



**Act 173 Advisory Group  
Stakeholder Workgroup Meeting  
December 22, 2021, 12:00-2:00 p.m.**

**Draft Meeting Minutes**

**Microsoft Teams Virtual Meeting**

**Call In: 1-802-828-7667**

**Conference ID: 799 729 698#**

*Purpose of the Advisory Group per [Act 173 of 2018](#): To consider and make recommendations on the implementation of a census-based model of funding for students who require additional support.*

***Present:***

Advisory Group (AG) Members: Meagan Roy, Chair; Marilyn Mahusky, Vice Chair, Disability Law Project; Jeff Fannon, Vermont-National Education Association (VT-NEA); Jeff Francis, Vermont Superintendents Association (VSA); Peter Garrecht, Vermont Council of Special Education Administrators-selected special educator; Jay Nichols, Vermont Principals' Association; Mill Moore, Vermont Independent Schools Association (VISA); Lisa Bisbee, VT-NEA-selected practitioner; Sue Ceglowski, Vermont School Boards Association; Brenda Fleming, (joined at 12:45 p.m.), VT Association of School Business Officials (VASBO)  
AOE: Emily Simmons, Maureen Gaidys.

Others: Chelsea Myers

**Call to Order, Roll Call/Introductions/Amendments to Agenda**

Chair Roy called the meeting to order at 12:05 p.m. and called roll. There were no amendments to the agenda.

**Opportunity for Public to be Heard**

There were no members of the public to be heard.

**Discussion of Act 173 Timeline**

Chair Roy explained that the purpose of the working session is to do some work ahead of the January 3 full Act 173 Advisory Group (AG) meeting around a potential delay of implementation. The group is charged with brainstorming potential options related to the delay and map out the pros and cons of those models to be presented back to the full AG for action at the January 3, 2022 meeting. Any action taken on January 3, 2022 will be included in the report to the General Assembly. Roy spoke about the pre-pandemic work that addressed professional development (PD) and what was needed to effectively implement the programmatic portion of Act 173. She said the conversation should be grounded in the PD work and asked Myers to summarize the pre-pandemic working session. Myers explained that education organizations were represented and were asked to designate practitioners to participate. They did a baseline information session, had activities that scanned the PD field and identified what elements would need to change, and lastly a brainstorm of what was needed to successfully implement PD. The [Vermont Superintendents Association's report on Supporting Systems on Act 173 Implementation](#) was shared with the group and discussed.

Chair Roy clarified that AOE did not have a formal position on delaying Act 173 implementation. Simmons said the AOE is still neutral and open to considerations and that Secretary French will decide the AOE's position.

Chair Roy shared a note-taking tool titled 173 Implementation Adjustment Worksheet and asked for feedback on using this tool and/or having an organic conversation. There was discussion on not knowing the best course of action and not having an opinion, feeling overwhelmed with Act 173, risk benefit analysis, adhering to the law, delaying implementation impacts marginalized students, lack of special education teachers, staffing shortage impact on implementation, some systems in the state will not be able to respond to programmatic requirements by implementation date, salvaging progress made on Act 173, this is not a special education issue but a systems issue for all students, needs to be implemented well, not punishing those systems who are ready, concern for general education teachers, and phased implementation.

Chair Roy spoke about Act 173 implementation and possible configurations for delay and that those are additional PD lifts that are placed and not necessarily needed to implement the broader law. Chair Roy proposed Act 173 (multi-tiered systems of support (MTSS) and census grant) go into effect in July 2022 and non-173 changes are delayed. Simmons explained that Rule Series 1300 and 2360 have completed rulemaking and have an effective date of July 1, 2022 and the State Board of Education (SBE) could amend provisions of that rule by initiating a new rulemaking process. The GA has greater authority and could change implementation dates for any of the elements. Mahusky stated that her group/advocates would oppose a carve out of those two pieces (MTSS and census grant) and would likely testify in opposition to this. She said she is still unsure of which districts need the most support and asked about targeting these districts. Price concurred with Mahusky's comments and said she and her parent groups would oppose a carve out of implementation. There was discussion on money budgeted for PD, contracting for PD, AOE identifying districts needing support, and making a recommendation for a directive to AOE to do so.

Chair Roy suggested discussing the districts that will be financially impacted by the shift to the census grant. There was discussion on paying close attention to the interplay between the weighting study implementation and the census block, that this work should not be siloed, delaying shifts concerns, budgets are built, and delay could cause chaos with budgets, the yield (range) is significantly bigger this year and could be a bridge to adjustment, and introducing the \$90 million surplus into the AG's recommendation. Chair Roy asked if there was another scenario to be entertained. She also said there might be additional ideas that surface between this meeting and the next meeting of the full AG. Chair Roy also said it would be helpful to hear from the programmatic side of AOE, especially since they were not able to participate in this meeting.

Chair Roy said that when Rule Series 2200 is discussed in January, there will be discussion on volunteers participating in the SBE's Rule Series 2200 subcommittee. The SBE has indicated such through several emails and that will be discussed further at the full AG meeting in January.

## **Adjourn**

Chair Roy adjourned at 1:24 p.m.