# State of the State Report

**With Dr. Jacqui Kelleher**

**Vermont's State Director of Special Education**

**February 18, 2021**

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# Introduction

# Roles and Responsibilities

- State Director of Special Education: [Jacqueline Kelleher, MA, Ph.D.](#)
- Coordinator for Behavioral Supports: [Tracy Harris](#)
- Early Childhood Special Ed/IDEA 619 Coordinator: [Katie McCarthy](#)
- IDEA Part B Data Manager: [Cassidy Canzani](#)
- Special Education Data Specialist: [Brandon Dall](#)
- Inclusion and Accessibility Coordinator: [Ana Kolbach](#)
- Inclusive Systems Coordinator: [Betty Roy](#)
- Part B Special Ed Program Monitoring Manager: [Tonya Rutkowski](#)
- Post-Secondary Transition Coordinator: [John Spinney](#)
- Special Education Programs Manager: [Chris Kane](#)
- Educational Consultant/Ed Surrogate: [Ernie Wheeler](#)
- Special Education Monitoring Specialist: [Simona Kragh](#)
- Inclusive Practices Coordinator: [Katy Langevin](#)
- Special Education Monitoring Technician: [Rebecca Gile](#)
- Early Childhood Inclusion Coordinator: [Amy Murphy](#)
- Education Programs Manager, Interagency Coordinator: [Alicia Hanrahan](#)
- Assessment Coordinator for Special Populations: [Linda Moreno](#)
- For questions on Legal, please contact: [Clare O'Shaughnessy](#)
- For Finance questions: [Brad James](#) or [Jennifer Perry](#)

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# Vision Statement

# Our Purpose

- **Agency of Education Purpose Statement**

The Agency of Education implements state and federal laws, policies, and regulations to ensure all Vermont learners have equitable access to high-quality learning opportunities. The Agency accomplishes this mission through the provision of its leadership, support, and oversight of Vermont's public education system.

- **Special Education Vision**

Our team, together with all stakeholders, ensures access, opportunity, and equity by providing solution-based oversight, leadership and support to build capacity and improve student outcomes.

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# Federal Updates

# Office of Special Education Programs (1)

- In January, OSEP Director Laurie VanderPloeg stepped down and we are awaiting a new OSEP Director once a USDOE Secretary of Education has been confirmed. Dr. David Cantrell is interim OSEP Director - [David.Cantrell@ed.gov](mailto:David.Cantrell@ed.gov) .

- Priorities for the coming year include monitoring states for compliance with IDEA as well as further guidance on the provision of FAPE. OSEP is working on additional guidance to be published in the next few months based on feedback from state directors, education leaders, and parents.

- OSEP is working closely with the Biden administration to identify the areas of focus and how OSEP can "move forward to provide support at the state level."

- Vermont's State Lead from OSEP is Susan Murray.

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# Office of Special Education Programs (2)

- The Office of Special Education Programs (OSEP) released 13 leverage briefs to address State and local efforts to enhance their strategies to attract, prepare, and retain effective personnel to serve children with disabilities, including personnel in K–12, early childhood, and related services. The briefs are designed to accompany the ongoing comprehensive efforts to craft effective solutions to this nationwide challenge. The briefs highlight strategies that emerged as key leverage points throughout OSEP's 2-year focus on improving comprehensive efforts of States and locals to address the pipeline of attracting, preparing, and retaining effective personnel. The introduction provides resources and links to all the activities over the past 2 years. The briefs highlight leverage points across the following three critical areas:

# Office of Special Education Programs (3)

**Attract**

- Alternative Routes to Certification
- Changing Public Perception
- Funding and Loan Forgiveness
- Grow Your Own Programs

**Prepare**

- Micro-credentials
- Practice-Based Opportunities
- Residencies
- Simulations

**Retain**

- Enhancing Professional Leadership
- Induction and Mentorship
- Ongoing Professional Learning
- Educator Empowerment
- Supportive Workplace Environments
- The briefs and other resources can be found **here**.

