

January 8 , 2015

Rep. Brian Becker, Co-Chair
Rep. Michelle Cook, Co-Chair
Rep. Terrie Wood, Co-Chair
M.O.R.E. Commission
Special Education Work Group

Re: 'Testimony' of the
Connecticut SPED Coalition

The Honorable Co-Chairs and Members of the MORE Commission

Special Education Work Group:

Thank you for providing me with this opportunity to address the MORE Commission's Special Education Work Group and hopefully to provide you with some insights from my personal experience as a parent of a child with multiple developmental disorders and learning challenges.

I have previously provided this Group with my 'testimony' in opposition to switching the 'Burden of Proof' at the Due Process stage from the School Districts and onto the shoulders of parents.

In addition to my prior testimony, I am submitting to you a copy of a letter from the recently formed Connecticut Special Education Coalition (Conn SPEDCO). As you will see, quite a number of special ed parents groups and similar organizations from this State have come together to address this issue and to speak as one and tell you "NO" – this should not be done in Connecticut.

Up until this point there may have been a few voices speaking against this unfair proposal. You may have heard only a few voices stand up to the school administrations, professional and special interest groups that have weighed in on this matter. However, at this time it is clear that literally hundreds of families and dozens of organizations have joined together to let you know just important it is to us that this latest attempt must not stand.

At this point I wish to address several other topics that need to be discussed: (1) The need for transparency in the delivery of services; (2) the need for Paraprofessionals to be effectively and appropriately trained and properly assigned to students; and (3) the need for the integration of ABA therapy within the various school districts to be explored and the practice expanded.

Service/Program Transparency:

This pertains to the right of the parent to know what services, provided for in an IEP or 504 Plan, are actually being delivered (or not). During the debate over the 'burden of proof' it became quite clear that the Parents and the District were not on the same footing in this regard. There is a disparity between the District and the parents in their ability to monitor and assess whether or not services or programs required by an IEP or a 504 Plan were being effectively (or otherwise) implemented (if at all).

For example, on one occasion I was approached by a teacher in December who informed me that my son, who was supposed to be receiving speech and language therapy, was not getting it. It was revealed that, in fact, the service had not been provided since the beginning of the year. This failure also applied to every other affected child in the school. No one said anything!

On another occasion we appeared at the school ready to start a school year for my son with, according to our IEP, a full time Para to be assigned to him. When we arrived on the first day of school, we were able to determine that there was NO paraprofessional for my son. We also found out that the District was 19 para's short in its staffing. That meant that those many IEP's were being violated at the very beginning of the school year.

Accordingly, I would propose that it be made a mandatory requirement that if a service or program is called for in an IEP or 504 plan and if it is not being delivered, that it is incumbent on the school to immediately inform the parents/guardians of the student of this failure.

Paraprofessionals

Over the years there have been repeated studies regarding the position of 'paraprofessional'. It seems that all of these studies contain common observations and reach equivalent conclusions. Some of these are : (1) that there has been dramatic growth in the reliance on paraprofessionals within our school systems; (2) that the numbers of paraprofessionals (both with and without instructional responsibilities has grown significantly in our State; (3) that paraprofessionals need to be adequately trained (both initially and in an ongoing manner); (4) that paraprofessionals need to be appropriately paired with their assigned student(s);(5) that some sort of certification process is recommended and (6) that teachers need to receive training as well regarding their training and supervision of the paraprofessional in their classroom as well as the role of the paraprofessional in their room.

There were 14,450 non-certified instructional staff (NCIS) working in Connecticut in 2013. This was an increase of about 13 percent from a decade earlier", 'School Paraprofessionals Staffing' (2014), PRI.

Under the IDEA students with disabilities are to receive a 'free and appropriate public education' in the 'least restrictive environment', spending as much time as possible with their non-disabled peers (i.e. 'mainstreaming'). "As districts seek to implement that law, they often use paraprofessionals to assist students with disabilities, in general or special education settings", Id. At i.

