

M.O.R.E.

Special Education Select Working Group

MEETING MINUTES

Thursday, December 19, 2013

11:00 A.M. IN LOB ROOM 2A

The meeting was called to order by Representative Cook (Co-Chair) at 11:01 A.M.

The following select working group members were present: Rep. Michelle Cook (Working Group Co-Chair), Rep. Brian Becker (Working Group Co-Chair), Rep. Terrie Wood (Working Group Co-Chair), Rep. Mae Flexer (M.O.R.E. Commission Vice-Chair), Shelley Davis, Deborah Wheeler, John Flichak, Betsy Gara, Jody Harkins, Patrice McCarthy, Kimberley Planas, George Rafael, Mike Regan, Rep. Catherine Abercrombie, Rep. Jay Case, Rep. Jonathan Steinberg, Deborah Richards

Co-Chairs Rep. Cook, Rep. Becker, and Rep. Wood introduced themselves and welcomed the new select working group members and interested parties.

Each select working group member introduced him or herself.

Rep. Becker (Co-Chair) stated that the basic agenda for the next two meetings had already been set. The State Department of Education will present to the select working group about how special education services are delivered in Connecticut on January 9th. On January 23rd, the Office of Legislative Research and the Office of Fiscal Analysis will present to the group about the special education funding system, followed by a brief special education fact sheet presentation by the select working group administrator.

Rep. Cook (Co-Chair) stated that the select working group members had been asked to come prepared with special education topics they would like to address as a group in future meetings. She invited the members to share these topics.

George Rafael stated that even one special education child entering a school system can cause an issue with the municipal budget. He continued that special education was a major funding issue for municipalities, but that effective service delivery was also important. He also said that the burden of proof in special education cases was a concern of members of his organization (CCM) as well. He is a member of this working group to listen and to learn and to find out how he can help improve the special education system.

Rep. Cook (Co-Chair) asked Mr. Rafael if he had any suggested speakers on these topics to address the select working group in the future.

Mr. Rafael answered that it will be most beneficial to him to hear the presentations from the State Department of Education (SDE) and Office of Legislative Research (OLR) on the basics of the special education system. He said that will lay the groundwork for the select working group's work and will spur ideas for other speakers.

Rep. Cook (Co-Chair) asked if any other members of the select working group had suggestions about Mr. Rafael's ideas.

Deborah Wheeler, Ed.D. stated that the burden of proof issue is an onion with many layers and it affects small towns like the one she is from (Litchfield). She said that her school district is working with District 6 to regionalize some programs and that she would like to see more of this type of collaboration across the state.

Rep. Cook (Co-Chair) asked if Superintendent Wheeler had any ideas for speakers on these topics.

Superintendent Wheeler stated that she did not have any speakers at this time, but will forward a list to the Co-Chairs.

Rep. Cook (Co-Chair) stated that Education Connection might be able to provide a good speaker.

Rep. Abercrombie introduced herself and stated that the select working group should be careful when discussing changes to the burden of proof because families of special education children may not have the resources to hire attorneys. She agrees that the system can be improved, but said that she will fight for special education students, parents, and the autistic community.

Deborah Richards listed a number of organizations that might be able to provide speakers for select working group meetings: the CT Family Support Council, the State Advisory Council on Special Education, the CT Parent Advocacy Center, the State Department of Education, the Department of Developmental Disabilities, the Bureau of Rehabilitation Services, the Office of Protection and Advocacy for Persons with Disabilities, the CT Association of Private Special Education Facilities, Education Connection, the RESCs, and the A.J. Pappanikou Center for Excellence in Developmental Disabilities Research, Education, and Service at UConn. She will send contact information for these organizations to the select working group administrator.

Patrice McCarthy echoed the need to hear from RESCs about regionalism. She also stated that the burden of proof issue needed to be addressed because her

organization (CT Association of Boards of Education (CABE)) hears about it all the time. She also recommended trying to make the hearing process itself better. She said that the select working group should hear from school attorneys and special education advocates on these issues. She also thought the select working group should look at mental health services for youth.

Betsy Gara stated that her organization (COST) was interested in addressing the unpredictability of special education costs to towns. She said that budgets are adopted in May or June but school districts have no idea at that point how many special education students they will have. She stated that reimbursement thresholds (for towns to be reimbursed by the state for special education costs) should also be addressed. Additionally, she stated that the burden of proof and voluntary services models were also worth exploring.

John Filchak stated that transportation should be addressed, particularly how it is provided and how it can be improved. He said that there are currently some barriers and the Department of Transportation may be able to best speak about these issues before the select working group.

Kimberly Planas stated that mental health services should be addressed by maximizing current resources and providing additional services through regional collaboration. She also stated that Hamden started a transportation consortium last year that has started slowly, so she is interested in additional suggestions for how to improve this. Additionally, she stated that school district budgeting for an unexpected child with significant special education needs can be a challenge, especially given the timing of the school district budget cycle.

Mike Regan stated that the burden of proof is a significant issue. In his opinion, the current dispute resolution system is broken because it can take up to 21 days to resolve a case. He also stated that a town where a parent of a special education child resides but where the child has never really lived or will not return is forced to bear the cost of that child's education. Another issue is nexus determination, where a town continues to carry the cost for a child's special education when that child will never return to live in that town. Additionally, he said that the State Department of Education does not manage records specific to each student's IEP, but if they did it would save school districts money. School districts currently contract with outside providers for extra cost to do this, but state creation and control of IEP databases could save the average district \$25,000 - \$35,000 per year. The State Department of Education is hesitant to do this but they could do this job more efficiently than individual districts.

