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## AOE Testimony: Proposed Changes to H.315

**Testimony To:** Senate Committee on Education  
**Respectfully Submitted by:** Daniel M. French, Ed.D., Secretary of Education  
**Date:** April 6, 2021

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Thank you for the opportunity to provide a follow up proposal. The Agency has significant concerns with many of the policy initiatives in this bill, as well as with similar approaches in other legislation that identify the State-level ESSR set aside as a funding source. I am most concerned about whether or not these are allowable uses of ESSR. Also, I question the wisdom of appropriating three years of relief funds for schools so quickly, before we have identified the needs and priorities of our PK-12 education system.

This spring the Agency is working closely with the Supervisory Unions and Districts (SU/SD)s as they complete their needs assessments and develop their Recovery Plans. Both the SU/SDs and the Agency have a responsibility to ensure that the use of ESSR funds is data-driven and the Education Recovery Planning process is designed to inform the allocation of both ESSR Local Education Agency (LEA) and State Education Agency (SEA) set-aside funds.

We recognize the need to respond to important initiatives and needs that have arisen or been exacerbated by the COVID-19 pandemic and therefore make the following proposals to amend H.315. These are all priorities that have received significant testimony this year.

Finally, we propose a timeframe for future collaboration and planning with the General Assembly as the Agency and SU/SDs gain a better understanding of the lasting impact of COVID-19 and identify strategic priorities to address these needs.

### **Sec. 15. – School Indoor Air Quality Grant**

#### **Recommended Action**

No amendment.

#### **Narrative**

AOE is in support of continuing this successful partnership with Efficiency Vermont. The Agency is monitoring this section and will work with JFO and the appropriations committees to ensure the successful implementation of the School Indoor Air Quality program.

#### **Proposed Language**

N/A.

## **Sec. 16. Education Services; Federal Funds Appropriations**

In place of this section, the Agency proposes the Committee amend H.315 to include the following three initiatives, which are priorities that the committee has previously worked on and are related to COVID-19 and Education Recovery.

### **Literacy**

#### **Recommended Action**

Pass a version of the literacy bill (H.101), adding language that makes a strong connection between the grant and COVID-19 recovery, simplifies grant administration, and allocates funds from ESSR set-aside.

#### **Source of Funds**

ESSR III 5% Set Aside American Rescue Plan Act of 2021 Section 2001(f)

#### **Proposed Language**

*The Agency shall reserve not less than \$14,258,000 of the total amount of grant funds awarded to the State under Elementary and Secondary School Relief (ESSR) American Rescue Plan Act of 2021 Section 2001(f) to*

- *carry out, directly or through grants or contracts, activities to address learning loss by supporting the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students' academic, social, and emotional needs and address the disproportionate impact of the coronavirus on at-risk student populations, students experiencing homelessness, and children and youth in foster care, including by providing additional support to local educational agencies to fully address such impacts.*
  - (A) *From the [ESSR] reserve the Agency shall allocate \$3,000,000 to provide grants to supervisory unions and supervisory districts on behalf of their member school districts, to provide professional development for teachers in methods of teaching literacy and to enable supervisory unions to adopt evidence-based practices in teaching literacy instruction to students in prekindergarten through grade 3. The Agency will determine which supervisory districts and supervisory unions are eligible and the amount to be granted to each applicant based on its assessment of the relative need for this funding, taking into account the following factors across applicants:*
    - *Two or more supervisory unions that plan, in a sustained and targeted manner to work together to improve literacy outcome.*
    - *The extent to which the eligible applicant's plan aligns with their Agency-approved Recovery Plans and improves literacy teaching and outcomes, including how the proposed plan will strengthen the applicant's process towards ensuring that:*
      - (i) *core literacy instruction meets most needs of most students; and*

- (ii) *students who struggle with literacy proficiency receive all instruction from highly skilled teachers.*
- (B) *The Agency shall use funds in subsection (1) to contract for an Education Project Manager to administer the literacy training program grant established by this section.*

## **Community Schools**

### **Recommended Action**

Amend H.315 to prioritize the community schools grant concept for ESSR funding, simplify grant administration and strengthen the connection between H.106 and the allowable uses of ESSR funding. Emphasize aspects of the community schools program that drive resources to the most at-risk students for social-emotional learning, mental health supports and addressing loss of learning.