However, though there has been a significant and dramatic increase in the use of paraprofessionals to work with and instruct children with learning disabilities there have been no minimum requirements put in place for the hiring of competent paraprofessionals or requirements for pre-employment training or mandatory in-service professional development. There is no requirement that the paraprofessional have any prior or evening passing familiarity with the learning disability or developmental disorder that the student he/she is to be assigned to has.

The PRI (2014) study found that "because paraprofessionals are not certified, and because there are no state mandates on minimal requirements, CSDE does not have reliable information on what educational qualifications paraprofessionals possess in Connecticut", Id. At iv.

"This significant increase means that many of our neediest and most at risk children are being assisted by

less qualified staff, who often receive little or no training, guidance, and/or support", 'Annual Report of Paraprofessionals' (2014).

Dr. Michael Giangreco of the University of Vermont, one of the most recognized experts in the field of paraprofessional support (and cited frequently in a number of CSDE publications and studies) put it this way:

"No strong conceptual basis can be cited for assigning the least qualified staff, namely paraprofessionals, to provide the bulk of instruction for students with the most complex learning characteristics, nor does a research base suggest that students with disabilities learn more or better with paraprofessional support",

'*Be Careful What You Wish For...*(Five Reasons to Be Concerned About the Assignment of Individual Paraprofessionals', Giangreco, et al (2005).

"In Connecticut, paraprofessionals are not required to be certified, as they are in some states. While no state-required minimal standards are in place, there are federal requirements on what qualifications a paraprofessional must have if the district or school receives certain federal education funding", Id.

Thus, if a particular school receives Title I funding, that school's paraprofessionals must meet the federal requirements. However, if that particular school does NOT receive any such funding, there would be no federal minimum requirements for the paraprofessional (other than what might be mandated by the District – if any). Thus, within a District the paraprofessionals that serve at one school may have some very basic or minimal requirements while others in the District do not.

It should be pointed out that even those 'Title I Paraprofessionals' do not need to meet some sort of rigorous requirements. In fact, not only are they very basic, none of them are directly tied with any ability or experience in working with students with learning disabilities. These qualifications are as follows:

- High School Diploma or GED
- Passing score on a SDE standardized paraprofessional test (or Associate's Degree/2 yr. College Credit).

It should be pointed out that the standardized test (ParaPro by ETS) involves only reading, writing and math. It does not test whatsoever any knowledge about learning disabilities or developmental disabilities. Further, the passing score in Connecticut is the lowest of any of the New England states.

Additionally, if you avoid having to take the test by having an Associate's Degree or at least 2 years of College Credits, it does NOT matter at all what your degree or credits are in. In other words would qualify for working with this community of kids if you have a smorgasbord of credits such as Art History, Graphic Arts, Geography, etc.

You do not even have to have a clue about anything associated with teaching kids with LD or Developmental Disorders. You do not have to know the difference between ADHD or ASD – but you are certainly expected to be able to work with them.

An important recent study was conducted by UConn's University Center for Excellence in Developmental Disabilities. This study found that *"paraeducators are providing the greatest amount of direct services to children with disabilities even though they typically have the least amount of formal preparation and qualification"*, 'Connecticut Paraeducator Professional Development Needs Assessment: A Comprehensive Data Report'.

This study also found the following:

- There are typically few opportunities for on-the-job training for paraeducators or for professional development activities;
- While paraeducators desire additional training, it is not typically offered to them and when offered may not be appropriate or practical considering the paraeducator's role and responsibility
- Even while the paraeducators were expressing a need/desire for more training and professional development, increasing responsibility was placed on them to provide instructional support for students with special needs.

As one paraeducator put it in the study:

"I was basically thrown into the fire without any training other than being a parent. I want to help but I feel I need training to be the best that I can be and the best I can offer to my student".

In its report "School Paraprofessionals: Findings and Recommendations" (2006), the Legislative Program Review & Investigations Committee recommended that a set of State Standards be adopted for the credentialing of paraprofessionals. In reaching this conclusion the Committee found as follows:

"The program review committee believes the recurring themes identified in past studies of paraprofessionals in Connecticut the sentiments expressed by existing paraprofessionals with instructional responsibilities regarding their place in the education system, and the recent creation of federal standard for paraprofessionals working in Title I schools justify the creation of a set of state standards".

