



VT Human Rights Commission
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February 17, 2017

Stephan A. Morse, Chair
Vermont State Board of Education
Agency of Education
219 North Main Street, Suite 402
Barre, VT 05641

RE: Response to New Provisions and Changes to Rule 2200

Dear Chairman Morse and Members of the State Board of Education:

Thank you for the opportunity to address the Committee with regards to the proposed changes to Rule 2200.

The Vermont Human Rights Commission (VHRC) has jurisdiction pursuant to 9 V.S.A. §4500 et seq. to investigate complaints of discrimination in all schools, public and independent, whenever a student with a disability is denied the same services and benefits offered to other non-disabled students.

Statistics concerning the percentage of students without disabilities who are admitted to independent schools and the percentage of students receiving IEP services who are admitted suggest that students with disabilities may be being treated differently than non-disabled students. Given that, the VHRC supports the Open Enrollment Provision under Rule 2222.1 (a)(vi), in that a non-discriminatory lottery system for determining which students may attend an independent school prevents the indirect discovery of a student's disability and/or special education needs. It assures equal access to the services and benefits offered by independent schools to all students in Vermont. This is consistent with the non-discriminatory provisions of The Vermont Public Accommodations Statute (9 V.S.A. § 4500 et seq.).

Thank you again for the opportunity to provide input on this important issue.

Sincerely,

Karen L. Richards
Executive Director

Cc: Secretary Rebecca Holcombe, AOE
Nicole Mace, VSBA
Jeffrey Francis, VSA