



## **Testimony - An act relating to special education laws (dr req 19-1250 - draft 1.2)**

From: Traci Sawyers, Executive Director, Vermont Council of Special Education Administrators (VCSEA)

Date: March 12, 2019

VCSEA supports this draft bill and sees the adjustments as minor. However, on page 3, the language of “Allowable special education costs” is concerning to VCSEA, because it is holding onto a concept that is very close to an existing construct that Act 173 sought to address - a cumbersome and inflexible way of defining how special education funding can be expended. VCSEA recognizes that some level of federal reporting will require documentation of how special education funding is used, but is concerned that a key feature of Act 173 (reduced paperwork burden and flexibility) will not be realized. The AOE has been clear that it has no desire to exceed federal requirements, but have suggested things like time studies and service plans might not go away. We have concerns that flexibility will not be realised because of interpretation. At the federal level, there is interest in decreasing regulation, and this might merit a collaborative conversation with the US Department of Education (DOE) as others have done.

VCSEA has a seat on the Census-Based Funding Advisory Group and is closely following and participating in this work. We also support this bill meeting crossover because there may be more substantive issues that the advisory group asks the legislature to address or change this session.

In addition, other issues that VCSEA wants to flag for the committee related to Act 173 include the following:

- The issue of Act 173 delay has been coming up recently. VCSEA’s initial conversations with members suggest that the majority do not currently believe a delay would be prudent.
- The funding “cliff” for some districts will be significant. We are concerned about a backlash against special education and want to flag this and continue to think about how this can be addressed.
- As presented in joint testimony on February 27, 2019, VCSEA has concerned about AOE capacity and both rulemaking and the professional development and technical assistance plan.