



Michael Livingston
Head of School

Testimony To House Education Committee

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Brief Overview:

A. Congress implemented the Education for all Handicapped Children Act (EHA) in 1975, 43 years ago. It became the Individuals with Disabilities Education Act (IDEA) in 1990. It has been revised several times subsequently.

B. IDEA creates Special Education as a government entitlement, which must be administered through the State Education Authority (SEA) and the Local Education Authority (LEA).

C. Independent schools do not have direct access to those funds.

D. IDEA states that FAPE (Free and Appropriate Public Education) is a non-negotiable requirement for the SEA/LEA's of the nation.

Questions for House Education relative to Special Education:

1. How much money, time and human resources have been provided to the public education system over the last 43 years to support special education? (Hardware, software, training, networking of Human Resources?)
2. What is the status of our Special Education teacher pool in Vermont?
 - a. Are special educators "aging out" of the system?
 - b. Are there enough qualified special educators to fill the anticipated openings and need?
3. Will there be a willingness on the part of special educators to take on very part-time opportunities in "start up" situations with small independent schools?
4. Are SU's willing to share their Special Education personnel?
5. If Special Education personnel are shared with an independent school who is the "supervisor" when that instructor is on an independent school campus?
6. Will there be "fallout" if special education students and/or teachers leave public schools for newly implemented programs in independent schools?
7. Are SU placement teams under any obligation to mention independent schools as viable placement options for families? If not, how are independent schools, at once required to gear up for special education students, going to actually serve any students?
8. How are independent schools to negotiate with multiple SU's?
9. What recourse would independent schools have if an SU was failing to cooperate?
10. Additional concerns include questions about:
 - a. Consistent billing practices among SU's
 - b. Sufficient AOE staffing to accommodate independent school special education requests
 - c. The status of the "UVM" report on special education. How does it reflect on these discussions?

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