



**TESTIMONY PROVIDED TO:** House Education Committee  
**FROM:** Traci Sawyers, Executive Director, Vermont Council of Special Education Administrators (VCSEA)  
**TOPIC:** H.140 - An act relating to the Advisory Council on Special Education  
**DATE:** February 7, 2019

- 1) The Individuals with Disabilities Education Act (IDEA) requires that each state establish and maintain an advisory panel for the purpose of advising the State special education staff regarding the education of eligible children with disabilities. Federal regulations (34 C.F.R. §300.169) define responsibilities for each state panel as follows:
  - Advise the state on unmet needs in the education of children with disabilities,
  - Comment publicly on any rules and regulations proposed by the state regarding the education of children with disabilities;
  - Advise the state in developing evaluations and reporting on data as required by federal special education laws;
  - Advise the state in developing corrective action plans for U.S. Department of Education; and
  - Advise the state in developing and implementing policies relating to coordination of services for children with disabilities.
  
- 2) Vermont Statute, 16 V.S.A. §2945, created the Advisory Council on Special Education and appointments to this council are made by the Governor's Office with the advice from the Secretary of Education.
  
- 3) VCSEA's representative on this Advisory Group has been Mary Barton (Two Rivers SU) for many years.
  
- 4) VCSEA's understanding is that this bill updates state law to mirror federal language so will put us in further compliance with federal intent.
  
- 5) This removes the cap of 19 members and would allow as many as 26. VCSEA's only concern is that this could potentially change the balance of the advisory group. Regulating the balance is important and appropriate so it can function as a high quality advisory arm representing many voices. To address this issue, if there are 7 additional members, we believe they should be distributed across various sectors so that there doesn't become a disproportionate membership from one group or another.

