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Sent: Thursday, August 11, 2016 11:14 PM
To: Johnson, Justin; Pepper, James
Subject: Exec privilege

Justin and Pepper

DCF and AHS counsel is trying to initiate a sidebar conversation on fingerprinting and funding with our staff attorney, Clare o'shaugnessy. I have a couple of concerns with this.

1. We (CDD/AOE/Admin) have already come to a set of agreements in meetings and these people were not there and this is inconsistent with the plan we discussed.
2. Greg went over and over this issue with them for over a year, somewhat exhaustively. No circumstances have changed.
3. This is very late in the game. We can't afford to get off task. I understand that what works for superintendents under law is not what DCF wants, but supts have spoken and we have known this for over a year.
4. Clare (my staff attorney) is very burdened right now with Burlington college and routine business. If I have to review legality of another licensing scheme I am likely going to farm it out to one of our education attorneys on contract. That said, I find it hard to believe there is an unturned stone at this point.
5. If we are meeting, I would like someone from the administration there.

Can you please advise?

Separately, we heard from a superintendent today who says she feels that for her to comply with statute she needs to do her own fingerprint check and can't rely on CDD assurance. This might be something we need to discuss and possibly address perhaps through some executive action.

Thanks.

R

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