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# Office of Special Education Programs (4)

- The Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA), was signed into law on December 27, 2020 and provides an additional $54.3 billion for the Elementary and Secondary School Emergency Relief Fund (ESSER II Fund). ESSER II Fund awards to SEAs are in the same proportion as each State received funds under Part A of Title I of the Elementary and Secondary Education Act of 1965, as amended, in fiscal year 2020. This **ESSER II Fact Sheet** outlines the primary differences between ESSER Fund under the CARES Act enacted on March 27, 2020, and the ESSER II Fund under the CRRSA, Public Law 116-260 enacted on December 27, 2020. This **CRRSA ESSER II Methodology and Allocation Table** shows State allocations for the ESSER II Fund. These allocations are based on the proportion of funds that each State received under Part A of Title I of the Elementary and Secondary Education Act of 1965 in fiscal year 2020.

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# Office of Special Education Programs (5)

- Due to the novel Coronavirus disease 2019 (COVID-19), the U.S. Department of Agriculture's (USDA's) Food and Nutrition Service (FNS) granted nationwide waivers (USDA waivers) through June 30, 2021, to support access to nutritious meals while minimizing potential exposure to COVID-19. On January 4, 2021, the Department published the Fact Sheet, **"State-Administered Programs under the ESEA and the Nationwide Waiver from the U.S. Department of Agriculture to Allow Meal Pattern Flexibility in the Summer Food Service Program and the National School Lunch Program Seamless Summer Option through June 2021"** describing the connection between FNS programs and some state administered formula programs under the Elementary and Secondary Education Act of 1965 (ESEA).

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**New Parent Training Modules on Disproportionality in Special Education**

- The *Building the Legacy* **training curriculum** on IDEA 2004 has been revised to reflect the most current IDEA regulations with respect to disproportionality. The substantially expanded module includes two separate slideshows (one for general audiences and a second best suited for those who are or will be technically involved in monitoring for disproportionality with trainer guides and handouts for each slideshow).

**National Center on Inclusive Practices and Policies (TIES)**

- Universal Design for Learning (UDL) is a framework that can help educators design inclusive learning environments for all students, including students with significant cognitive disabilities, whether they are in remote, hybrid, and/or face-to-face settings. TIES Center has a new resource in its distance learning series titled, [Universal Design for Learning: Intentional Design for All](#) that provides practical information and tips on how to use goals to develop lessons that are engaging and meet the needs of all learners.

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**Literate Adolescents Intervention Project Materials**

- The [Literate Adolescents Intervention Project (LAIP)](#) website provides a comprehensive curriculum for older learners who are struggling with reading. Developed in collaboration with secondary teachers, instructional materials, such as the *WordBuilder* app, are designed to engage adolescents and support access to grade level texts. Appropriate for use by both general and special education teachers, LAIP strategies may be integrated into an existing curriculum, or implemented as an intensive reading intervention program.

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**OSEP COVID-19 Website:**

**IDEA topics in the Current COVID-19 Environment**

- IDEA Part B Use of Funds

- IDEA Part C Use of Funds

- IDEA Part B Procedural Safeguards

- IDEA Part C Procedural Safeguards

- IDEA Part B Dispute Resolution

- IDEA Part C Dispute Resolution

- IDEA Part C Evaluation and Assessment Timelines

- Flexibility in Implementation of IDEA Part B Fiscal Requirements

- RSA COVID-19 Questions & Answers: Administration of the VR Services, AIVRS, and Randolph-Sheppard Programs

- RSA COVID-19 Questions & Answers: Fiscal Management of the VR Program

- State VR Services and AIVRS programs under the Rehabilitation Act, and Business Enterprise programs under the Randolph-Sheppard Act

- IDEA Part B Provision of Services

- IDEA Part C Provision of Services

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# Office of Special Education Programs (10)

- The U.S. Education Department has released *ED COVID-19 Handbook, Volume 1: Strategies for Safely Reopening Elementary and Secondary Schools*, a report that provides strategies for reopening schools. Among other issues, the report identifies ways to promote equity for students with disabilities. Volume 2 will be released in the coming weeks.

# State Activities

# Some Highlights (1)

COVID-19 AOE Guidance: Special Education

**2020-21 STATEWIDE SUMMATIVE TEST ADMINISTRATION [GUIDANCE](#)**
**TUESDAY, FEBRUARY 9, 2021**

- Please note that as of Feb. 9, 2021, no final decision on statewide summative testing has been made at the federal or state level. This guidance is being issued to allow LEAs to be prepared in the event that we do carry out our state testing program.

