

From: Clare Buckley [cbuckley@ksepartners.com]
Sent: Wednesday, July 27, 2016 8:39 PM
To: Pepper, James
Subject: Fwd: Draft Independent School Rules
Attachments: Disability category pie chart.docx; ATT00001.htm

James: I don't have a list of special Ed requirements readily available but Mill provided some more additional information on this subject below that may be helpful. Clare

Clare Buckley
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Begin forwarded message:

From: Mill Moore <mill@vtindependentschools.org>
Date: July 27, 2016 at 4:26:09 PM EDT
To: Clare Buckley <cbuckley@ksepartners.com>
Subject: Re: FW: Draft Independent School Rules
Reply-To: "mill@vtindependentschools.org" <mill@vtindependentschools.org>

Clare --

The newly proposed rules 2222.1(a)(i) and 2223 would require approval in all special education disability categories. The 2360 series is the general rules for all special education in both public and independent schools.

I have attached a page with a pie graph showing the proportion of students in each of the disability categories. This shows how small some of the categories are. 21 Vermont students were blind and 37 had traumatic brain injuries, for example.

Here are the actual 2015 numbers:

Autism Disorder	1004
Developmental Delay	2637
Emotional Disturbance	2021
Hearing Loss	80
Intellectual Disability	687
Multiple Disabilities	229
Orthopedic Impairment	48
Other Health Impairment	2207
Specific Learning Disability	3825
Speech/Language Impairment	1191
Traumatic Brain Injury	37
Visually Impaired	21

Mill

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On 7/27/2016 4:01 PM, Clare Buckley wrote:

Mill: Does such a list exist? Thanks, Clare

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From: "Pepper, James" <James.Pepper@vermont.gov>
Date: Wednesday, July 27, 2016 at 4:00 PM
To: Clare Buckley <cbuckley@ksepartners.com>
Subject: RE: Draft Independent School Rules

Thanks for sending this. Do you have a list of the special ed requirements that schools will need to comply with? I see them in Rule 2360...just wondering if you have them readily available.

From: Clare Buckley [<mailto:cbuckley@ksepartners.com>]
Sent: Wednesday, July 27, 2016 3:40 PM
To: Pepper, James <James.Pepper@vermont.gov>
Subject: Draft Independent School Rules

James:

Thanks for taking the time to discuss the draft independent school rules that the State Board of Education is scheduled to consider at their meeting on Friday, 7/29. Here is a link to the draft rule packet:

<http://education.vermont.gov/documents/edu-sbe-item-j-072916.pdf>

Also attached is a list of independent schools that the Vermont Independent Schools Association (VISA) believes will be substantially affected by the draft rules. Mill Moore, the executive director of VISA, explains how he came up with this list in his email below.

Finally, I ran your question by Mill about whether the draft rule will require an independent school that receives public tuition dollars to be certified in all special education categories even if they don't have a disabled student

in one of those categories. While we are still analyzing the draft rule, our reading of the language is that the answer is yes. For a small independent (i.e. <200 students), this means investing in administrative work for the approvals, hiring special ed-qualified faculty and perhaps altering physical facilities all for students who may or may not show up.

I also forgot to mention on the phone that we believe the draft rule prevents religious schools, which do not receive state tuition dollars, from being approved by the Agency of Education as they are today.

Please let me know if I can provide additional information.

Sincerely,

Clare

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From: Mill Moore <mill@vtindependentschools.org>
Organization: Vermont Independent Schools Association
Reply-To: Mill Moore <mill@vtindependentschools.org>
Date: Wednesday, July 27, 2016 at 2:50 PM
To: Clare Buckley <cbuckley@ksepartners.com>
Subject: Draft Independent School Rules

I have attached a list of the schools that will in one way or another feel significant detrimental impacts. The greatest impacts likely will be on any of the schools with enrollments of fewer than 200 and greater than 30. As you can see, quite a lot of schools will be impacted.

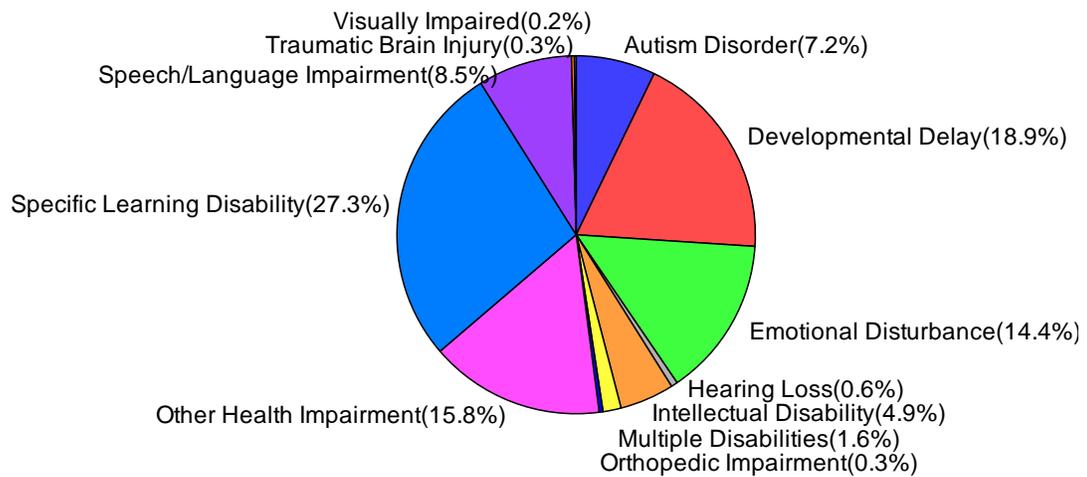
Some schools incapable of taking on the special ed demands in the proposed rules and will as a result lose substantial numbers of publicly-tuited students, perhaps leading to the school's demise. Other schools incapable of doing the special ed will survive because they have lower proportions of publicly-tuited students, but students in the sending districts will have lost opportunities.

Mill



Vermont Independent
Schools Association

Chart Showing Proportion of Special Education Students in Each Disability Category



Data are 2014 school year figures from AOE

Graph prepared by VISA