While this proposal was presented by the Education Committee (Bill No. 7357), it was not adopted by the Legislature.

It is my strong belief that this mantle should be picked up again and an effort made to reintroduce a Bill to require the credentialing of paraprofessionals in this State.

The most recent PRI study on paraprofessionals, 'School Paraprofessionals Staffing' [Staff Findings and Recommendations] (December 17, 2014) concluded that "ideally ongoing professional development would occur as a best practice". On the other hand, it also found that the best practice around paraprofessional enhancement "is to tailor training and skill development to the needs of the paraprofessionals in that district".

It is clear, therefore, that the very latest recommendation calls for comprehensive and continual ongoing professional development. To assure that it meets the needs of a particular District, there should be some flexibility in what areas of concentration need to be studied. Thus, while there can be some flexibility in what courses to take, there should be no flexibility in whether courses should be taken.

Further, in its most recent 'Annual Report on Paraprofessionals' the School Paraprofessional Advisory Council recommended that a system be put in place by which important in-service training materials can be effectively disseminated to the paraprofessionals. In addition, it was recommended that a statewide database be created as a resource for all paraprofessionals and that a web page with important links be

developed and advertised to paraprofessionals to provide them with "one stop shopping" for accessing current information".

It should be noted that organizations like CREC and SERC provide a variety of opportunities for Paraprofessionals to get the initial and in-service training that they need in order for them to assist their students.

For example, CREC offers 'The Compass' training program. This is described as "a comprehensive, job-embedded development curriculum aligned with national and state paraeducator standards, with five basic and 16 advanced modules".

SERC has its 'Paraprofessionals as Partners' program designed "to enhance the skills of paraprofessionals providing instructional support to students in various educational settings, including students with disabilities".

In addition, throughout the year a number of developmental opportunities are made available to the paraprofessionals. The creation of a credentialing process and the provision of CEU's for attending these sessions would serve to incentivize those paraprofessionals to attend these sessions.

On the other hand, the PRI report is completely in favor of creating and administering a level of mandatory introductory training to the paraprofessional candidates. In this regard the PRI staff commented as follows:

"On the other hand, PRI staff finds it is unreasonable to require paraprofessionals to start work in a classroom, or with one or more students, especially those with disabilities, without adequate information about the needs of the students and effective strategies to support them".

Accordingly, the PRI study concluded as follows:

"To ensure at least some preparation for the requirements of paraprofessional positions, PRI staff recommends that districts shall be required to provide a minimum of three hours of training, with pay, for all instructional paraprofessionals prior to the start of the school year. That time should be spent with the supervisor of the paraprofessional, who will provide such information as needed to apprise the paraprofessional of the role and responsibilities he or she will be expected to perform"

In addition to training the paraprofessionals, there is a need to train the teachers to properly work with the paraprofessionals who will be under their supervision. It needs to be clearly pressed home to the teachers (even included in their job descriptions) that this is a part of their responsibility.

Further, it is important for the talent, skills and experience of a paraprofessional to be matched to the needs of the student. This important point is recognized in the State publication 'Guidelines for Training & Support of Paraprofessionals'. In this regard the following is stated:

"Consideration of the match between the needs of the student or students and the ability and skill of the potential paraprofessional to perform the work necessary to meet those needs is important during the hiring process"

I would argue that this matching of skills (and experience) to needs is most important in during the assignment period.

I believe that any labor contract provision that calls for the assignment of a paraprofessional based on seniority and not on the needs and for the best interest of the child should be declared void as against public policy. All attempts should be made to assign the appropriate paraprofessional to the child to best meet the student's needs. The seniority of the paraprofessional should not be a consideration.

Imagine going to a hospital for a medical emergency such as a broken bone and being told that the allergist was the most senior doctor on duty and that under their union contract he was the one that must attend to you. It is no different.

Finally, I believe that it should be firmly established that the parent has the right to meet with the paraprofessional in private to discuss their child's progress and program. Additionally, the parent should have the right to require that the paraprofessional attend the PPT meeting.

