

**From:** Mary Lundeen <[mary.lundeen@mmuusd.org](mailto:mary.lundeen@mmuusd.org)>

**Sent:** Wednesday, October 25, 2023 4:22 PM

**To:** Diop, Mohamed <[Mohamed.Diop@vermont.gov](mailto:Mohamed.Diop@vermont.gov)>; Fearon, Grey <[Grey.Fearon@partner.vermont.gov](mailto:Grey.Fearon@partner.vermont.gov)>; Gleason, Kimberly G <[Kimberly.G.Gleason@vermont.gov](mailto:Kimberly.G.Gleason@vermont.gov)>; Kolbe, Tammy <[Tammy.Kolbe@vermont.gov](mailto:Tammy.Kolbe@vermont.gov)>; Jepson, Lyle <[Lyle.Jepson@vermont.gov](mailto:Lyle.Jepson@vermont.gov)>; Lovett, Tom <[Tom.Lovett@vermont.gov](mailto:Tom.Lovett@vermont.gov)>; O'Farrell, Jennifer <[Jennifer.OFarrell@vermont.gov](mailto:Jennifer.OFarrell@vermont.gov)>; Samuelson, Jennifer <[Jennifer.Samuelson@vermont.gov](mailto:Jennifer.Samuelson@vermont.gov)>; Werner, Richard <[Richard.Werner@vermont.gov](mailto:Richard.Werner@vermont.gov)>; Wilburn, Aaliyah <[Aaliyah.Wilburn@partner.vermont.gov](mailto:Aaliyah.Wilburn@partner.vermont.gov)>; Bouchey, Heather <[Heather.Bouchey@vermont.gov](mailto:Heather.Bouchey@vermont.gov)>

**Cc:** Brian Campion <[bcampion@leg.state.vt.us](mailto:bcampion@leg.state.vt.us)>; Peter Conlon <[pconlon@leg.state.vt.us](mailto:pconlon@leg.state.vt.us)>; Reed-EXT, Pam <[pam.reed@rcpsvt.org](mailto:pam.reed@rcpsvt.org)>; kbenway <[kbenway@svuvt.org](mailto:kbenway@svuvt.org)>

**Subject:** Independent Schools, Public Education and the Education Quality Standards Public Comments

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Dear State Board of Education Board Members, Sec. Bouchey, Rep. Conlon, and Senator Campion:

Please see the attached public comments from the Vermont Council of Special Education Administrators (VCSEA) related to the EQS and Independent Schools.

Best Regards,  
Mary Lundeen  
Past President of VCSEA

cc: Pam Reed, VCSEA President  
Kris Benway, VCSEA President-Elect

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Mary K. Lundeen, M.Ed.  
Director of Special Services  
Mount Mansfield Unified Union School District  
10 River Road  
Jericho, VT 05465  
Phone: (802) 434-2128  
Fax: (802) 899-4001  
[mary.lundeen@mmuusd.org](mailto:mary.lundeen@mmuusd.org)

[VT Special Education Parental Rights/Procedural Safeguards](#)

"The illiterate of the future will not be the person who cannot read. It will be the person who does not know how to learn."

~ Alvin Toffler





To: The Vermont State Board of Education  
Rep. Peter Conlon, Chair Vermont House Education  
Sen. Brian Campion, Chair Vermont Senate Education

From: The Vermont Council of Special Education Administrators (VCSEA)

Date: October 25, 2023

Re: Independent Schools, Public Education and the Education Quality Standards

The following comments are being submitted on behalf of The Vermont Council of Special Education Administrators (VCSEA). VCSEA is an organization dedicated to providing **leadership for the education of all children with a specific focus on students with disabilities.**

VCSEA supports the purpose of the Series 2000 Education Quality Standards to, “ensure that all students in Vermont public schools are afforded educational opportunities that are substantially equal in quality and enable them to achieve or exceed the standards approved by the State Board of Education. These rules are designed to ensure continuous improvement in student performance, instruction and leadership to enable students to attain rigorous standards in high-quality programs.”

VCSEA’s position is that the EQS standards must become part of the independent school approval process.

Our concerns with the Series 2000 Education Quality Standards are as follows:

1. Independent schools are not being held to the same standards related to assessment that the public schools are required to follow. This accountability is necessary to “enable students to attain rigorous standards in high-quality programs.” Independent schools must implement an assessment system that consists of formative and summative assessments and provides data to inform instruction, measure progress, and assist teams in ensuring students meet graduation requirements.
2. A process for ensuring that independent schools meet the criteria for high-quality programs is not evident in the proposed EQS rules. The Individuals with Disabilities Education Act (IDEA) requires Local Education Agents (LEAs) to

document adequate student progress as a measure of a Free Appropriate Public Education (FAPE). Assessment data, which is tied to the state standards, is used to document individual student growth, as well as to assist IEP teams in determining the need for Extended School Year Services (ESY). Without clear and accurate data indicating adequate progress, school districts may be responsible for providing unnecessary special education services, causing additional financial responsibilities for public education..

3. The Vermont Agency of Education currently lacks the authority to provide oversight and monitoring to Independent Schools serving students with disabilities. **It is critical that the Agency of Education be granted the regulatory authority to monitor the financial accountability of independent schools because public funds are being used to pay tuition costs. Accounting procedures consistent with the Generally Accepted Accounting Principles (GAAP) is necessary.**
4. Teacher licensure for independent schools, particularly for those professionals providing special education services, must mirror that of professionals working in public schools. Students with disabilities are our most vulnerable students. They deserve and require highly skilled individuals who understand learning differences, and understand how to modify and adapt curriculum based on the student's unique needs. Without appropriately certified and licensed teachers, instruction and student growth is compromised.
5. The LEA is responsible for the provision of a Free Appropriate Public Education (FAPE) for every student eligible to receive special education services. It is imperative that LEA representation or a VCSEA representative is an active part of each independent school review process. This will ensure that the requirements of the Individuals with Disabilities Education Act (IDEA) and the VT Special Education Rules and Regulations are being followed, and that students are provided with a FAPE. Parents have due process rights when FAPE is compromised which has financial implications for the District on top of the educational loss to the student.