



Vermont Family Network Testimony - Disability Awareness Day, Feb 28, 2018

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Vermont Family Network (VFN) is the Parent Training and Information (PTI) Center in Vermont. VFN has been supporting families for more than 25 years! PTIs exist in every state and are required by the IDEA (Individuals with Disabilities Education Act). VFN Family Support Consultants are skilled parents of children with disabilities who support families in accessing services for their children in the school and in the community. As required by the IDEA, VFN provides parents with information and resources to help them advocate for the provision of a Free and Appropriate Public Education in the Least Restrictive Environment to which their children are entitled. To achieve the IDEA expectations of a PTI, VFN operates a statewide telephone helpline, provides in-person support to families, and occasionally attends school meetings with parents. VFN also provides written materials and conducts training on a broad range of topics of interest to families and professionals who work with children with disabilities.

Parents contact us when they have concerns and questions about their child in school. Special education laws and regulations can be very confusing for parents who are already overwhelmed with the daily challenges involved in raising a child with a disability. In 2017, we had over 3800 contacts with parents and another 700 with professionals who call on behalf of families.

Topics of concern:

**Special Education Rules:** The wrong version of the Special Education Rules was approved by the Secretary of State when the Vermont Agency of Education last reopened the rules. The omission VFN is concerned about is the 15-day requirement for a school to respond to a parent's request for an initial special education evaluation. Without this safeguard, schools can delay responding to a parent's request, thereby slowing down the entire special education process and potentially reducing/depriving a child of needed services.

Parent role: Parents are not always treated as equal members at the IEP table. While the Individuals with Disabilities Education Act (IDEA) is clear that parents are an equal member of their child's IEP team, the reality is that parents, especially if challenged by poverty, education, disability or language are not always treated with respect.

Procedural Safeguards: The dispute resolution process does not always work for parents. Written administrative complaints are sometimes not being investigated appropriately or objectively, with the school's account taken as the truth despite documentation from the parent showing otherwise. Due process is too expensive for most families to engage in. Schools have attorneys funded by taxpayers; parents must pay for their own legal representation.

Vermont's definition of adverse effect regarding special education eligibility in the Vermont Special Education Rules: No other state operationalizes adverse effect as lowest 15% percentile in a basic skill area. Basic skill areas are academic, so functional skills cannot be used for eligibility despite language at the federal level that refers to students' academic and functional levels.

Act 264: More resources are needed to fund mental health services for children so as not to unfairly burden schools in the Act 264 process.

Changes in special education funding: The emphasis on capping special education funding could result in less inclusion and more segregation of our most vulnerable children. Special education services could also be diminished.

High rates of emotional disturbance: One of the reasons that Vermont may be identifying so many students with emotional disturbance (ED) could be that underlying learning disabilities are ignored or unrecognized, and therefore not remediated. The behavior that arises when a student's underlying learning difference is not treated then results in a child being labelled as ED.

Thank you for listening to parent perspective. We represent the voices of thousands of Vermont families of children with disabilities.