



## Committee of Practitioners

*February 25, 2016*

*Agency of Education (219 North Main Street, Barre)*

*4<sup>th</sup> floor Meeting Room #423*

### A G E N D A

*Section 1603(b) of the Elementary and Secondary Education Act (ESEA) as amended by the Every Student Succeeds Act of 2015: Each State educational agency that receives funds under this title shall create a State committee of practitioners to advise the State in carrying out its responsibilities under this title. The duties of such committee shall include a review, before publication, of any proposed or final State rule or regulation pursuant to this title.*

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|-------|--|
| 9:00  | Welcome & Introductions  |
| 9:15  | Item #1 – Procurement Guidance Document<br>(Presentation & Discussion)                                   |
| 10:00 | Item #2 – Supplemental Education Services (SES) Decision<br>Making Points<br>(Presentation & Discussion) |
| 10:45 | BREAK  |
| 10:55 | Every Student Succeeds Act Overview<br>(Presentation)  |
| 11:45 | Wrap up & Adjourn  |

## **Item #1: Technical Assistance to LEAs on Procurement Requirements**

### ***Rationale:***

During the past few years AOE staff has provided information to LEAs on the Uniform Guidance which is the uniform administrative requirements for cost principles and audit requirements for federal awards. A key component is how good and services are purchased by awardees. This is referred to as procurement. All LEAs were advised to develop a procurement procedure and follow it when purchasing good and services, including contracts for professional services (consultants, trainers, etc.) In both fiscal and program monitoring, AOE staff has discovered that even if an LEA has a procedure, it is not always followed. This could lead to audit findings and disallowed costs. To help LEAs prevent this. AOE staff has created a draft technical assistance guide.

### ***Requested Support from the Committee of Practitioners:***

AOE staff wishes to present the working draft to the Committee of Practitioners to improve the usefulness of the guidance. It is hoped that the COP, representing grantees will be able to review the document and provide AOE staff with comments, ideas and specific improvements. Please see attached draft document.

AOE's goal is to complete the review of the draft, have it vetted internally, and then share the guidance with LEAs no later than the end of March.

### ***Resulting Action***

AOE staff used COP feedback to update the guidance document. The document was used at the spring conference and will eventually be posted on the AOE website.

## **DRAFT: Proposed Technical Assistance for LEAs on Procurement Requirements**

**AOE Goal:** To develop a technical assistance guide for LEAs to prevent potential audit issues. This guide will be a sample to help LEA's meet federal procurement regulations.

### **Timeline and Process for meeting Procurement:**

**LEA Need/Goal:** Describe Need and Goals

**Grant Application:** Write an approvable investment in the application

### **Determine Procurement Type (Procurement Step 1):**

- Micro-Purchase
- Small Purchase
- Sealed Bids
- Competitive Proposal
- Non-competitive Proposal (Sole Source)

### **Advertisement (Procurement Step 2):**

- Make sure advertisement is clear and concise.
- Accurate detailed deliverables of work.
- Rate of pay is clearly defined.

### **Review/Consider Responses (Procurement Step 3):**

- Proposal consideration of cost and choice of vendor based on best value.
- Proposal consideration on best match to meet the stated need and to achieve stated goals.

### **Contract Administration (Procurement Step 4):**

- Accurate detailed deliverables of work **as approved** in grant investment.
- Rate of pay is clearly defined.
- Invoice requirements: clear billing information and break down of charges.
- Evaluation requirements (ex. survey of teachers completed by the consultant).
- Signed by authorized employee and dated by both parties prior to start of work.

### **Invoicing:**

- Do not pay an invoice with federal funds in advance of the work being completed.
- Verify work billed on invoice was completed satisfactorily and per contract terms and matches the deliverable(s) in the contract. (for example - authorized program staff signs and dates the invoice noting "Ok to Pay" and adds account code(s)).
- Unit on invoice is consistent with contract. (for example - If contract defines rate of pay as per day rate – invoiced unit must be per day)
- If invoice contains charges for non-federal work or multiple federal programs, the invoice must be clearly written to be able to separate the charges.

