

Resources to Support Special Education Rule Changes

Purpose

Special education rule changes will fully go into effect in July 2023. Supporting the implementation of the rule changes will require a school wide effort and participation from professionals across the educational spectrum.

The AOE has identified sets of resources and themes that are relevant to general educator, building and district leader, and board member audiences. We recommend that, as a starting point, educators review the resources tagged for them to acquaint themselves with how their individual roles might be impacted by the changes taking effect.

Additionally, as school districts engage in continuous improvement work responding to Special Education rule changes, they are encouraged to utilize these resources when articulating improvement goals and implementation strategies.

This document will be updated as more resources are created to best support the scope of work required within each role. For more supporting documents, webinars, and detailed information about the changes, please visit the [AOE Special Education Rule Changes](#) website.

Contact Information:

If you have questions about this document or would like additional information, please contact:
Cassie Santo, AOE Special Education Team at Cassie.Santo@Vermont.gov

Resources to Support General Educators

<i>Background</i>	<i>Resources</i>
<p>Special Education Processes: General educators are integral to the special education process. Established systems of supports should be in place that directly involve general educators in ensuring appropriate interventions and supports are provided for all students. The resources in this section will support general educators in understanding and identifying areas of support, the initial evaluation processes, characteristics and signs of suspected disabilities, and eligibility determination.</p>	<p>Child Find, LRE, and Special Education Initial Evaluation Process: All educators are integral to Child Find and to ensuring that a free appropriate public education is accessible for all students. General Educators must implement research-based interventions and delivering universally designed instruction to best meet the needs of all learners in their classrooms. This section of the Special Education Evaluation Implementation Guide will walk educators through the evaluation process, their role in the data collection, and the principals behind the rule changes set to take place in July 2023.</p> <p>Determining When to Make a Referral: Educators and administrators should use judgement and review a wide array of available data when deciding to refer a student for an evaluation. General Educators must provide data regarding academic and functional skills, continuously monitor student progress to inform instruction and intervention, and access other professionals and supports as needed.</p> <p>Disability Characteristics Checklist and Signs of Suspected Disability: Both charts in the Special Education Evaluation Implementation guide can support school staff to identify whether a student has a disability under one of the categories outlined by IDEA. It is crucial for general educators to understand the characteristics and signs of a suspected disability, and to implement classroom supports to enhance progress and access in the general education setting.</p> <p>Eligibility Determination: Effective July 2023, eligibility for special education services is based on three criteria which are described in this document. It is essential that General Educators understand this process and be active participants in determining a student’s eligibility for special education.</p> <p>Specific Learning Disability: Multidisciplinary Evaluation Team Members and Responsibilities: This document outlines the roles each individual plays in the evaluation planning team process and the eligibility determination. General Educators must implement universal instruction, continuously monitor student progress to inform instruction and intervention, and refer students to the EST when there are concerns.</p>

<i>Background</i>	<i>Resources</i>
<p>Rule Changes: Special Education rule changes will fully be in effect July 1, 2023. These resources identify the rule changes that are taking place and areas of impact for general educators.</p>	<p>Guidance to Rule Change: Functional Skills: Students can be eligible for special education in the basic skill area of functional skills. It is crucial that General Educators understand functional skills as a potential area of need and implement interventions that support functional skill development for all students.</p> <p>Special Education Services: Read rule 2360.2.12 to understand the changes to special education services as they compare to previous rules. This is especially applicable for general educators co-teaching with a special educator.</p> <p>Using Data to Identify Students who Need Support: Data is essential to best identify students who need additional support and to gauge the effectiveness of the supports provided. It is necessary that General Educators collect data and refine supports as they determine if students are accessing and making progress. This section of the Special Education Evaluation Implementation guide lists assessment types that can inform instruction for groups of students or individuals.</p>

