

Good morning Chair Peter Conlon, Vice Chair Chris Taylor and Members of the House Committee on Education. Thank you for inviting me and my colleague to provide testimony on H630, legislation to create Regional Boards of Cooperative Education Services.

I am Sherry Sousa, Mountain Views Supervisory Union Superintendent. I'm joined by Jill Graham, Vermont Learning Collaborative (VTLC) Executive Director. Jill joined VTLC this August and brings almost 20 years of experience working within collaborative models in Massachusetts. In my now 40th year as an educator, I have served my students and community as a special education teacher, building based administrator, Director of Special Education, and over the last four years, Superintendent.

VTLC has a strong committed Board who have been pioneers in envisioning regional services for many years. This group proactively set aside funding to conduct a landscape analysis for regional services and an Executive Director search. As a result VTLC, relaunched as a private entity with an Executive Director who brought significant collaborative experience, and began regional services in the summer of 2023. The barriers and obstacles that we will outline below are threatening the existence of VTLC beyond this fiscal year. Not all areas of the state have had this same interest for regional services, experience with educational service agencies, or the foresight to allocate start-up funding, further jeopardizing the full realization of the benefits of Cooperative Educational Services.

These service agencies have existed for more than 50 years across the United States. The model exists as a result of area superintendents acknowledging that the allocation of their collective resources to create and support specialized services, result in economies of scale that are cost effective and provide better outcomes for students. Educational service agencies can offer an extensive array of services from transportation, professional development, staffing, specialized educational programming, shared services and cooperative purchasing, to name only a few. In New England, other states have strong oversight and governance structures at their Departments' of Education whereby BOCES are extensions and partners of the state educational agencies. BOCES has a parent organization, AESA - Association of Educational Service Agencies, which provides guidance and support to educational service agencies across the country.

The overarching mission of a BOCES is to be the go-to provider for member districts' unmet needs, in a cost effective manner. BOCES have the capacity to be a liaison between the state education department and their member districts. A BOCES also offers potential savings for the State. When students are placed educationally outside of their district, tuition and transportation costs often exceed the \$68,000 excess spending threshold. That means the State is responsible for any costs beyond that limit. By reducing the need to outsource programming, students access their education closer to home, and districts and the State realize cost savings.

When H630 came into law in June of 2024, the Vermont Agency of Education was tasked to support the implementation of Cooperative Educational Services. In the last months, the Board of VTLC and the Director completed their draft of the required Articles of Agreement. Once submitted

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to AOE, we learned that they lack the expertise and infrastructure to meet the expectations of this law. For Superintendents to meet the tenants of H630, a clearly articulated process for developing the agreements, submission of the document, and approval of BOCES must be put in place. Established structures exist in other states to support the implementation of BOCES. Currently, the foundational system is not available in Vermont to fully realize the benefits and opportunities of Cooperative Educational Services.

The successful implementation of Vermont H630 relies on individual School Boards to support a new service delivery model that offers the possibility of greater positive impacts on student outcomes and savings for their budgets. There appears to be concern from School Boards regarding the sharing of funds between districts for the establishment of student opportunities. Addressing the level of trust needed between districts to achieve the merits of H630 is another obstacle that must be considered.

The Board of Mountain Views Supervisory Union has supported this work as they have seen the benefit of creating specialized programs within the confines of the District. Students are able to access programming within their home communities and new skills that can be practiced within their public schools. Currently in a district of over 1000 students, we have two students in a residential placement and two in day placements. This model of creating specialized programs at a regional level, and offering meaningful professional development that builds educator and district capacity, has resulted in the containment of special education costs for MVSU.

