



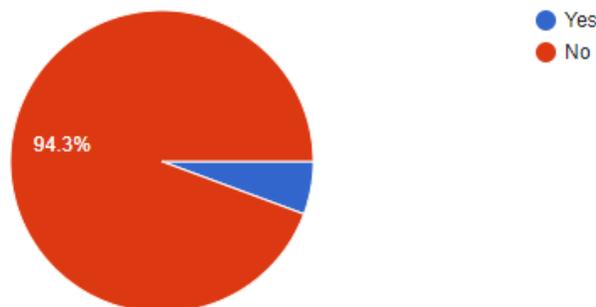
To: Vermont Senate Education Committee
From: Vermont Council of Special Education Administrators
Date: April 7, 2022
Re: H.716: Part 2: rule delay for determining a specific learning disability and adverse effect

VCSEA supports the 2360 rule changes, but the current timeline for the implementation of these changes on July 1st, specifically regarding Specific Learning Disability (SLD) identification (Rule 2362.2.5) and Adverse Effect (Rule 2362), is not reasonable. Simply, Vermont School Districts are not ready to implement such complex rule changes within 3 months without comprehensive training led by the Vermont Agency of Education. VCSEA testified before the House Education Committee in February 2022, and before the Senate Education Committee in March 2022. Our testimony to both legislative committees was focused on providing the members with an understanding of how schools determine eligibility for a Specific Learning Disability (SLD) and Adverse Effect, and why the new rule changes necessitate a one year delay.

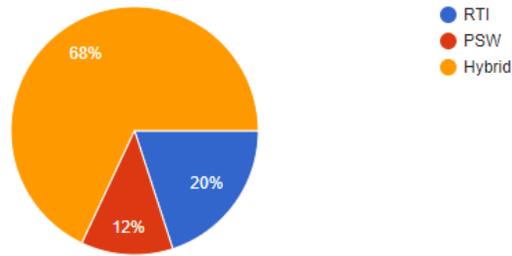
We understand that the Senate Education Committee is grappling with the need for a delay; and that you would like data on the readiness of Vermont School Districts to implement the new special education rule changes. VCSEA surveyed Districts this week to determine readiness for implementation of the new special education rules for specific learning disability and adverse effect.

Out of 52 Vermont School Districts, we had 51 responses. The survey questions and data follow:

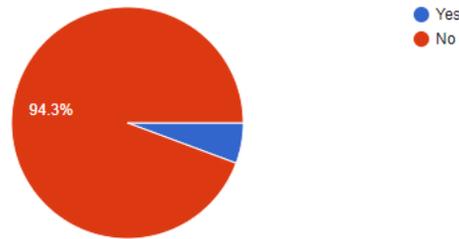
- *Is your District prepared to implement the SLD eligibility rule changes on July 1, 2022.*



- Which approach are you planning to implement in your District?



- Is your District prepared to implement the Adverse Effect rule change, which includes significant changes for functional skills, on July 1, 2022?



Reasons cited for lack of readiness:

- The guidance from the VT AOE via webinars and office hours was not provided until January and February, and it lacks specificity and “how to” guidance.
- Staffing shortages and turnover, including building-level and district-level administrators
- COVID-19 illness and interruptions
- The MTSS system change has been slowed as a result of the pandemic and significant teacher and administrator turn-over
- Not enough time to provide the comprehensive and robust training necessary for a complex change in practice
 - Districts have no in-service or professional development days left in the school year to train all staff in this complex system change.
 - The rule change guidance was released to the field in January and February.
 - Teachers are not available during the summer (collective bargaining agreements)

In summary, Vermont schools have a responsibility to have well trained special education staff to carry out the requirements of the Individuals with Disabilities Education Act (IDEA). Without the appropriate training, our schools will struggle with this federal requirement. We rely on the Vermont Agency of Education to provide our school districts with guidance and training to ensure we are in compliance with IDEA. A delay of one year will provide the necessary time needed to train the field so that the new special education rule changes will be implemented properly.