The IDEA provides that "the IEP team for each child with a disability includes...at the discretion of the parent or school district, the other individuals who have knowledge or special expertise regarding the child..." Accordingly, it would appear that the parent has the right to call for the attendance of the paraprofessional at the PPT.

However, Districts may take another approach and declare that as the employer of the paraprofessional, they have the ultimate right to decide if the paraprofessional will attend the PPT (in fact this very position is set forth in a 'Brief on Viewing Student's Individual Education Program (IEPs) and Attending Program and Placement Team (PPT) Meetings' and adopted in the 'Guidelines for Training & Support of Paraprofessionals at p. 29). It is not clear what the legal or rational basis is for this conclusion. It clearly seems to fly in the face of the IDEA provision that allows for the attendance of staff at the parent's discretion.

This needs to be clarified.

ABA Therapy

I also want to make a pitch for the integration of ABA therapy into the school. In some (or many) instances the strategies that might be used in a Behavioral Intervention Plan (BIP) that have been developed as the result of a Functional Behavioral Analysis are just not enough. On many occasions the interventions need to be continuous and firmly applied. It is not always possible for a teacher to implement such a program. In addition to having to devote their time with the rest of the class, they need to be carefully instructed in the methodologies of implementing an ABA plan.

The key ingredients of an effective ABA program include the following:

- A BCBA who is in frequent contact with the student, teachers, and parents;
- The necessary collection of Data;
- Frequent meetings to help keep the team coordinated
- Other advantages such as the use of reinforcements, prompts (and a system designed to fade the prompts) and the use of visual schedules as needed.

It should also be highlighted that the use of an outside ABA program that is delivered both in the classroom and at home really bridges this gap and provides for a higher level of continuity. This is an important requirement (maybe even the most important requirement of any program). There has to be universality of application by the parents/teachers and expectation of reward/consequences by the student. This continuity is maximized when the program is administered both at home and at school by the same group.

At this point I wish to thank the Work Group for taking the time to hear from speakers and the public. I would also like to thank you for conducting these meetings at different locations so that the voices and views of parents and others from across the State can be heard.

Very Truly Yours,

M. Jeffry Spahr

Appendix

Studies:

a. 'School Paraprofessionals Staffing' (Staff Findings and Recommendations), December 17, 2014, Legislative Program Review & Investigation (PRI)

http://www.cga.ct.gov/pri/2014_PARA.asp

b. 'Draft Study Scope (Amended)', dated May 15, 2014, PRI

http://www.sde.ct.gov/sde/lib/sde/pdf/curriculum/cali/pri_para_study_scope.pdf

c. 'Annual Report of Paraprofessionals', dated September 24, 2014, CSDE

http://www.sde.ct.gov/sde/lib/sde/pdf/curriculum/cali/annual_report_on_paras_2014.pdf

d. 'Guidelines for Training & Support of Paraprofessionals (2012 update)', CSDE et al

http://www.sde.ct.gov/sde/lib/sde/pdf/curriculum/cali/guidelines_paraprofessionals.pdf

e. 'Connecticut Paraeducator Professional Development Needs Assessment: A Comprehensive Data Report', UCONN/UCEDD

http://www.sde.ct.gov/sde/lib/sde/pdf/curriculum/cali/para_needs_assessment_data_report.pdf

f. 'Findings and Recommendations: School Paraprofessionals' (2006), Legislative Program Review & Investigations,

http://www.cga.ct.gov/2006/pridata/Studies/PDF/School_Paraprofessionals_Findings_and_Recommendations.pdf

Additional Materials and Resources:

a. 'Be Careful What You Wish For...'

<http://www.danceofpartnership.com/becareful.pdf>

b. 'Connecticut State Department of Education (CSDE) Brief on Paraprofessionals Viewing Student's Individual Education Programs (IEPs) and Attending Program and Placement Team (PPT) Meetings'

http://www.sde.ct.gov/sde/lib/sde/pdf/curriculum/cali/ieps_and_confidentiality.pdf

c. Title I Paraprofessional Requirements Reminder Letter, June 6, 2008

http://www.sde.ct.gov/sde/lib/sde/pdf/curriculum/cali/title_i_paraprofessional_requirements_letters_to_superintendents_6_3_08.pdf