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Processes for Obtaining Approval to Serve Special Education Students in Vermont Independent Schools

Approval for independent schools, general and special education, is pursuant to 16 V.S.A § 166, and the Vermont State Board of Education (SBE) rules 2220-2227 and 2228. The latter are the rules specific to special education approval.

Please note: A prerequisite to special education independent school approval is general education independent school approval.

The following is an overview of the processes for obtaining initial special education approval or seeking an amendment to a current special education approval..

1. Application

a. Application for Initial Special Education Approval

- Visit the Agency of Education (AOE) website to access the special education application.
- Submit the completed special education application to pat.pallasgray@vermont.gov.

b. Application for Seeking an Amendment to a School's Current Special Education Approval

- Visit the Agency of Education website to access the special education application.
- Complete the application to the extent that it applies to the amendment being sought. (e.g. staffing changes related to the addition of the disability category of autism, or additional resources pertinent to the area(s) being sought.
- Submit the completed special education application to pat.pallasgray@vermont.gov.

c. Assurances in the Application

The applicant will provide assurances pursuant to VSB Rules 2228.1 – 2228.9 including;

- *A statement* that the school has in place operational policies and/or procedures in the areas of: (1) admissions, (2) least restrictive environment, (3) discipline, (4) graduation, (5) faculty qualifications, and (6) faculty-student ratios. (2228.3)
- *A statement* that the school will coordinate with sending responsible agencies, parents, public agencies and service providers by: (1) maintaining and disclosing educational records, and coordinating with LEA, (2)

participating in evaluation and IEP procedures, (3) implementing of IEPs, (4) providing written notice for a change in placement. (Rule 2228.3)

- *A statement* that the school will provide necessary staffing to support the services required by each student's IEP and a complete list of school staff with confirmation that staff meet licensing requirements to provide or supervise the provision of special education services and related supports. (Rules 2228.3.2)
- *A statement* indicating that prior to enrolling a student who is served pursuant to an IEP, the independent school will enter into a written agreement with the sending responsible agency that outlines tuition, room a board (if applicable) and other costs associated with the student's attendance. (Rule 2228.4)
- *A statement* indicating that within thirty days of enrolling a student who is served pursuant to an IEP, the independent school will enter into written agreement with the sending responsible agency as to the division of responsibility for performance of non-instructional services, including compliance with special education procedural requirements. (Rule 2228.4)

2. Site Visit:

Upon receipt and review of the completed application, an individual(s) is identified to conduct an onsite visit and a recommendation for approval or non-approval to the Agency. Vermont AOE site visit will consist of staff interviews, class or student observations, and a document review as it relates to above assurances and VSB rules 2228.3 – 2228.8 for all categories of disability for which the school is seeking approval.

3. Report and Recommendation:

After the site visit, a written report and recommendation from the AOE is forwarded to the State Board of Education, who maintains ultimate approval authority for all applications. Prior to submission of the report/recommendation to the SBE, the independent school is given an opportunity to review the document.

Note: If you have any questions, please contact pat.pallasgray@vermont.gov.