anecdotally, the Education organizations believe that districts who have found success in MTSS have been working on implementation since long before the passage of 173 (therefore implementation is not connected to the coordination work of the Agency) and have sufficient personnel and implementation resources to dedicate to the work over time.

Summary Comments

In conclusion, I would like to bring this committee back to a final comment from the Advisory Group to the General Assembly:

“Over the course of its existence, Advisory Group recommendations have been consistent, particularly in the area of professional development. Despite this, the Group has not seen significant progress in moving those recommendations forward. This causes the Group to be

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concerned about ongoing implementation after it ceases to exist in its advisory capacity. The General Assembly needs to understand that additional accountability and oversight is needed for full implementation of Act 173.” (*Act 173 Final Recommendations, June 2023*)

I believe the thoughts shared today are illustrative of this original concern.

Recommendations

Our organizations would recommend the following:

- Monitoring:
 - This committee could request more specific information from the Agency to monitor implementation. It is reasonable to expect that the Agency would be able to speak in detail to the performance of districts relative to Act 173 implementation.
 - Vermont has a number of continuous improvement structures that already exist that can be leveraged for MTSS/Act 173 implementation. The Agency should be able to report on those structures and how many districts are receiving support in MTSS implementation as a result of those assessments. The burden of data collection should not be placed on school districts; it is important for this committee to recall that a policy intent of Act 173 was to ensure that educators spend more time on instruction and less on cumbersome administrative tasks. Monitoring is the responsibility of the Agency, and should be used to inform meaningful support from the Agency.
 - The Agency has an existing tool with potential to be helpful for districts and provide effective monitoring for the state. The MTSS self-reflection tool associated with the field guide is designed for school districts to identify their current state and prioritize next steps. If the Agency could more clearly articulate a set of consistent benchmarks within that tool, they may be able to use it formatively to identify patterns for the state.
- Coordination:
 - We would reiterate the need for the Agency to provide more effective coordination of the various professional learning. It is insufficient and ineffective to simply offer professional development. Coordination should include:
 - Supporting districts to identify their training needs (see above comments on the self-reflection tool)
 - Organizing the various training opportunities with each identified lever of implementation, so the professional development path for districts is clear
 - Regular reporting on how many districts access trainings and how trainings are being adjusted to respond to district need
- Additional Legislation
 - As it contemplates additional legislation surrounding instruction, our organizations would urge the general assembly to understand Act 173 as a solid and significant policy lever that will impact instruction and has not been fully realized yet. We would recommend continuing to invest in the full implementation of this policy, as it will have real impact on other instructional concerns that the general assembly has been contemplating.

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- Program Evaluation

- The Agency should give consideration to contracting with an outside entity to evaluate the effectiveness of their professional development efforts. This study could analyze a number of metrics, including how often districts are accessing the AOE resources, the fidelity of implementation, and corresponding student outcome measures. **Arguably, without a comprehensive program evaluation of the Agency's implementation work, Vermont's laudable policy efforts associated with Act 173 may not be realized.**