

## STATEMENT: U.S. Department of Education Determination Under the Individuals with Disabilities Education Act (IDEA) Part B

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MONTPELIER, Vt. – The Office of Special Education Programs (OSEP) at the United States Department of Education (USED) has released the results of the annual State Performance Plan / Annual Performance Report (SPP/APR) for the Individuals with Disabilities Education Act (IDEA) Part B, and assigned Vermont the status of “Needs Intervention.” This status is one of three enforcement statuses in Subpart F of the federal special education regulations ([34 CFR S300.604](#)), and is the second most serious status. If Vermont remains in this status for three or more consecutive years, USED may take enforcement action up to and including the withholding of a certain percentage of IDEA B funding for Vermont schools. This determination is an escalation of Vermont’s status from the least serious enforcement category, “Needs Assistance.”

This review is based on data from the Federal Fiscal Year 2018 (July 1, 2018 to June 30, 2019). The review reflects low scores in the following areas: 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. Also to be noted are difficulties with consistent and timely data reporting, both by Vermont supervisory unions and school districts (SU/SDs) and the Agency of Education (AOE).

Vermont has undertaken several actions at the state level and in partnership with SU/SDs to address the issues that led to this determination, including:

- A phased, [targeted campaign](#) to improve Vermont education’s data infrastructure at both the state level and among SU/SDs.
- Assigning an AOE Special Education team member to manage each [APR indicator](#).
- Planned program improvement activities for each indicator for 2020-21 implementation.
- Monthly AOE work sessions on indicators and working groups with special education field professionals.
- Working with OSEP funded National Technical Assistance providers in all areas: program, data, finance, and legal.
- Conducting needs assessment and systems improvement for Written State Complaints.
- Addressing OSEP required actions.
- Frontloading AOE Technical Assistance on Indicator 13 (Post-Secondary Transitions) to ensure compliance of SU/SD going up for monitoring for this indicator.
- Building capacity within the AOE monitoring and Technical Assistance and Professional Development teams to monitor and provide assistance across the indicators and ensuring a more rigorous, robust approach to oversight and support of federal requirements.

In addition, the AOE expects to work closely with the [Special Education Advisory Panel](#) to seek stakeholder input and feedback on the SPP/APR work and actions required by OSEP.

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