



**TESTIMONY PROVIDED TO:** House Education Committee

**FROM:** Pam Reed, Director of Support Services, Rutland City Public Schools and President of the Vermont Council of Special Education Administrators; and Kris Benway, Director of Special Services, Slate Valley Unified Union School District and President Elect of the Vermont Council of Special Education Administrators

**TOPIC:** S. 172 Education Bill of Rights for Children Who are Deaf, Hard of Hearing, or DeafBlind

**DATE:** February 1, 2024

Good afternoon. Thank you for the opportunity to be here today.

For the record, my name is Pam Reed. I am completing my 30th year of service in Vermont public schools. My career has included 9 years as a teacher, and 21 as an administrator both at the school and district level, all within the Rutland region. For the last 14 years I have called Rutland City Public Schools my home as an Associate Principal at Rutland High School and, for the last 5 years, Director of Support Services Equity and Inclusion. I am also the President of the Vermont Council of Special Education Administrators (VCSEA).

For the record, I am Kristin Benway and I am a 32-year veteran teacher. All of my years of service have been within the State of Vermont; 29 years in Vermont public schools and 3 years in higher education. Prior to starting my teaching career, I also worked for 3 years in community mental health supporting adults with disabilities. Of my 29 years in public education, the last 26 years have been spent as the Director of Special Services for the Slate Valley Unified School District. I also currently serve as President-Elect of the Vermont Council of Special Education Administrators (VCSEA).

Thank you for the opportunity to share our input with you regarding the proposed Education Bill of Rights for Children Who are Deaf, Hard of Hearing, or DeafBlind. This testimony is provided on behalf of the Vermont Council of Special Education Administrators (VCSEA) and the Vermont Superintendent's Association (VSA). Both organizations and their membership are committed to inclusion and strive for equitable opportunity amongst all Vermont students.



**TESTIMONY PROVIDED TO:** House Education Committee

**FROM:** Pam Reed, Director of Support Services, Rutland City Public Schools and President of the Vermont Council of Special Education Administrators; and Kris Benway, Director of Special Services, Slate Valley Unified Union School District and President Elect of the Vermont Council of Special Education Administrators

**TOPIC:** S. 172 Education Bill of Rights for Children Who are Deaf, Hard of Hearing, or DeafBlind

**DATE:** February 1, 2024

As district leaders we are committed to upholding the tenets of the Individuals with Disabilities Education Act (IDEA), ensuring protections under Section 504 of the Rehabilitation Act, and establishing access through the Americans with Disabilities Act for **all** impacted students of **all** disability categories. Students with low-incidence disabilities of Deaf, Hard of Hearing, or Deafblindness are currently included in these rights, protections, processes, procedures, rules and dispute resolution mechanisms.

We appreciate the attention and concern for children living with a disability. We understand many of the challenges of serving students and supporting families of low-incidence disabilities with limited resources and low numbers of qualified providers within our state.

We are concerned that many of the requirements outlined in this proposal are redundant of current education or civil rights legislation, as noted above. The proposal exceeds entitlements and protections afforded to all students with disabilities. In our efforts to ensure equity for our students, we need to ensure that we are not elevating one disability category above all others. We fear that this proposal has the appearance of doing so.

We are concerned that this legislation negates the processes for decision-making and dispute resolution that are afforded through the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act. For example, the specific tenets of the Individuals with Disabilities Act (IDEA) are to ensure that students with disabilities are afforded a Free Appropriate Public Education (FAPE), appropriate evaluation, development of a plan that is uniquely designed to meet the needs of the individual student (IEP) in the least restrictive environment (LRE). The IDEA also addresses the qualifications of staff and includes process and procedural safeguards for parents, defines team membership, outlines the



**TESTIMONY PROVIDED TO:** House Education Committee

**FROM:** Pam Reed, Director of Support Services, Rutland City Public Schools and President of the Vermont Council of Special Education Administrators; and Kris Benway, Director of Special Services, Slate Valley Unified Union School District and President Elect of the Vermont Council of Special Education Administrators

**TOPIC:** S. 172 Education Bill of Rights for Children Who are Deaf, Hard of Hearing, or DeafBlind

**DATE:** February 1, 2024

decision-making process, including the rights of parents who disagree, and provides dispute resolution procedures.

We are concerned that this bill creates a different set of policies, procedures, rights, and responsibilities for one disability group and appears to elevate those needs and rights above all other disabilities, which seems in contrast to our goals of equity and inclusion. For example, Section 4 of S.172 requires “an education in which children who are Deaf, Hard of Hearing, or DeafBlind are exposed to role models who are Deaf, Hard of Hearing, or DeafBlind”; a school district can not guarantee access to role models of any specific disabilities being accessible or available, especially when the considering the demographics and geography of our small state.

In our collective efforts to shape education policy to improve outcomes and provide equitable educational opportunities to students in Vermont, we implore you to consider the impact of a bill of rights for one disability category and the unintended implications for all others.

Thank you for the opportunity to share the thoughts and concerns of Vermont Superintendents and Vermont Administrators of Special Education.

Respectfully Submitted,

Pam Reed, President VCSEA

Kris Benway, President-Elect VCSEA



**TESTIMONY PROVIDED TO:** House Education Committee

**FROM:** Pam Reed, Director of Support Services, Rutland City Public Schools and President of the Vermont Council of Special Education Administrators; and Kris Benway, Director of Special Services, Slate Valley Unified Union School District and President Elect of the Vermont Council of Special Education Administrators

**TOPIC:** S. 172 Education Bill of Rights for Children Who are Deaf, Hard of Hearing, or DeafBlind

**DATE:** February 1, 2024