

DRAFT WORKING DOCUMENT

M.O.R.E. Commission Special Education Select Working Group Chair's Initial Working Recommendations January 28, 2015

I. The IEP

- Make the current IEP form more user friendly for administrators, teachers, and parents.
- Require that a student's paraprofessional, if he or she is assigned one, participate in the PPT.
- Implement a system to digitally complete and store IEP forms that allows parents, local district staff, and state officials to access them at will. This system may be based on the Illinois Statewide Online IEP Database System (I-Star) and the web-based IEP tutorial developed by University of Illinois Professor James Shriner or other similar programs. Teacher, administrator, and parent input should be considered when adopting or creating a new IEP system.
- Increase the font size and enhance the visibility and content of the description of the Connecticut Parent Advocacy Center (CPAC) and the CPAC contact information contained in all IEP form packets used across the state. A note that SDE's Bureau of Special Education is the lead state agency for all special education inquiries, as well as the contact information for the agency, should also be included conspicuously in all IEP form packets.
- Ensure that the recommendations of the 2011 IEP Task Force, as passed into law in Public Act 12-173, are properly implemented.

II. Improve Services for Students with Language Related Learning Disabilities

- K-3 students must receive explicit and systematic instruction in foundational language and literacy skills including phonemic awareness, phonics (decoding and encoding), reading fluency, sentence and text comprehension, and written expression. This instruction must be delivered using an evidence-based reading program and/or approach for all students taught by highly-skilled and well-trained professional teachers of reading, accomplished in delivering reading and language instruction to diverse student populations.
 - The General Assembly's Program Review and Investigations Committee (PRI) should study the effectiveness of new and existing reading and writing instructional programs designed to accomplish these goals for both disabled and nondisabled students in all Connecticut public schools. The Committee may consider, among other programs, the Windward School (NY) intensive writing program and the Amistad Academy language literacy program as possible models.

III. Teacher and Staff Training

- Modify teacher certification requirements to include additional special education courses and special education classroom techniques in areas such as reading, differentiated instruction, social-emotional learning, cultural competencies and assistive communication technology. Incentivize double certification in special education and provide regional training opportunities for current teachers (coordinated with current in-service days) to bring current general education teachers up to speed on special education classroom techniques.
- Update superintendent and administrator training and certification requirements to require the same courses on special education classroom techniques required of teachers. Also require additional training in expertly administering special education programs and overseeing special and general education staff with regard to special education students at the school and district level.
- Create a paraprofessional training program on special education classroom techniques and other relevant job skills. Offer training (possibly at the state or regional level) at no cost to the paraprofessional and consider offering training before school, after school, or during work days using a rotation system to ensure adequate paraprofessional coverage at all times.
- Provide additional low cost or free teacher, paraprofessional, and administrator training opportunities at the regional or state level. Encourage districts or state or regional entities, when appropriate, to set up online training programs.
- Provide regular teacher, paraprofessional, and administrator training on how to properly implement the scientific research based intervention (SRBI) tiered system that was passed into law in 2010 to improve student outcomes and identify candidates for special education services.
- Adopt the recommendations of the December 17, 2014 Legislative Program Review and Investigations Committee report on School Paraprofessionals Staffing.

IV. Speech, Physical, and Occupational Therapy

- Improve speech, physical, and occupational therapy offerings for special education students with an emphasis on developing life skills. This may be done regionally through RESC or district staff using a model similar to the one employed in the Meriden Public School System.
- Given the shortage of qualified speech, physical, and occupational therapists in Connecticut's schools, the state should explore possible incentives for qualified candidates to enter these critical fields.

V. Board Certified Behavior Analysts (BCBAs), School Psychologists, School Counselors, and School Social Workers

- Study the possible advantages of including BCBA's as part of the special education team in schools across the state. This study should include an evaluation of standards for BCBA licensure at the state level and the feasibility and utility of implementing applied behavioral analysis (ABA) services in all Connecticut public schools. The study should also include possible incentives for qualified candidates to enter this critical field and incentives for Connecticut institutions of higher education to offer BCBA training courses.
- Given the shortage of qualified school psychologists, school counselors, and school social workers in Connecticut's schools, the state should explore possible incentives for qualified candidates to enter these critical fields.

