



Testimony: Senate 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.

B. IDEA creates Special Education as a government entitlement, which must be administered through the State 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 State and the LEA's of the nation.

**Questions for Senate 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?) *Independent schools are reassured to see that current Senate Education language addresses the sharing of resources (page 10, line 18).*
2. What is the status of our Special Education teacher pool in Vermont? *This is a concern for all of us as we move forward.*
  - 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? *This has been a big concern for those of us beginning the special education process and seems to be addressed by the sharing of resources language in the bill as it stands.*
4. If Special Education personnel are shared with an independent school who is the "supervisor" when that instructor is on an independent school campus?
5. How are independent schools to negotiate with multiple SU's including consistent billing practices and contracts?
6. What recourse would independent schools have if an SU was failing to cooperate?
7. Additional concerns include questions about:
  - a. Sufficient AOE staffing to accommodate independent school special education requests
  - b. Where does this discussion dovetail with the "UVM" report on special education and current House Ed discussions?