### **Sample Documentation:**

(Add disclaimer regarding sample)

### **Sample Need/Goal:**

To improve practicing educator's knowledge, skills and dispositions related to curriculum, instruction and assessment to enhance student performance at the Middle School level.

### **Example of an activity to meet Need/Goal:**

Provide high quality professional learning on curriculum, instruction and assessment (i.e., engaged learning, developmentally appropriate practices, small learning communities, metacognition, formative assessment, etc.) via job embedded professional learning.

### **Sample Investment from Grant application:**

To improve educator's knowledge, skills and dispositions related to curriculum, instruction and assessment at the Middle Sch., consultant to provide job-embedded professional learning (inc. demo lessons, lesson study) for all teachers. Focus is on use of formative assessment to guide instruction. Costs includes consultant @ 450. 00 per diem (4 days per month) & materials.

### **Determine Procurement Type (Procurement Step 1):**

(add a type)

### **Advertisement (Procurement Step 2):**

School District is looking for contractor to provide 36 days of job embedded professional learning to teachers at the Middle School level on assessment, curriculum and instruction. Requirements include a master's degree in education, current teacher certification, middle school teaching experience, and adult learning experience (instructional coaching a plus).

### **Review/Consider Responses (Procurement Step 3):**

(add how a choice might happen)

### **Contract Administration (Procurement Step 4):**

Provide high quality professional learning on curriculum, instruction and assessment (i.e., engaged learning, developmentally appropriate practices, small learning communities, metacognition, formative assessment, etc..) via job embedded professional learning provided by consultant. Include evaluation requirements (ex. survey of teachers completed by the consultant)

### **Invoicing:**

Date: March 16, 2015

Time: 8 a.m. – 3:30 p.m.

Place: ABC Elementary School

Consultant (Abe Consultantine) provided job-embedded professional learning to 12, middle school teachers. Included a full group PLC on formative assessment with

discussion on implications for instructional practices, followed by demonstration lessons (with small groups of teachers observing in each classroom). End of day debrief with planning for next steps (see attendance sheets and notes).

**AOE Next Steps:**

- Add references to law
- Add definition page
- Review with COP
- Review for final product / complete
- Decide on distribution in AOE and to LEAs

**LAST UPDATE: 2/17/16**

## **Item #2: Procedure to Develop a Transition Plan for SES and Public School Choice**

### ***Rationale:***

On December 10, 2015 the President signed into law the reauthorization of the Elementary and Secondary Education Act, known as Every Student Succeeds Act (ESSA). As part of the Act, the US Secretary of Education is charged with ensuring an orderly transition from the requirements of No Child Left Behind to the requirements of ESSA. In a *Dear Colleague* letter dated February 5, 2016, the US Secretary allows states to discontinue the requirement for LEAs in improvement status to offer Supplemental Education Services (SES) and public school choice in the 2016-17 school year. In order to ensure an orderly transition if a state decides not to require LEAs to provide these interventions, the state must develop a one year transition plan for ensuring that LEAs provide alternative supports for student who would be eligible for SES and public school choice. In composing the plan, the State must engage in timely and meaningful consultation with relevant stakeholders, including parents, teachers, LEAs, and principals

### ***Requested Support from the Committee of Practitioners:***

The Committee of Practitioners (COP) is representative of the stakeholders needed for consultation. The State asks that the COP provide guidance to the State on:

1. The best manner to obtain the stakeholder input in a timely manner; and
2. Components to include in the transition plan that meet the requirements laid out in the *Dear Colleague* letter.

A template of what the State must assure is attached and should be used as guidance for the requested assistance.

### ***Resulting Action***

AOE staff incorporated COP feedback and the transition plan was submitted to and approved by the U.S. Department of Education.

