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Special Education Rules Notification and Update

As Vermont begins implementing Act 173, some questions have emerged from school systems about whether or not current Adverse Effect, Child Find and other special education rules and policies are still in effect.

Act 173 requires that the "Agency of Education shall recommend to the State Board proposed rules that are necessary to implement this act and, on or before November 1, 2019, the State Board of Education shall adopt rules that are necessary to implement this act." (No. 173, § 16). In response, the Agency of Education, in consultation with the Census Based Funding Advisory Group, is developing rules and project timelines to meet this target.

The intention of the rulemaking work is to develop rules specifically related to the Act. Outstanding content concerns in the Special Education rules will be addressed during the public comment period once the rules are officially open for revision by the State Board of Education, likely summer of 2019. More details will be released as they become available.

Until such time as new Special Education rules are proposed and adopted, the current rules shall continue to be implemented as written. This includes the current written forms of Child Find, and Adverse Effect.

If you have questions, please contact Chris Kane at christopher.kane@vermont.gov.