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Agency of Education

June 30, 2020

Dear Vermont Educators,

The Federal Office of Special Education Programs (OSEP) released Vermont's state determination for IDEA Part B programs, by its authority under [34 CFR § 300.603](#). This regulation states, in part, that the federal Secretary of Education will annually review states' Special Education performance, as described in the annual State Performance Plan/Annual Performance Report (SPP/APR). It also states that the Secretary will determine, as a result, what supports or interventions, if any, each state will need from the federal government.

As a result of Vermont's last SPP/APR review, OSEP has determined that Vermont is in *Needs Intervention* status for IDEA Part B programs. This represents an escalation from Vermont's current determination of *Needs Assistance*, while still falling short of OSEP's most serious determination of *Needs Substantial Intervention*.

The *Needs Intervention* determination reflects several factors, including longstanding challenges that Vermont Agency of Education (AOE) and field partners have had with data infrastructure and personnel levels to support that infrastructure, as well as various areas of concern in the consistent implementation of federal special education goals and guidelines. Specifically, Vermont received low scores in consistent support for students with disabilities transitioning out of secondary education, length of time to resolve complaints involving students with disabilities and performance on national assessments for students with disabilities.

[34 CFR § 300.604](#) describes the possible consequences for *Needs Intervention* status, which range from developing a state level corrective action plan, to the withholding of part of Vermont's federal funding for special education.

We believe that we will be given time to work with field partners and at the state level to address our statewide data challenges, without the risk of loss or redirection of funding. We will continue to work with our federal partners, contractors, and with the state's school districts and supervisory unions, to develop the culture, human resources and technical infrastructure necessary to ensure that these challenges can be addressed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dan French".

Daniel M. French, Ed. D.  
Secretary of Education