The current structure of H630 does not allow newly forming Cooperatives to access funding until the Articles of Agreement are written, submitted and approved. Articles of Agreement as outlined in H630 to create BOCES require a set of skills and expertise that is beyond the capacity of Superintendents and Special Education Directors. The upfront costs to access this expertise, and the quantity of time needed to organize, determine their BOCES focus, and complete the Articles of Agreement, prohibit these groups from meeting the intent of the law. Funding needs to be up front in order to complete the Articles of Agreement and to contract with those individuals who can support the development of these programs. Initially, VTLC used funds from a previous regional organization and ESSER dollars from participating districts to meet this financial obligation. In speaking with other Vermont Superintendents wishing to form a Cooperative, this lack of funds prior to the writing of the Articles of Agreement is stopping them from moving forward to create such a regional structure.

The range of services and programming currently available to form BOCES in Vermont is limited by the lack of guidance provided in current legislation. For example, development of regional specialized programming is a challenge as agencies are not yet considered BOCES. The suggestion of consortium agreements has been raised by the AOE as an alternative to BOCES, but without further examples or detail.

Knowledgeable resources are available in other states and nationally that model different financial and governance structures where these agencies are well established and flourishing. Both

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Massachusetts and Connecticut have educational service agency models that are strong and successful in their partnerships with their state agencies and their member districts.

A successful BOCES has a committed Board of Directors who see their agency as their primary provider of resources to address unmet needs. This commitment creates stability in the services that a BOCES is able to offer. Currently in Vermont, access to disability specific experts has become increasingly challenging. BOCES can bring educational and financial efficacy to regional districts and the state. Superintendents are tasked with convincing their School Boards of the need for regional programming and with securing membership commitment. All this at a time when budget constraints at the district levels are significant. The “opt in” model at the local level creates another barrier to successful BOCES creation across the state.

Students who require specialized instruction in Vermont are suffering from a limited pool of well trained special educators and access to appropriate programming close to their homes. For years, Vermont has not had an appointed Director of Special Education who would identify unmet needs and offer opportunities for professional growth. Without this depth of expertise and training, a greater number of students are needing out of district placements either as day students or as residents. Directors of BOCES can provide the consultation and guidance needed to inform individual student program development, as well as develop specialized programs that are shared by districts and that allow students to transition easily from their home schools and back. Not only does this provide stronger outcomes for our most vulnerable students, but allows individual districts to reduce their Special Education costs. Without the commitment of School Boards and financial resources to begin the formation of Collaboratives, this situation has little hope of changing.

Even with the level of expertise and financial resources that VTLC has, we are at a point where our Collaborative may no longer exist after June 1, 2025. Not all School Boards within the Southeast Region appreciate and financially support the opportunities that could be realized by our Collaborative. The benefits of programs closer to home communities and access to deep professional development take time to realize. There are costs associated with employing a highly qualified Director and related service providers that are not covered with start up funds. If we can identify resources to support the next school year, we believe that the Collaborative will be self-supporting and that membership fees will be reduced. The VTLC Board continues to work with the supporting Supervisory Unions to create a model that can sustain us as we solidify our program. There are few guarantees that this can be accomplished.

VTLC Board Members and the Director have been approached by other Superintendents regarding creating their own BOCES. They have two concerns. How do we fund the cost of consultation to write their Articles of Agreement, and how do we convince our Boards of the need for this programming? While the interest is there, the ability to effectively collaborate is blocked by lack of financial resources and the trust of Boards that the sharing of resources is possible.

In summary, the obstacles to realizing the full potential of Cooperative Educational Services include:

- Access to funds to begin the formation of Articles of Agreement and associated BOCES' start up costs
- Needed expertise in the formation of BOCES programs
- Support for BOCES agreements by School Boards
- Agency of Education infrastructure to meet the requirements of H630
- Clearly articulated process for developing the agreements, submission of the document, and approval of BOCES
- Lack of expertise in mental health services for those regions seeking to utilize BOCES to support students with growing mental health needs

Thank you for providing us with the opportunity to share our experience in establishing the Vermont Learning Collaborative and the obstacles we have recognized for VTLC to continue and for other BOCES to form. We strongly believe that this model can address many of the challenges our Districts are facing, to realize an economy of scale, and to improve the expertise required to support students with significant learning needs.