

# State Board of Education Rules Series 1300 and 2360 Committee

## Draft Meeting Minutes

**Meeting Place: Virtual Teams Meeting/Video/Teleconference**

**Call in #: 1-802-552-8456, Conference ID: 174 734 786#**

**Date: December 10, 2020**

### Present:

**State Board Committee Members:** Kim Gleason, Jenna O'Farrell

**Others:** Phillip Eller, Brittany Lovejoy, Marilynn Mahusky, Cindy Morse, Mack Morse, Nancy Richards, Marylynne Strachan

### Call to Order/Roll Call/Introductions

Kim Gleason called the meeting to order at 3:05pm

### Amendments to Agenda

None; noted that committee members Dr. Mathis and Angelita Pena had unexpected conflicts and were not able to attend.

### Public to be Heard

Marylynne Strachen shared her experience as a parent, in support of the changes proposed by the Vermont Legal Aid. She indicated as a parent of a student with dyslexia, she felt the process to be lacking in addressing her student's needs in a timely way, and in providing input in the IEP process.

Nancy Richards, spoke as a representative from the Vermont Family Network, and to express concern for Vermont's use of "adverse effect," in the manner it does, as it is inconsistently applied and not in keeping with federal requirements. She has found the training to be inconsistently applied in different districts, and that the current support and training materials are inadequate to ensure consistency of practice from district to district. She asks that the State Board of Education consider the position of the parent to better understand the challenges of the process.

Marilyn Mahusky, of the Disability Law Project, spoke to let the Committee know that there would be a memo forthcoming from the DLP and VCSEA to offer to convene a smaller group to discuss the three outstanding areas with the Committee, to attempt to provide insight to the impact of the possible outcomes of the Committee's work, and inform the recommendation of the Committee to the full board.

Phillip Eller, of the Vermont Autism Task Force, spoke to ask the State Board of Education to amend the rules to require the special education consideration of non-academic impact of learning disabilities, such as the effect on functional skills. He also offered his support of the importance of parental consent in the IEP process.

Mack Morse spoke as a parent of children with dyslexia, and appreciates the complexity of the issues. He noted that comprehensive evaluations take place from birth to age three, but not so from ages 3-18. He advocates for early detection of dyslexia and intervention when it can be most effective.

Brittany Lovejoy spoke as a parent of children with dyslexia, and as a teacher. She indicated that it is her belief that educators do not offer more testimony, as they have concern for repercussions within their schools/districts. She spoke in support of removing adverse effect in the way that Vermont considers it. She also spoke as a parent frustrated with the IEP process and requested that the rules require prior notice for parents/guardians of meetings and the material/data/plan which will be discussed at the IEP meetings. She strongly recommends that parents/guardians receive the IEP meeting material at least 48 hours in advance of the meeting.

Cindy Morse spoke for the need for changes to the system to make it more equitable and aligned with federal law. She said that families are not able to take time to testify during the workday and their own experiences and challenges may prevent them from providing testimony and feedback. She feels as a parent, she has had to always push for the recognition/diagnosis and support for students with dyslexia.

### **Review Rules Series 1300 and 2360, with a focus on adverse effect, parental consent, and multi-tiered systems of support (MTSS)**

The Committee recognized that it would not be possible to arrive at any conclusions from the materials without hearing all testimony through the end of the year, and without the full committee present. The Committee looks forward to the conversation with representatives from the VCSEA, the VDLP, and the AOE, to take place in the beginning of the new year, and perhaps find consensus or at least greater understanding on these matters, which will inform the Committee's recommendation to the full board. At this point, there are no specific additional questions, but the Committee will look forward to scheduling the next meeting at a time when those mentioned above can join the committee for a portion of the discussion.

### **Adjourn**

The meeting was adjourned at 4:16pm.

Minutes prepared by: Kim Gleason, Chair, Rules Series 1300 and 2360 Committee