

From: Bouchey, Heather <Heather.Bouchey@vermont.gov>
Sent: Wednesday, November 30, 2022 5:56 PM
To: Kolbe, Tammy <Tammy.Kolbe@vermont.gov>
Cc: Gleason, Kimberly G <Kimberly.G.Gleason@vermont.gov>; French, Daniel <Daniel.French@vermont.gov>; Simmons, Emily <Emily.Simmons@vermont.gov>
Subject: RE: Proposed Revisions to EQS Follow up

Hi, Tammy. Hope you are well. I've included our response after each section below.

Very best,
Heather

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From: Kolbe, Tammy <Tammy.Kolbe@vermont.gov>
Sent: Wednesday, November 16, 2022 10:18 AM
To: Bouchey, Heather <Heather.Bouchey@vermont.gov>
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Subject: Proposed Revisions to EQS Follow up

Heather.

At its November 3 meeting, the EQS Subcommittee reviewed additional suggestions for revisions to the EQS text that were posed by the AOE. In the course of that review, the Subcommittee identified several questions and points on which additional clarification would be helpful.

Specifically:

- Section 2114 (Definitions) (1) states that the "Academic record' **may** include standardized test scores, dates of attendance, alternative graduation plan, Individualized Education Plan (IEP) 504 Plan ..." (emphasis added). The subcommittee requested clarification from AOE regarding the choice of the word "may" as opposed to "shall" in referencing the prerogative to share students' IEPs or 504 plans.

>> AOE's recommendation includes the original language in this EQS section. Because we offered suggested technical corrections, we did not recommend anything that would

result in a significant change to required practice or policy. The SBE, of course, can decide that they would like to systematize the contents of an academic record statewide by adopting the “shall” language.

- AOE recommended a new definition for “Education Support Team” (proposed Section 2114(14)). The subcommittee agreed with the AOE’s recommendation to incorporate a definition for EST into the rule. However, before agreeing to the change the subcommittee requested clarification from AOE regarding whether the proposed definition is aligned with what is currently in statute and/or guidance for the field promulgated by AOE.

>>Yes, this definition aligns with recent technical assistance and guidance that AOE provided to the field on ESTs. See [Educational Support Teams in School District Systems: Act 173 Technical Guidance \(vermont.gov\)](#) and [Act 173 Guidance Documents | Agency of Education \(vermont.gov\)](#).

- AOE recommended new language for Section 2120.7 regarding graduation requirements for English Learner (EL students). Before deciding, the committee requested clarification from AOE regarding whether the proposed language is consistent with other federal statute and regulations.

>>PLPs are defined in state law as the following: “The plan shall be developmentally appropriate and shall reflect the student’s emerging abilities, aptitude, and disposition. The plan shall define the scope and rigor of academic and experiential opportunities necessary for a secondary student to complete secondary school successfully, attain postsecondary readiness, and be prepared to engage actively in civic life.” 16 V.S.A. §942 (10).” The state law does not require any supports or services to be included in the PLP. Federal requirements regarding EL focus on schools providing effective language instruction and curricula, identifying and assessing students who need EL instruction, and establishing outreach to families and communities of EL students (see [English Learners | Agency of Education \(vermont.gov\)](#)). Some state laws (e.g., Idaho) require individual student plans to ensure EL services for students with English as a second language.

- In Section 2121.1(a) the AOE recommended that CTE directors be added to the list of individuals superintendents must supervise. The subcommittee requested that AOE clarify that the proposed change is consistent with superintendent responsibilities (i.e., to supervise CTE directors).

>>This depends on the type of governance structure deployed at each CTE center. For those centers that are housed at a host high school, the CTE director is an employee of the district and therefore supervised by the superintendent. For the independent CTE centers, the CTE director IS a superintendent, so this would not apply. For the two private schools that offer CTE on behalf of the state, we’d presume the CTE program director is employed/supervised under the authority of the headmaster.

If possible, we would appreciate hearing your thoughts prior to November 30.

Thank you in advance for your input.