Resources to Support Building Leaders

<i>Background</i>	<i>Resources</i>
<p>Special Education Processes: Building leaders are fundamental members of the special education process and should understand a school’s legal obligation to students eligible for special education services. These resources provide building leaders with information about the initial evaluation process, eligibility determination, and the District Management Group Report that provided a road map for Vermont’s Act 173 response.</p>	<p>Child Find, LRE, and Special Education Initial Evaluation Process: Principals are the link to ensuring the timeliness of Child Find and providing the Least Restrictive Environment (LRE) for students with disabilities. Building leaders are responsible for the education of their students and must ensure that staff understand evaluation processes and how to provide supports within the multi-tiered system of supports. This section of the Special Education Evaluation Implementation guide describes the evaluation process and the rule changes set to take place in July 2023.</p> <p>Eligibility Determination: This document guides building leaders through the three questions that must be answered to determine eligibility. Building leaders must ensure that there is a system of interventions and data collection that guarantees students to access the supports they need, while providing evaluation teams with the data necessary to make determinations.</p> <p>Expanding and Changing Best Practice for Students Who Struggle - DMG Report: This report, issued by the District Management Group (DMG), provides a road map for Vermont to be more cost effective and to better serve students who struggle. Building leaders are at the frontlines of this effort and the components within the DMG report are foundational methods that will better support all students. The goal of Act 173 goes well beyond issuing this report, published in 2017, and intends to be a catalyst for a sustained effort to raise achievement, expand services, and manage costs.</p> <p>Implementation of Coordinated Curriculum: This document is designed to provide additional technical assistance and guidance around curriculum coordination. It is essential that building leaders engaged in this work understand how curriculum, instruction, and assessment reinforce, support, and inform each other, as a part of supporting the goals of Act 173.</p> <p>Specific Learning Disability: Guidelines for Determining Eligibility: This guide outlines the rule changes, effective July 2023, as they apply to specific learning disabilities. It provides practical resources for building leaders as we move away from a discrepancy model to scientific, research-based intervention/instruction models. It is essential that building leaders engage with their school’s curriculum and understand the connection between research-based interventions, universal learning, data collection and progress monitoring, and special education eligibility.</p>

<i>Background</i>	<i>Resources</i>
<p>Rule Changes: Special Education rule changes and will fully be in effect July 1, 2023. These resources provide Act 173 in its entirety and outline the special education rule changes and the areas of impact.</p>	<p>Act 173 - § 2901. SUCCESS FOR ALL STUDENTS IN THE GENERAL: Act 173 has the potential to create better success for all students in the general education classroom. It is necessary that building leaders be familiar with act 173 and provide direct support for staff as they navigate these changes.</p> <p>Guidance to Rule 2392(g) Change: Functional Skills/Functional Performance: Students can be eligible for special education in the basic skill area of functional skills. This document seeks to provide guidance on the importance of functional performance, assessments for functional skills, and IEP goal writing for functional performance goals. Building leaders need to ensure that functional skills are incorporated into their building’s curriculum and that interventions to support functional skills are embedded within the multi-tiered system of supports.</p> <p>Educational Support Team: Practice Profile: The Educational Support Team (EST) practice profile provides descriptions of possible EST practices. The practice profile is intended as a tool to help district and school level EST staff to self-assess their EST and to pinpoint possible areas for improvement. This tool should promote open discussion and collaboration that helps improve the quality and consistency of EST practices.</p> <p>Special Education Rule Change - What is no Longer Present and the Impact: – Watch this video, starting at minute seven, to hear about what is no longer present in the rules and the expected impact. This information will help building leaders to better understand the shifts occurring related to the rule change and the impacts for their staff.</p>

Resources to Support District Leaders

<i>Background</i>	<i>Resources</i>
<p>Special Education Processes: District leadership is foundational to build successful systems of support and appropriately meet the needs of all students. These resources include the report that was a catalyst for change in Vermont, and a description of how the rule changes manifest in an initial evaluation.</p>	<p>District Level EST Oversight: This document describes the core responsibilities and recommended practices of district leaders for a successful educational support team. Although the team operates at the school level, ESTs are overseen at the district level, and it is ultimately the district leader's responsibility to ensure that ESTs are effectively implemented district wide. Leaders at the district level must be invested in the development and success of supporting all students through ESTs.</p> <p>Educational Support Team (EST): Making Connections with VTmtss: This document is intended to be used by school systems that are reviewing and improving their EST model. It can be used independently as a diagnostic/needs assessment tool, or in conjunction with other VTmtss tools as part of a more comprehensive continuous improvement process. The Making Connections document is intended to measure SU/district wide consistency of practice.</p> <p>Expanding and Changing Best Practice for Students Who Struggle - DMG Report: This is a report issued by the District Management Group (DMG) and it provides a road map for Vermont to be more cost effective and to better serve students who struggle. The goal goes well beyond just issuing this report, published in 2017, and intends to be a catalyst for a sustained effort to raise achievement, expand services, and manage costs. District leaders must be familiar with this document and its findings as well as the foundational connection it has to the rule changes and Act 173.</p> <p>K - 12 Special Education Evaluation Implementation Guide: All district leaders are integral to ensuring that systems are in place so that a free appropriate public education is accessible for all students. The Special Education Evaluation Implementation Guide walks district leaders through the evaluation process, identifying how systems of supports interact with a student's individualized needs. District leaders are responsible for ensuring that their staff is familiar with the legalities regarding the evaluation process, the role their entire staff plays in implementation, and the systems that must be in place to uphold the process.</p>