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# Some Highlights (2)

**PUBLIC COMMENT OPPORTUNITY: RULE 5100: RULES GOVERNING THE LICENSING OF EDUCATORS AND THE PREPARATION OF EDUCATIONAL PROFESSIONALS**

- **2020 VSBPE Rule Revisions**

- The VSBPE is undertaking revisions to the rules that govern the training, licensing and professional standards of teachers and administrators, Series 5100: Rules Governing the Licensing of Educators and the Preparation of Educational Professionals. The proposed rule revisions support the VSBPE's mission.

- Specifically, the VSBPE is:

  **i.** Providing clarification to current Rules regarding definition of terms.
  **ii.** Combined endorsements 5440-76 Reading/English Language Arts Specialist and 5440-78 Reading /English Language Arts Coordinator in a single endorsement called the Specialized Literacy Professional (5440-79). The previous endorsements will be sunset.
  **iii**. A new sub endorsement for Career Technical Educators for Driver and Traffic Safety Education (5440-17, L-1) was created. The holder of the CTE Driver and Traffic Safety Education sub endorsement L-1 is limited to grades 9-12 and holders are authorized to teach in a CTE setting under the auspices of a CTE center.
  **iv.** Education Speech Language Pathologists and School Psychologists will now count as teaching experience towards an Administrative endorsement.
  **v.** Removal of the word "initial" in Rule 5323 to allow a second "initial" license.

- To review the changes, please visit the [Licensing Rules page](#).

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# Some Highlights (3)

**PUBLIC COMMENT OPPORTUNITY: RULE 5100: RULES GOVERNING THE LICENSING OF EDUCATORS AND THE PREPARATION OF EDUCATIONAL PROFESSIONALS**

**Public Comment**

- Submit your written public comments via our survey; by email to [Amy Scalabrini](); by regular mail to the address below.  The timeline for Public Comment begins on March 26th and ends at the close of business on April 2, 2021.

    **Please note, the survey link will not be live until March 26, 2021**.

    Amy Scalabrini
    Education Quality Division
    Agency of Education
    1 National Life Drive, Davis 5
    Montpelier, VT 05620

Virtual Public Comment Meeting:

**Join on your computer or mobile app**

[Click here to join the meeting]()

**Or call in (audio only)**

[+1 802-552-8456,,813218319#]()   United States, Montpelier

Phone Conference ID: 813 218 319#

**FRIDAY, FEBRUARY 19, 2021 - 9:00AM**

**Location:**

[Vermont Standards Board for Professional Educators]()

# Some Highlights (4)

- SPP/APR submitted before the 2/1/21 deadline – preliminary data shared with LEA Special Education Directors and Special Education Advisory Panel.

- For Calendar Year 2021 – SPP/APR focus is on target setting for the 2020-2025 SPP/APR as well as identifying support and resources for improvement activities with current work at hand.

- IDEA PART B SEA Application in development and will go out to public comment by March 16th for 60 days.

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# Some Highlights (5)

- **Significant Disproportionality:**

  - Ongoing partnership with IDC for work with districts identified.

  - We are well into the work of addressing significant disproportionality in three districts, all of whom are doing incredible and inspiring work to identify and address the root causes of their district's disproportionality.

  - Action plans from this year's cohort will be put into action this summer and in SY2021-22. We will identify and work with our second cohort in the coming months.

- We'll also have a manual that guides our work and is available as a resource for all in the coming months.

- All of this work combined has helped us to shine a brighter light on addressing success gaps and creating equity for all students.

- Success Gaps Toolkit.

- Indicator 4 and 9 Self-Assessment tools developed.

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# Some Highlights (6)

**Suspensions and Expulsions:**

- Although only one district was identified for Indicator 4 in this year's SPP/APR, it has and is resulting in the development of universal and targeted tools that will be posted to our website.

**Disproportionality:**

- There were no districts identified for Indicators 9 and 10, but we have developed a tool to help identify when, where, and how practices may lead to disproportionate representation in special education. That tool and others will be available on our website in the coming months.