VI. Transition Services:

- Require one state agency (such as SDE's Bureau of Special Education) to understand and coordinate all transition services programs provided within the state, including those administered by other state agencies (DDS, BRS, etc.). This lead agency will not assume the responsibilities of other state entities currently involved in transition services, but will become the single point of contact for all parents, administrators, teachers, and other interested parties that have questions or need advice about transition services.
- Require all agencies involved in transition services (SDE, DDS, and BRS or a new Department of Special Education) to make available to special education students, parents, and other family members a simple fact sheet listing the agencies involved in transition services and the basic services they provide. The lead state agency for transition services will be responsible for ensuring the creation of fact sheets and for making them available to special education students, parents and other family members.
- Require SDE's Bureau of Special Education, during the 6th grade year, to notify and educate special education students and parents about transition services, including what general services, programs, and options may be available upon aging out of the K-12 education system.
- Require all agencies involved in transition services to regularly collect, assimilate, and report on data concerning special education student outcomes (employment, DDS and BRS program participation, etc.) to better inform future special education and transition services policy decisions.
- Properly fund transition programs to reduce funding uncertainty and avoid coverage gaps between exiting the special education system and adult programs.
- Task one or more staff persons at the school, district, or regional level with ensuring that transition planning takes place for all special education students and with assisting in job placement or establishing and attaining other post-graduate plans.
- Adopt the recommendations of the December 17, 2014 Legislative Program Review and Investigations Committee report on Transitional Services for Youth and Young Adults with Autism Spectrum Disorder.

VII. Transportation

- Utilize regional transportation models, including a model, administered by the RESCs or some other regional entity, to transport students with profound disabilities.

VIII. Summer Programming:

- Establish or increase capacity for students in need in summer programs to prevent them from backsliding, educationally and socially, over the long break. Regional approaches to providing these services, possibly at the RESC level, should be encouraged.

IX. Equipment Sharing

- Study the implementation of an assistive technology equipment sharing program similar to that administered by Nebraska's Assistive Technology Partnership (ATP), under the umbrella of SDE, the RESCs, or some other state or regional entity.

X. Parent Training and Advocacy

- Clarify the Connecticut Parent Advocacy Center's (CPAC's) role as an information clearing house for parents, advocates, and school personnel who have questions about the special education system as a whole and the services that are available to students. SDE should provide full, complete, and accurate information on these topics to CPAC so they may pass it on to special education parents, advocates, and school personnel.
- Create or enhance and publicize a basic, in-person training (possibly run by CPAC) on the agencies, staff and services available and involved in the special education system for parents.
- Task one staff person at the school, district, or regional level with providing parents with additional training opportunities.

XI. Private Special Education Providers:

- Regularly audit all private special education school facilities that accept state or municipal funds to educate children in order to ensure that such funds are spent appropriately and effectively. This provision is not meant to require audits of private special education providers who are independent contractors, such as occupational and physical therapists, but is rather intended to apply to private school facilities that educate special education students using public special education funds. Audits should include a thorough financial review as well as an examination of the private special education school facility's programming, possibly incorporating surprise site visits.
- Study the certifications of teachers and staff and tuition rates at private special education school facilities accepting public school students.

- Require some type of monitoring (between SDE, the sending district, and the private facility) to ensure that student education plans are modified effectively within the bounds of the common core standards.

XII. Reciprocity of Licensure for Education Professionals

- SDE should be directed to establish standards for reciprocity of school professional credentialing with surrounding states that hold their educators to similarly high standards. SDE should also pursue reciprocity agreements with the credentialing entities of those states.

XIII. Regional Educational Service Centers (RESCs) Special Education Regionalization Proposal

- **Overview:**

- This plan will turn the RESCs into regional special education districts for the purposes of providing direct student services where economies of scale may be realized and for providing support services such as teacher, administrator, and paraprofessional training. The RESCs may also continue current non-special education regional programs.

- **Provision of Services:**

- The RESCs will expand regional direct service programs for students in areas of special education where economies of scale would lead to a better student experience and cost savings for local districts. Such areas may include autism services, occupational therapy services, physical therapy services, speech therapy services, services for students with down syndrome, literacy services, etc. Many of these services will be based at regional special education centers administered by the RESCs.
- To the extent possible, in order to allow for federally required mainstreaming and to reduce infrastructure costs, the RESCs should look to locate regional special education centers within existing general education schools. Given declining student enrollments, this will be an effective use of public resources.
- The RESCs should look to create enough regional special education centers to ensure that students do not generally have to travel more than a certain number of minutes from their homes to receive services without the consent of the student's parents. One hour is the current maximum allowable time without parental permission according to Connecticut Education and Culture Regulation Sec. 10-76d-19(a).
- The RESCs should look to develop, in partnership with local districts, a regional transportation plan for students participating in regional special education center programs. The RESCs will be responsible for funding this regional transportation system.