[Date], 2016

Ann Whalen

Delegated the Authority to Perform the Functions and Duties of  
Assistant Secretary for Elementary and Secondary Education  
U.S. Department of Education  
Office of Elementary and Secondary Education  
400 Maryland Avenue, SW  
Washington, DC 20202

Dear Ms. Whalen:

[State] elects to develop and implement a transition plan to provide alternative supports in the 2016–2017 school year for students eligible for supplemental educational services (SES) in schools with the greatest need (*e.g.*, schools with large numbers or percentages of students eligible for SES, or as defined in the State’s transition plan).

[State] assures that:

1. It will engage in timely and meaningful consultation with relevant stakeholders, including parents, local educational agencies (LEAs), teachers, and principals, when developing the transition plan;
2. It will publicly post its transition plan no later than Friday, May 6, 2016 in the manner in which the State customarily provides such information to the public (*e.g.*, by posting its transition plan on its website);
3. It will explain in the transition plan how it will provide or ensure that LEAs provide students eligible for SES in schools with the greatest need (*e.g.*, schools with large numbers or percentages of students eligible for SES, or as defined in the State’s transition plan) with alternative support and improvement activities intended to improve student outcomes, consistent with allowable uses of Title I funds and all applicable fiscal requirements; and
4. Consistent with ESEA section 1116(b)(13), it will require LEAs to permit a student who previously transferred to another public school under the No Child Left Behind Act of 2001 (NCLB) to remain in that school until the child has completed the highest grade in that school.

Sincerely,

[Chief State School Officer]

Committee of Practitioners Meeting  
 Thursday February 25, 2016  
 9:00 am – 12:00 pm  
 Agency of Education, 219 N. Main Street, Barre Room 423

**Attendees:** Chris Case (AOE), Amy Fowler (AOE), Jennifer Gresham (AOE), Ed Haggett (AOE), Nancy LaBella (WCSU), Julie Longchamp (VT-NEA), Denise Maurice (Barre – St. Michael/St. Michael), MC Moran (AOE), Mary Mulloy (AOE), Sherry Sousa (WCSU), Donna Stafford (AOE), Tracy Wrend (LSSU)

**Item #1 – Technical Assistance to LEAs on Procurement Requirements**

Summary of Discussion	Recommendations/follow-up
<ul style="list-style-type: none"> <li>• Background – 2 years ago federal government created “uniform guidance”; it’s AOE responsibility to carry out provisions of fiscal requirements; many LEAs are struggling with issues around procurement, especially when there is a specific product and the lack of external consultants in VT. There are very specific procurement requirements that need to be followed as well as contract/invoice matching concerns. Auditor could disallow funds based on a technicality. Need to protect LEAs from audit. Will provide Tech Assistance with this new document.</li> <li>• Discussion: going to be incredibly helpful for new curriculum directors; concur – thank you Title for your training and the documents you put together – this level of support is excellent; confusion around micro purchase; issue is more on the ground with the principal working with the contractor;</li> <li>• One of the things AOE thought of – training for the consultants on contracting?</li> <li>• Any other pieces confusing? AOE may be backing off of asking the name of the consultant in the investments then add during the amendments</li> <li>• Feedback on difficulty on finding multiple quotes – Google for product/goods, postings in School Spring; advert in newspaper – length of time for wait needs</li> </ul>	<ul style="list-style-type: none"> <li>• Definition of micro purchase vs. small</li> <li>• Do all these steps apply for micro purchase? Suggestion to do an if/then flowchart or another visual</li> <li>• Is there a super simple way to get this information to the building level? Really basic “when to check before change”? Dos &amp; Don’ts?</li> <li>• Create a simple contract checklist: Responsibilities of a contractor are... Responsibilities of the principal are...attach to the sub grant level – would help to support transitions – by accepting this money you agree to...</li> <li>• Physically separate out samples</li> <li>• Anticipate questions about timeframes on procurement within application and amendment process</li> <li>• Find out if they can use a third party to find a consultant or expert and what the process would need to look like</li> <li>• Need more specific information on what best value/best match/stated need for conferences – what does that documentation look like? MC could adapt her plan on conference for this purpose? A fillable template would be great.</li> <li>• Put on document that it has multiple applications and what those applications are – conference, PD, goods, etc.</li> <li>• Find out how long documents need to be maintained in the central offices</li> <li>• Refresher on how to administer admin time/indirect costs</li> </ul>