**Restraints and Seclusions:**

- Guidance and trainings earlier in the Fall have led to many excellent questions from districts, independent schools, parents, and parent organizations. Ongoing technical assistance is available as needed. We hope to publish a new guidance document in the near future that addresses the fine line between escorts and restraints.

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# Some Highlights (7)

- GMS Manual and Monitoring Manual should be posted in March

**Cyclic Monitoring:**

- January 15 – submissions for Annual Date Reviews and Policy Analysis currently being reviewed.

- March 15 – submission deadline for Child Find and Post Secondary Transition.

- VT one of the first in the nation to begin reviewing Summary of Performance documents as part of Cyclic Monitoring.

- New Group email for monitoring – reaches whole team simultaneously – AOE.SpecialEdMonitoringGroup@vermont.gov .

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# Some Highlights (8)

- Facilitated IEPs and implications for Vermont.

- Consultation and project planning with National TA Providers: NCSI, IDC, NTAC, ECTA, CIFR. New partnership with CEEDAR.

- Participation in national TA calls with TA providers and OSEP – representing VT.

- VT Special Education Advisory Panel participated in training on roles and responsibilities with NCSI.

- Paraprofessional virtual trainings in progress.

- 1% Waiver letter for the Alt Assessment went to the federal government.

- CADRE Action Plan in progress.

# Some Highlights (9)

- Proportionate share form, description of procedures, and decision-making flow chart available the first week of March 2021 and must be in use by July 1, 2021. Stay tuned for additional training from Finance.

- Prop Share requirements updated.

- Revision work on Indicator 8 Parent Involvement surveys – tool and survey distribution.

- Planning for BEST/VTmtss 2021 is underway!

- Frequent data literacy sessions, biweekly data meetings and quarterly program data meetings.

- Seeking resources for recruitment and retention strategies concerning special education personnel.

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# Some Highlights (10)
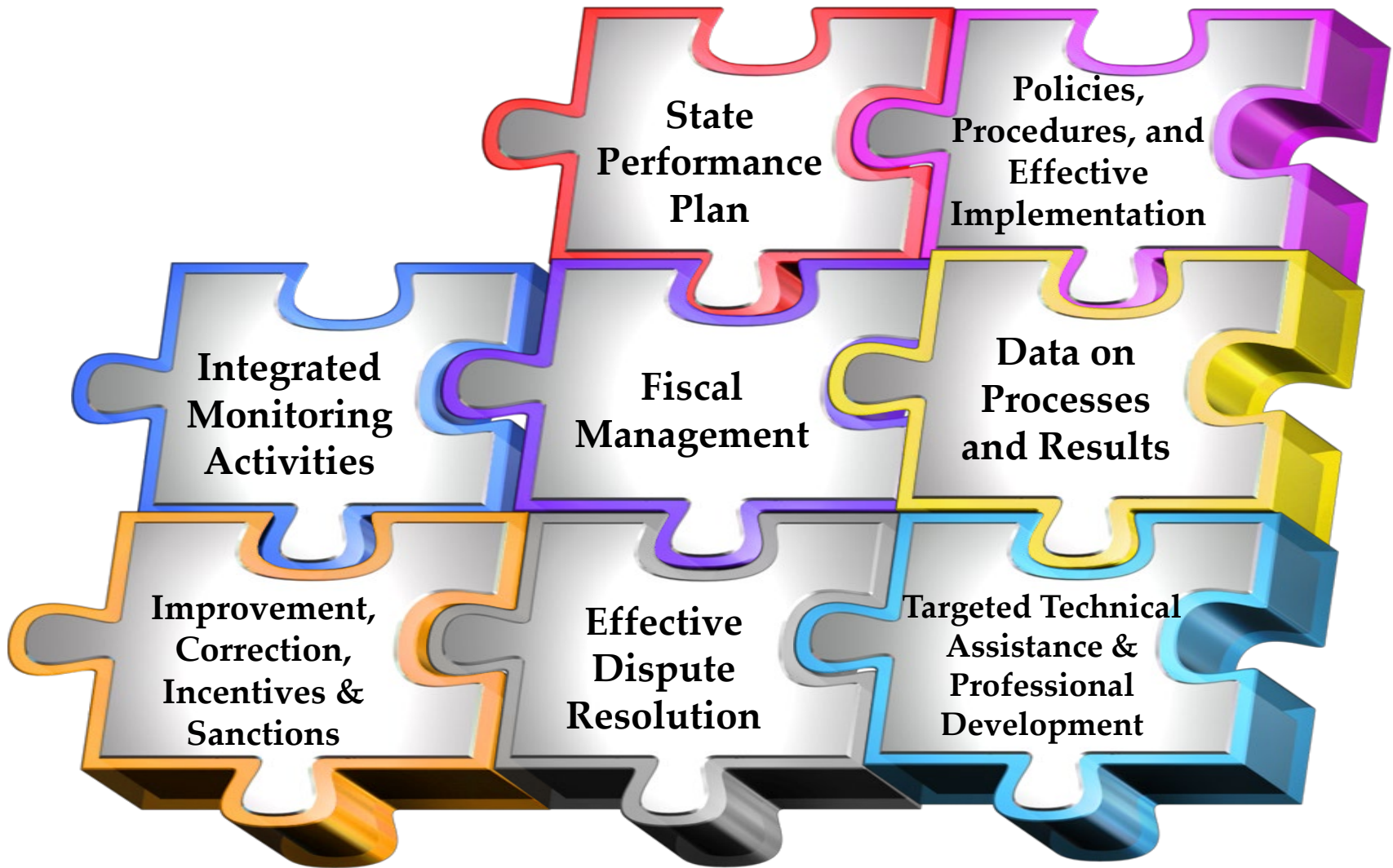
**Message from Special Education Finance:**

