

This document is submitted to the State Board by the Census-Based Funding Advisory Group. This summary is meant to capture the Advisory Group’s commentary on **VISA Proposals re Rule 2360 Series**, inclusive of discussion held at the February 3rd Advisory Group Meeting. Please consider this as the formal adopted input of the Group.

Submitted by Meagan Roy, Ed.D., Chair

Rule Number	AOE Draft	AG Suggestion (As presented to SBE in December, 2019)	AOE Response	Advisory Group Commentary (As adopted at 2/3/20 meeting)
VISA Proposals re Rule Series 2360				
<p>Mill Moore’s proposed language (submitted to the Advisory Group on 1/31/20)</p>			<p>The Advisory Group was not present for the discussion of these proposals.</p>	<p>The Advisory Group reviewed the proposed changes to 2360 series, specifically the proposals regarding a “right to appeal” IEP placement decisions and language addressing the need for independent schools to be specifically approved for individual disability categories rather than for special education as a whole.</p> <p>Initial reactions by the Advisory Group included a significant concern with the “right to appeal” language. The concern is that this provides a right to independent schools to contest an IEP decision, which is likely in conflict with Federal law. The Group requested additional time</p>

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				<p>to consider the implications of the second proposal.</p> <p>The Advisory Group highlights these as potential issues for the SBE to address during Rule development for the 2200 series.</p> <p>The Advisory Group would like to reiterate the recommendation made to the SBE that the SBE access a third party with legal expertise to draft alternative proposed language on those areas where the Advisory Group and the Agency disagree. Otherwise, the SBE is left to arbitrate disagreements without the depth of knowledge and expertise needed to do so.</p>