Shelly Davis stated her opinion that focus of special education funding should be providing the maximum frontline interaction between educators and students for the best price. She questioned how much special education money is spent on outside consultants and administration and recommended that the select working

group explore the amount of money actually spent on administration versus classroom resources.

Jody Harkins stated that addressing the burden of proof is her top priority.

Rep. Case stated that transportation is a significant issue he would like to see addressed regionally. He would also like to educate more special education students locally rather than relying on out-of-district programs. He stated that there are too few paraprofessionals in classrooms in at least some districts, which makes local special education more difficult. He acknowledged that parents are rightfully very passionate about their children and those children deserve the special education services to which they are entitled, but there need to be some cost controls in the system as well.

Rep. Wood (Co-Chair) stated that the burden of proof needs to be more workable, but she understands Rep. Abercrombie's concerns. She also stated her wish that the select working group examine special education forms themselves. These forms are hard to read and illogical and she feels that the group should try to make them easier to understand. Additionally, she flagged mental and behavioral health as an issue that should be addressed, saying that it is needed because it is a preventative service. She stated that, for some talented and gifted children with learning disabilities, a curriculum that is not tailored to their abilities and does not academically challenge them can be very frustrating. She continued that 50% of boys who start classes in Bridgeport schools do not graduate, 50% of those boys end up in jail, and 65% or 70% of those boys have learning disabilities. She stated that executive function issues tend to affect boys more than girls and this problem needs to be addressed. She suggested that the select working group hear from experts such as Sally Reis and Joe Renzulli from the Neag School of Education at UConn, as well as educational psychologist Chris Bogart and Susan Baum, Co-Director of the International Center for Talent Development and Director of the National Institute for 2E Research and Development at Bridges Academy.

Rep. Abercrombie stated that she would like the select working group to at least come up with a starting point for addressing pressing special education issues. She further stated that transportation was a significant issue, as well as the fact that neither the federal nor the state governments meet their special education funding obligations. She would like to find out what regionalization efforts are currently happening in the state with regard to special education and pointed out that her district contains an autism center that may be used as a model for keeping more students in local educational settings.

Rep. Steinberg stated that he is sensitive to some of the stated priorities of the MORE Commission, such as regionalization of services. He also stated that, while he is interested in voluntary regionalization, he does not want to force shared services. He said all members need to be on the same page when it

comes to definitions of what special education means, how special education is taught, and what the teacher/ paraprofessional dynamic is like in the classroom. He also said that Connecticut is dedicated to the spread of health centers in schools, so the select working group may want to explore how these can be effectively integrated into the special education system.

Rep. Becker (Co-Chair) thanked the select working group members for their thoughtful suggestions and stated that the Co-Chairs would continue to look to members for suggestions concerning meeting topics and speakers on an ongoing basis. He also stated that the Co-Chairs and select working group administrator would be available to discuss these issues. He then said that, in order to ensure that the group hear from parent groups, the Co-Chairs were planning to hold at least three meetings outside Hartford and during the evenings. The select working group will likely continue its work into the summer. He added that he would like the group to address the issue of private special education providers. He particularly would like to understand the difference between approved and non-approved private providers, how the approval process works, how rates that are paid to these providers are determined, and what types of audits of these private providers the state undertakes to ensure that money is well spent.

Rep. Cook (Co-Chair) stated that she would like to explore posting IEPs online because it is such a burden to audit each IEP otherwise. She also asked if there was a way to incentivize districts to use the same IEP computer system so uniform information can be collected. Additionally, she wanted to look into how parents were educated about the special education system, whether they were educated at all, and what kind of materials, if any, they received. She said that special education children deserve the best education we can provide for them and asked members of the select working group to reach out to their networks to see if there are innovative programs that other districts are doing. She also would like to know how well charter schools and magnet schools are doing in providing special education services and if they are enrolling special education children at all. After asking if any group members had other points or announcements, she stated that the next select working group meeting would be held on January 9th. She asked members to please email the administrator if they were unable to attend a meeting or if they had materials to present to the group.

Rep. Wood (Co-Chair) stated that the Co-Chairs welcomed emails and phone calls and are really interested in hearing from interested parties.

Rep. Abercrombie asked how often the select working group will meet and if the meeting agenda will be sent ahead of time to members for their input into organizing discussion topics into categories.

Rep. Becker (Co-Chair) answered that the Co-Chairs will try to organize the data received in today's meeting into topics. He also stated that meeting agendas will be distributed before the meeting actually starts and confirmed that the select working group intends to meet once every two weeks on Thursdays. He said that the Co-Chairs intended to keep meetings about one and a half or two hours long, but meetings could get longer if the need arose.

Rep. Abercrombie stated that this meeting schedule will be challenging because four members of the select working group are also members of the general assembly's human services committee which also meets on Thursdays, so the meeting schedules of those two groups should be coordinated.

Rep. Cook (Co-Chair) asked if 11:00 AM was a good meeting time for members of the group or if there were better meeting times. She stated that afternoons usually are more difficult to schedule.

Members of the select working group all weighed in on preferable meeting times.

Rep. Cook (Co-Chair), after listening to member preferences, stated that the select working group will try to move at least the January 9th and January 23rd meetings to 10:00 AM to accommodate member schedules.

Rep. Becker (Co-Chair) stated that the Co-Chairs would contact members about whether the January 9th meeting time would stay at 11:00 AM or change to 10:00 AM based on whether the Department of Education could move their planned presentation to the group to the earlier time.

Meeting adjourned by Rep. Cook (Co-Chair) at 11:54 AM.

Submitted: David Desjardins