- Workflow/processes and deadlines coming in the next three months.

- FY20 CEIS Collection and FY22 Special Education Service Plan, reviews complete.

- FY21 Special Education Expense Reports (SEERs) July-October submitted.

- Draft Maintenance of Effort (MOE) Compliance Calculation, finalized expected late February/early March 2021.

- December payments and projections complete.

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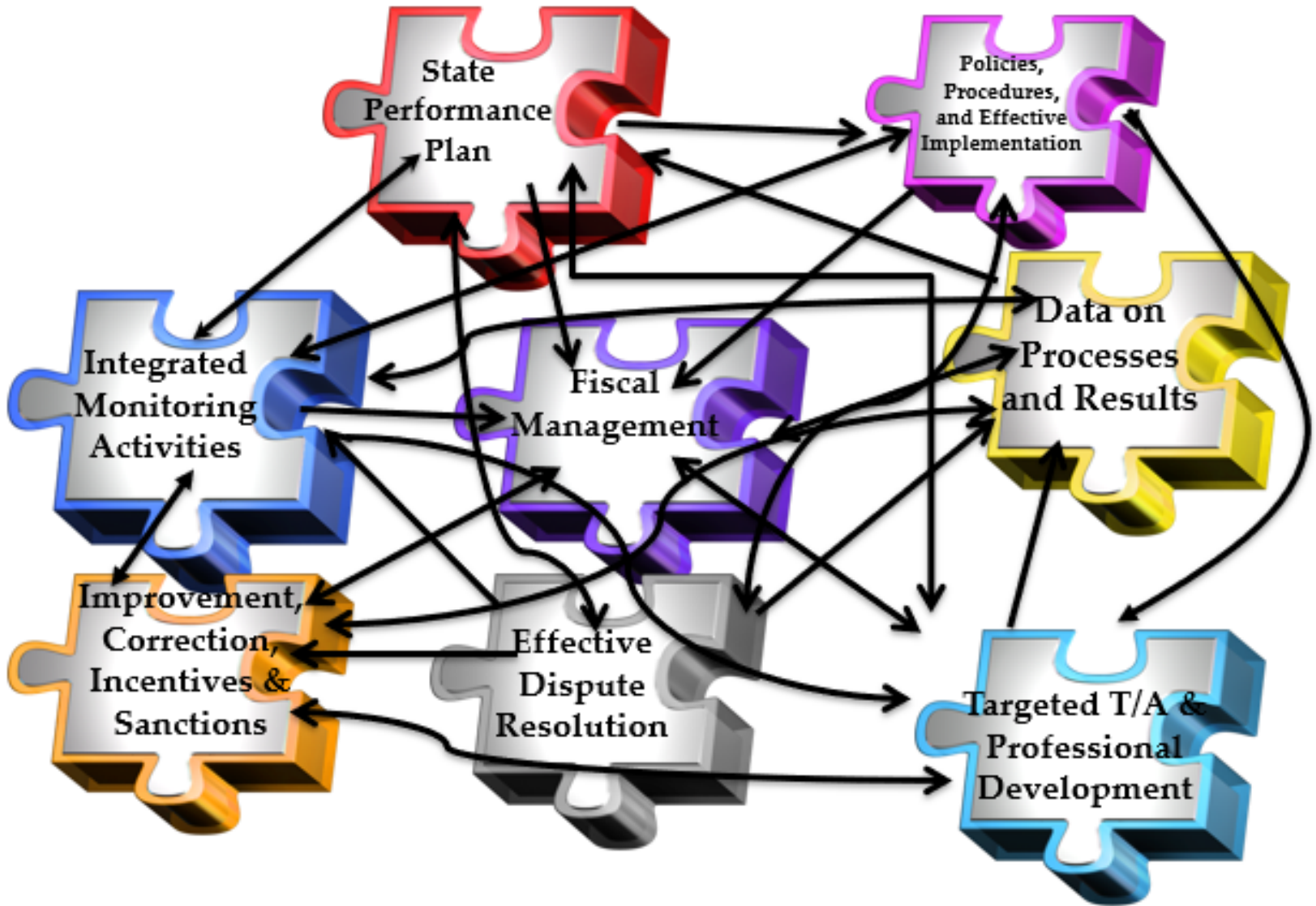AGENCY OF EDUCATION