### **Source of Funds**

ESSR III 5% Set Aside American Rescue Plan Act of 2021 Section 2001(f)

### **Proposed Language**

*(1) The Agency shall reserve not less than \$14,258,000 of the total amount of grant funds awarded to the State under Elementary and Secondary School Relief (ESSR) American Rescue Plan Act of 2021 Section 2001(f) to*

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- *(2) provide annual matching grants of up to \$110,000.00 per supervisory union or supervisory district per year for a period of three years totaling \$3,000,000 to fund Community School Programs offered at public elementary or secondary schools that will include all four of the following:*
  - *(A) integrated student supports, which support students' social-emotional learning needs and address out-of-school barriers to learning through partnerships with social and health service agencies and providers, coordinated by a community school coordinator, which may include access to services such as medical, dental, vision care, and mental health services, or access to counselors to assist with housing, transportation, nutrition, immigration, or criminal justice issues;*
  - *(B) expanded and enriched learning time and opportunities, which may include before-school, afterschool, weekend, and summer programs, that provide additional academic instruction and individualized academic support;*
  - *(C) active family and community engagement, which brings students' families and the community into the school as partners in children's education and makes the school a community hub;*
  - *(D) collaborative leadership and practices, which build a culture of professional learning, collective trust, and shared responsibility using strategies that shall, at a minimum, leverage the supervisory union's Agency Approved Recovery Plan, multitiered system of supports and include a community school coordinator and a representative of families in the community, and may include school, school district, and other leadership or governance teams; teacher learning communities; and other*

*staff to manage the multiple, complex, joint work of school and community organizations.*

- *Should the demand for matching grants exceed the available funds, the Agency is authorized to allocate additional funds available under any ESSR or other funds provided to the state.*

## **Facilities**

### **Recommended Action**

Direct the AOE to contract with an entity to assist districts in using their ESSR funds and other federal resources to improve the overall health and safety of their school buildings. The contractor shall serve as a liaison between school districts, the AOE, and other entities in the state that can be leveraged in support of this work.

Coordinate the use of federal funding programs, including those in other Agencies, to maximize the use of the funds and avoid competition for scarce labor and equipment resources.

### **Source of Funds**

Funds the Agency of Education received as part of ESSR Set Aside American Rescue Plan Act of 2021 Section 2001(f).

### **Proposed Language**

- *The Agency of Education is authorized to allocate not more than \$500,000 over three years to contract with an entity to assist districts with using their ESSR funds and other federal resources to improve the overall health and safety of their school buildings. The contractor shall, at minimum:*
  - *Serve as the coordinator of the project.*
  - *Serve as a liaison between school districts, the agency, and other entities in the state, that can be leveraged in support of this work in order to coordinate the use of federal funding programs, including those in other Agencies, to maximize the use of the funds and avoid competition for scarce labor and equipment resources.*
  - *Serve as a liaison between school districts and the agency to:*
    - *Facilitate the district prioritization of school safety and health issues.*
    - *Support districts, in conjunction with the AOE, in defining their investment strategies for the improvement of school facilities consistent with the intent and purposes of these funds.*
    - *Convene trainings and other professional development opportunities to support the broader improvement of school facilities statewide.*
    - *Develop communications to support the prioritization of this work.*
  - *Provide status updates and final report on Project work including providing recommendations on how to sustain this work after the performance period of the grant funds.*
- *From the ESSR Set Aside American Rescue Plan Act of 2021 Section 2001(f), the Agency shall allocate \$1 million per year to support districts that need additional funding to plan and implement improvements to their facilities after they have utilized their LEA funds.*

## **Summer Meals**

### **Recommended Action**

No amendment. We appreciate this additional funding.

### **Source of Funds**

American Rescue Plan Act of 2021 - Coronavirus State Fiscal Recovery Fund.

### **Draft Language**

N/A

## **Sections the AOE Recommends be Struck**

### **Recommended Action**

Strike subsections on Student Mental Health, Truancy and Afterschool and Summer Programs.

### **Narrative**

All three of these initiatives are duplicative and reduce the state's flexibility to respond to emerging student and family needs. The Agency is partnering with other state agencies and external stakeholders to coordinate a system-wide response. Additionally, the Agency does not believe that it is permissible for funds to be transferred away from the SEA.

## **Section 25 – Provision of Technical Assistance Services to Local Education Agencies**

### **Recommended Action**

Strike this section.

### **Narrative**

This section seeks to award \$2.8M to UVM through a sole source contract to assist the AOE with helping districts spend their ESSR funds. Both myself and UVM were surprised to learn about this strategy. Even if we identified these services as an emergency need, which is unlikely, UVM would not necessarily be an appropriate provider of these services.

## **Timeframe for Future Collaboration**

The General Assembly should expect the administration and the AOE to develop a plan to spend the ESSR funds in a manner that is both consistent with emergency priorities and federal law. We would welcome legislative involvement in the development of such a plan, and would welcome any opportunity to provide updates on this work.

## **Legislative Report**

Finally, the Agency proposes that the General Assembly require the agency to provide quarterly updates to the House and Senate Committees on Education and on Appropriations regarding the work above, and any other COVID-19 related topics that are of interest to the General Assembly. The Agency would expect to provide the first of these reports effective July 1, 2021, and on the first of the quarter thereafter through July 1, 2022.