

January 26, 2017

Vermont House Education Committee

Thank you very much for the opportunity today to present the need we see for legislation to amend the AoE's eligibility regulations for special education in its Gate 2 - Adverse Effect. We appreciate your openness to receive the attached documents for this purpose. The four-page one was created by a lawyer from Autism Speaks, a major national organization working with the issue of autism. The first three pages contain background information with the last page the actual proposed legislation. For your comparison is the (only) one page from the New Hampshire regulations pertaining to criteria for special education eligibility. Massachusetts has a very similar one.

The matter of the AoE Stakeholders group's effort to address and expand the concept of functional performance in consideration of special education eligibility was raised at the hearing today. We agree that waiting until 2018 to learn of the results and/or benefits of this training would not be that productive for the students who need action sooner. It is our perspective, that while somewhat helpful in 'shifting the bar' it still does not address the bigger problem of the limitations of the present regulations. These are the ones that would constrain any parent's attempt to obtain a successful Due Process resolution.

We look forward to addressing the committee in a future hearing to answer any questions you may have. Several of our VATF parent members look forward to sharing their experiences with the present Adverse Effect regulations that have prevented their child with autism being found eligible for needed special education services.

Thank you again for hearing our concerns and considering the proposed legislation.

Philip Eller, Co-Chair

Vermont Autism Task Force