# Initiatives Updates

# Initiatives

- *Attract, Prepare, Retain – Critical Shortage Areas for Special Education Personnel.*

- *Closing the Success Gap for students with disabilities.*

- *SPP/APR statewide integration.*

- *Critical Review Elements Analysis Guide (CrEAG) workgroup – inventory and gap/frequency analysis.*

- *State Systemic Improvement Plan (SSIP) revamp and implementation.*

- *SEA Determination Status Work Group.*

- *Strategic Team planning on Eight Components of General Supervision System.*

# Components of General Supervision



State Performance Plan

Policies, Procedures, and Effective Implementation

Integrated Monitoring Activities

Fiscal Management

Data on Processes and Results

Improvement, Correction, Incentives & Sanctions

Effective Dispute Resolution

Targeted Technical Assistance & Professional Development

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# What is 'System'?

# Upcoming Due Dates

# Due Dates (1)

Data Team: Child Count Verification forms should go out in the beginning of March, after the last data quality issues are dealt with. Once these go out, they will have 2 weeks to sign and return *electronically*.

# Due Dates (2)

Finance

- March 2021 Recalculation MOE Compliance/Supplant
- April 15 Special Education Expenditure Report (SEER) Q2 Payment
- April 15 Extraordinary Payment
- April/May MOE Eligibility Calculation
- April/May IDEA Excess Cost Test
- May Final (Spring) IDEA Allocations

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# Available Resources

# Supports and How To (1)

- AOE Special Education Team [website](website):

  – Acronym/Initialism [list](list).

- Requesting Professional Development [form](form).

- Special Education Technical Assistance is available through the general email and voicemail system. Communications are monitored regularly during business hours and a response is generally provided within 24-48 hours. Please contact our team at (802) 828-1256 or at [AOE.SpecialEd@vermont.gov](mailto:AOE.SpecialEd@vermont.gov).

- Regional Representatives – reach out.

- ## **Requests for Data**

Periodically, members of the public may find that they have additional needs for state education data that are not met by the existing reports (see above). We have provided two mechanisms by which the public may apply for accessing such data.

- Data Request Form should be used to make simple, non-research data requests. (Examples: media story, simple fact-checking.).

- Research Request Application should be used to make research data requests. The completed application is necessary in order for AOE to review the purpose of the research, specific data involved, and level of AOE staff time and effort needed to complete the request. It is also necessary to determine whether the research request is in line with the AOE's analytic priorities.  **All research requests require pending or received Institutional Review Board (IRB) approval before they can be reviewed**.