Summary of Discussion	Recommendations/follow-up
<p>to be realistic depending on scope of investment – might the training for contractors bring interested people out? Hiring a third party to find someone?</p> <ul style="list-style-type: none"> <li>• What about conferences – need to procure when attending? Or training for Wilson? How do we show that it’s the “best” one as it’s the one we’ve picked for the district? As an independent school who receives services – you fill out this plan based on a request from the SU/SD but it would be in best interest to fill out proactively</li> <li>• How long do schools/central offices have to hold on to documents for evidence of procurement?</li> </ul>	<ul style="list-style-type: none"> <li>• How long is an advertisement required? Who decides that? Can SU/SD make that decision and put it in their policy? – meet the reasonable standard?</li> </ul>

**Item #2 – Procedure to Develop a Transition Plan for SES and Public School Choice**

Summary of Discussion	Recommendations/Follow-up
<ul style="list-style-type: none"> <li>• Background – NCLB requirement for schools in improvement status had to reserve 20% off the top for direct student tutoring using providers from an AOE list or for costs associated with public school choice. This element is not required under ESSA. AOE needs to do an “Orderly Transition” plan prior to SY2017. Items not required under ESSA will not be required during transition, including SY16-17. One of these is SES and transportation costs associated with school choice. We need to consult with people who will be affected by it – may be why we had some carryover. Made the decision in the stat to waive LEA requirement to set-aside the 20% for SES and school choice transportation.</li> <li>• What about informing the parents? How will that happen? In the transition plan, we need to have stakeholder input – what’s the best way to get that input? What components are critical for the plan? How best to disseminate the plan?</li> <li>• Suggestion that the COP formally support the position of the AOE to waive</li> </ul>	<ul style="list-style-type: none"> <li>• What about money that is set aside for PD for those schools</li> <li>• Informing the parents – part of the transition plan – how?</li> <li>• Write LEA ability to waive SES or not? Would that be possible?</li> <li>• Best way to get stakeholder feedback – question is what components should be in a transition plan – do a survey to everyone who has done SES – give SU/SD a window as to when AOE wants the information out and back</li> <li>• Add use of Title I funds for bringing in supplemental services to allowable list</li> <li>• Need to give guidance on what students can be served</li> <li>• Have districts do dissemination to parents – AOE give sample letter for all parents kind of like the “your child might be able to access SES” template given now</li> </ul>

Summary of Discussion	Recommendations/Follow-up
<p>the SES and transport cost.</p> <ul style="list-style-type: none"> <li>• Can the LEA make the decision themselves? Ability to waive or not? Quality of SES varies and needs to be taken into consideration but option could be a component. SES as currently stands is going away, option for extending for one more year – do they still pull from the list for another year?</li> <li>• Send out a survey – what meets needs of students in your community? Send to parents, providers, LEAs? Providers not defined as a stakeholder group by the Feds.</li> <li>• Does anything preclude us from using Title I funds for bringing someone like Stern Center in to provide services for students? No.</li> <li>• Transportation services – will impact 2 areas in VT – follow the same idea of it's an option? Feds say non-negotiable if students transferred they stay in that school. What about going forward? If it's an allowable investment strategy then go that route – impacted by school being a TA or SWP – will need to give guidance on what students can be served.</li> <li>• Formal vote on letter to USED Secretary – all yea, zero nay</li> </ul>	