

January 26, 17

To: Vermont House Education Committee

From: Vermont Autism Task Force

In VT, in order to be found eligible for special education services, a child must 3 Gates:

- a) Have a disability (Gate 1)
- b) Meet the criteria listed as “adverse effect” (Gate 2)
- c) Need specialized instruction (Gate 3)

This is a problem because the present AoE Regulations for Gate 3 are:

- a) Not aligned with federal law-For VT to even define adverse effect makes our law more restrictive than the federal law (IDEA) which does not have such a definition.
- b) Discriminatory- the VT adverse effect definition is identical to the federal definition of meeting criteria for a specific learning disability. There are 12 other types (codings) of disabilities that are not specific learning disabilities (that still interfere with learning for other reasons), one such disability is autism, which is a developmental disability.

We would like to see this changed, and past 20 years of combined efforts between advocates of this change and the VT AOE have not yet resulted in ensuring that kids with autism have been able to access special education, (see parent testimonies) so we are asking for legislation.