

2113 Federal and State Entitlements; Nondiscrimination

The SCS report submitted to the SBE prior to the April 20, 2022 meeting provided information on three Education Quality Standards that were highlighted by counsel Donna Russo-Savage in an email message as important to address. These were: 2120 Curriculum and Instruction, 2121 School Leadership, and 2122 Learning Environment.

While we did not specifically address all of the requirements of 2113 Federal and State Entitlements; Nondiscrimination, we are happy to do so here. We did, however, provide ample information on how special education services would be provided in the section of the SCS report: Answers to Questions Important to the Withdrawal Process, Question 4. What are the plans to provide for special education services? (pp.14).

In that section we pointed out that LCS is already a school in compliance, and that the intent moving forward would be to continue to staff and provide services that insures ongoing compliance with federal (Individuals with Disabilities Education Act, IDEA) and Vermont state (Act 173) regulations. The new district intends to employ the licensed special educator and support staff members who currently work at Lincoln Community School and will enter into contracts with them as soon as possible. If, however, the special education staff choose not to continue at LCS, plans will be made to recruit, negotiate contracts, hire, and train new staff. As required in 16 V.S.A. §1692, all professional staff shall be licensed and appropriately endorsed for their assignment.

While SU services will be essential in channeling and managing federal funds to the new district and to also provide supervision and coordination of special education staff and services, the locus of these services is yet to be determined. They may possibly be provided through the assignment of the new district to an existing SU or possibly through the formation of a joint SU with the Ripton School District as referenced in the aforementioned SCS report. In any event, services will be informed by review of new research and designed to enable students to achieve to their greatest potential. In accordance with 16 V.S.A. §2902 and State Board Rule 2194, the new district will ensure that a tiered system of academic and behavioral supports is in place. Once conditionally approved and the voters have elected a school board, the new district will fully comply with Title 16 Education Chapter 101. The new board will ensure that services are aligned with the new special education rules that will become effective July 1, 2022.

Other provisions of 2113 would be strictly complied with, including non-discrimination, maintenance of accurate student records and compliance with the federal Family Education Rights and Privacy Act of 1974 (P.L. 95-380 as amended from time to time).