<i>Background</i>	<i>Resources</i>
<p>Rule Changes: District leaders should familiarize themselves with the special education rule changes and Act 173. These resources provide the changes in their entirety and how they impact schools.</p>	<p>Act 173 Guidance Documents: This link is to the section of the AOE website that houses the library of Act 173 Guidance Documents. It is essential that district leaders ensure that this guidance is disseminated to all applicable staff with protected time to process and plan for implementation.</p> <p>Rule 2360 Side by Side: This document outlines the major changes to the special education rule 2360. It compares the previous rules to the new rules in a side-by-side format. To best see the changes in written format, district leaders should review this resource.</p> <p>Special Education Rule Changes Webpage: This webpage contains webinars, guidance documents, and tools detailing expectations and impacts for education in Vermont related to the changes being implemented. Supporting students requires consistent access to appropriate universal instruction, evidence-based intervention, and data collection to inform decision making. District leaders must support schools with building systems that ensure that eligibility decisions are based in data, that time is provided to collaborate and support students, and the guidance necessary to build capacity. District leaders should review this webpage and reflect on the systems in place to support these processes.</p> <p>Using AOE Tools and Resources to Support Local-level Responses to Act 173: This document provides a recommended sequence for LEAs to follow when seeking to identify their Act 173- related needs, to help LEAs with this work, and how LEAs can request AOE assistance. District leaders must seek support from the AOE promptly if they are uncertain how to support act 173 and special education rule changes.</p>

Resources to Support Board Members

<i>Background</i>	<i>Resources</i>
<p>Special Education Processes: Special education rule changes are best understood when framed with the special education processes. These resources highlight the data for being more cost effective and serving students who struggle, and the process for determining special education eligibility in Vermont.</p>	<p>Expanding and Changing Best Practice for Students Who Struggle - DMG Report: This report issued by the District Management Group (DMG) provides a road map for Vermont to be more cost effective and to better serve students who struggle. Board members must understand the background to the research behind reshaping our systems. The goal of Act 173 goes well beyond issuing this report, published in 2017. This document's findings are intended to be a catalyst for a sustained effort to raise achievement, expand services, and manage costs for all students.</p> <p>Educational Support Teams in School District Systems: This document explains the importance of the ESTs role and the changes in practice necessary to implement act 173. ESTs are intended to function as a lever for act 173, and board members must be certain that their schools have the resources they need to build effective systems that are aligned and supporting accessibility and progress for all students.</p> <p>K - 12 Special Education Evaluation Implementation Guide: The Special Education Evaluation Implementation guide can help board members to understand how the entire special education eligibility process works, from an initial evaluation to the writing of an Individualized Educational Program. This guide directly connects with act 173 and can support board members understandings of the intricacies within the systems of support and the relationships within the tiers of learning.</p>
<p>Rule Changes: The special education rule changes and Act 173 are areas of focus for all districts in Vermont. These resources can support board members understand what these changes mean and how their districts are preparing for the changes taking place.</p>	<p>Act 173 Full Text: Act 173 has the potential to create better success for all students in the general education classroom. Per Vermont statutes, it is the board members' responsibility to uphold policy and to ensure that educational support teams are in place at a district level. It is crucial that board members have knowledge of this text and the implications it has on school wide systems.</p> <p>State of Vermont Funding for Special Education - Executive Summary: The Agency of Education was directed, under Section 3 of No. 148 of the 2016 Acts and Resolves of the Vermont General Assembly, to undertake a study of special education funding and practice, and to evaluate the feasibility of implementing a census-based funding model in Vermont. This document would benefit board members in understanding how census-based funding operates, and the ways in which it may save districts money and give schools more flexibility.</p>