

1 S.325

2 Introduced by Senators Parent and Perchlik

3 Referred to Committee on

4 Date:

5 Subject: Education; special education; State Board of Education rules

6 Statement of purpose of bill as introduced: This bill proposes to require that
7 the State Board of Education amend its special education rules to eliminate the
8 provision that currently requires that, in order to be eligible for special
9 education services, a child's disability must result in an adverse effect on the
10 child's educational performance, and to eliminate the Local Education
11 Agency's ability, in making the determination that a student has a specific
12 learning disability, to use discrepancies in standard deviations between the
13 student's ability and expected levels of performance in certain skill areas.

14 An act relating to amending the State Board of Education's special
15 education rules

16 It is hereby enacted by the General Assembly of the State of Vermont:

17 Sec. 1. STATE BOARD OF EDUCATION; SPECIAL EDUCATION RULES

18 On or before December 31, 2020, the State Board of Education shall amend
19 its rules on special education (Series 2300) to eliminate:

1 (1) the adverse effect provision in Rule 2362 and related rules that
2 currently require that, in order to be eligible for special education services, a
3 child's disability must result in an adverse effect on the child's educational
4 performance in one or more of the basic skill areas as described in Rule
5 2362(d); and

6 (2) the use of the discrepancy model in Rule 2362.2.5 and related rules
7 that currently permits the Local Education Agency, in making the
8 determination that a student has a specific learning disability, to use a model
9 that uses discrepancies in standard deviations between the student's ability and
10 expected levels of performance in certain skill areas.

11 Sec. 2. EFFECTIVE DATE

12 This act shall take effect on passage.