- The RESCs may explore providing additional services to assist special education students, such as establishing summer and after-school programs.
- The RESCs should look to expand their current professional development offerings by offering high quality, low or no cost programs at the regional level for teachers, administrators, and paraprofessionals. These training programs should include regular offerings in effective scientific research based intervention (SRBI) implementation, classroom techniques for working with special needs students, and other behavior and special education topics that will keep staff current with the most up-to-date classroom and administrative practices.
- The RESCs may employ expert staff to work in the regional special education centers and to travel to or be based from other schools where specialist services are needed throughout their area of operation. RESC staff levels at regional special education centers and other area schools will be based on the need for specialists to work with students who have a particular disability within a particular geographic area. For example, if there is only one student in a geographic area who has a particular need, the local RESC may choose not to create a regional program at the regional special education center, but rather may decide to dispatch a RESC specialist to that student's home school instead.
- SDE's Bureau of Special Education will periodically audit the RESCs to ensure that they provide excellent services, properly implement IEPs, and spend state and municipal special education funds effectively.

XIV. Special Education Funding and Related Proposals

- The RESCs will require significant funding to create and administer regional special education services. Conversely, local school districts will likely require fewer special education funds to provide direct services to the special education students for whom the regional programs are not appropriate. Therefore, there are two major options to fund the new regional system:
 - **Option 1-** Allocate a portion of current state special education funding to the RESCs for the implementation of cost-effective regional programs.
 - **Option 2-** Continue to provide the current level of special education funding to local school districts, but allow the RESCs to charge annual dues to all local school districts within their geographic area. Dues would be calculated by some equitable measure, such as total population within a school district or total student population within a school district. School districts would be allowed to pay these dues with state allocated special education funds. By moving to a regular dues system, rather than a fee for service system, the budgets for local school districts and municipalities will become much more stable. Annual dues rates will be approved by a public commission whose members will be appointed by the Governor and the presiding officers of the General Assembly and whose membership will include representatives of local school districts and RESC representatives.

- Other methods for supporting a regional special education system include:
 - **State Education Resource Center (SERC) -** Many of the special education services that SERC provides duplicate those that are or could be provided by the RESCs. SERC receives a significant amount of federal special education funds that could be redirected to the RESCs, allowing them to expand their staffing and program offerings. Unique SERC functions, such as the maintenance of a statewide teaching resources library, should be transferred to the RESCs or SDE's Bureau of Special Education.
 - **Risk Pool (rearrange current federal funding so more can be allocated to regionalization efforts without increasing the overall amount of federal funds CT receives)-** Currently, the State Department of Education (SDE) is allowed to keep a certain percentage of federal special education funds received by the state for SDE administrative functions (the rest is disbursed to school districts). In 2004, congress allowed each state to set aside 10% of the federal special education funds that it receives and reserves for state-level activities "to support innovative and effective ways of cost sharing by the State, by a local educational agency, or among a consortium of local educational entities..." This type of cost sharing is often referred to as a risk pool. It is currently unclear how SDE spends all of the federal special education funds that it withholds for administrative purposes, although some of it may be funding programs such as Child Find (identifying children with disabilities) and SERC.
 - The General Assembly's Program Review and Investigations Committee (PRI) should investigate SDE's withholding of federal special education dollars for administrative purposes (how much is withheld and where is this money spent), SDE's financial support of SERC, and the rationale for maintaining SERC as a stand-alone entity within the larger environment of Connecticut's education support agencies and entities.
- Remove the cap on the excess cost grant to school districts
- Reduce the threshold required to trigger the excess cost grant from the state (currently, the state pays for special education costs once a student in a given district requires services exceeding 4.5 times the average per pupil expenditure in that district, up to the point when the cap on this excess cost grant is reached).
- Separate the "special education" amount from the total ECS allotment of education funding to districts, making it easier to track special education dollars provided by the state and spent by districts.
- SDE, the State Auditors, or a professional third party should audit local districts to ensure they spend state special education dollars on special education services.

XV. Reorganize Special Education Administration at the State Level

- Short Term: Merge all state level special education responsibilities, reporting, and support into SDE’s Bureau of Special Education to improve efficiency and accountability and to close loopholes in the state level special education system.
- Long Term: Create a new Department of Special Education to assume the responsibilities of all state agencies currently tasked with administering state special education programs (including transition services) and funding.

XVI. Due Process and the Burden of Proof

- The working group has heard testimony from parents, student advocates, school districts, and hearing officers concerning this issue. Meritorious points were made on all sides. The working group recommends that the Education Committee continue the conversation as to whether a proper balance has been struck and in placing the burden of proof on school districts in special education due process hearings.
- Require attorneys representing clients in special education due process hearings to submit a fee application to the hearing officer for approval. Grant hearing officers the authority to adjust the fees of attorneys who unnecessarily prolong the hearing process.

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