

Testimony Provided to: House Education Committee  
From: Patti Komline, Vermont Independent School Association  
Topic: H.897/S.229  
Date: May 2, 2018

---

Thank you for inviting me to speak today. You've done a lot of work on H.897 and now in it's home stretch I hope you can really listen to concerns brought to you by all parties who will be impacted by complications that have been exacerbated by rolling S.229 into your bill.

Our concerns are broken down into three areas; funding inequities, challenges with implementation, and increased costs and staff shortages.

## **Funding Inequities**

Under H.897 the intention is to incentivize the public school system to save money with a block grant by providing services under a new model. The independent schools that provide special education services currently, and those that will under S.229, will be working from the old model. So you're gearing up for a reformed system while bringing in a new subset of schools and requiring them to gear up for the old system. And, under the old system, these schools will be reimbursed at a higher rate.

This was not our request, nor our intention. The independent school SPED reimbursements need to be aligned with your census block grant model.

This isn't an easy fix as there are a number of challenges. To highlight one complication:

The district gets the block grant funds based on student count and then disperses the money to the schools.

The independent schools enroll privately placed students and those who are publicly funded. In many cases their students come from multiple districts and some schools enroll international students.

How will these students be tallied? Will all students be counted or only the publicly funded students? How will the districts determine the student count for grants? And how will these districts calculate the disbursement of those funds?

Please go back and re-read the testimony you received from the three supervisory unions for more details regarding their concerns with funding inequities.

## Challenges with Implementation of S.229

- *\*The increased flexibility it would afford LEAs (Local Education Agency Representatives) and teams in making placement decisions but wonder if the independent school representative would be part of the IEP process. If so, could their attendance be considered a predetermined placement decision?*

We don't have an answer to this. If we staff up will we be in consideration for all student placements? Or are we considered competition and therefore not in the running, but forced to spend money on an infrastructure that may or may not be used? We'd like to know how and when we are considered in placement decisions.

- *Potential for voiding the need for schools to become Approved Special Education Schools or will they be contractually obligated to work toward state approval for Special Education programs upon accepting a student in special education?*

It can take months for a school to get SPED approval through the Agency of Education. How do we reconcile this timing with a potential imminent placement? We only realized this wasn't fully addressed in this bill only two weeks ago, standing in the hall talking together. This needs to be dealt with.

- *Refusal of parent/guardian requests for placement in independent schools may lead to a higher number of Administrative Complaints and Due Process situations, resulting in an increase in legal costs.*

I've served on a board in this situation. Clearly our experience wasn't unique.

- *Concern that our primary responsibility is and should be to maintain a public-school system and not utilize decreasing resources on increasing the ability of independent schools to meet the needs of students.*

This is an honest statement by a superintendent. Our schools will be forced to team up with LEAs who, as quoted above, feel that their responsibilities are to the public school system. That is a real concern for our schools given the issues I just discussed and we need to build relationships so these groups can work well together.

## **Increased Costs and Staff Shortages**

- *Potential for extreme increase of cost for special education services (in addition to current costs). Services such as transportation, Occupational Therapy, Physical Therapy, Speech and Language Therapy, Paraprofessionals, Special Educators, Supervision*
- *The public schools will be competing with the smaller independent schools to hire from a shallow pool of available candidates, exacerbating our ability to meet the needs of our publically enrolled students, and pitting us against our independent school partners in competition for staff.*

We had asked for the nine-month staff coverage because we all know there is a severe shortage of SPED professionals and we were concerned that we would be required to provide services but wouldn't be able to find staff, putting our approval status at risk. It isn't feasible for our schools to consider going through the SPED approval process, then staff up only to be left out of IEP placement considerations or only get an occasional referral.

This nine-month compromise wasn't optimal but our options were limited given what we are working with. It is important to note that the costs for staffing would be provided by the LEA whether they were supplying the teachers or our schools were hiring them and then billing back for costs. The funds follow the student, as they should.

\*\*\*

We are the square peg that has been pounded trying to get us into the round hole. Rolling S.229 into H..897 has created an even smaller hole and a larger peg. The resulting splinters represent our administrators, our teachers and, more importantly, our students. You can't assume this will all work out. We tried that with PreK. You have heard from administrators who have expressed their concerns, based on their professional experience. They have to implement what is passed out of here.

By ALL accounts, S.229 needs more time. The compromise we have brought to you is the best we all could come up with given the requirements being placed on us all. We hope you can support this amendment.

\*italicized bullets are from Supervisory Union testimony to this committee.