

SPECIAL EDUCATION TASK FORCE

MEETING MINUTES

November 5, 2024

In attendance:

- | | |
|--------------------------------|-------------------------------|
| 1) Adler, Jason | 11) Jackson, Typhanie |
| 2) Cole, Dawn | 12) Klimkiewicz, Bryan |
| 3) CT-N (online) | 13) Laubin, Michelle |
| 4) Drew Sally (online) | 14) Lussier, Jennifer |
| 5) Feinstein, Andrew | 15) McCarthy, Patrice |
| 6) Filippone, Rosalie (online) | 16) Rabinowitz, Fran |
| 7) Flaherty, Tara | 17) Scheinberg Meyer, Kathryn |
| 8) Grove, Mike (online) | 18) Wanzer, Stephanie |
| 9) Hammersley, Lisa (online) | 19) Yankee, Susan (online) |
| 10) Helene, Karen | |

AGENDA

I. Continuation of Recommendation Reports

a) Presentation of Funding Recommendations – Patrice McCarthy

- I. The state fully funds the Excess Cost Grant by removing the “within available appropriations” caveat in the legislation.
The cost to fully fund the reimbursement requests at their statutory reimbursement levels is roughly \$231 million, or \$50 million more than the \$181 million that was appropriated for FY 2024.
 - a. The meeting discussed funding recommendations, focusing on the excess cost grant, special education funding, and incentive grants for collaborative programs.
 - b. *The Task Force is in agreement to this recommendation.*
- II. The Education Cost Sharing formula be modified to include a 25 percent weighting for the 80,000 special education students (a 25% weighting is currently included for Multilingual Learners).
 - a. In agreement for full funding for ECS
 - b. Discussion took place on the 119 Commission's proposal which includes a 50% weight for special education funding and adjustments to the education cost-sharing formula. The proposal aims to address funding inequities and support districts with lower property wealth.
 - c. The Task Force is in agreement to increase to 50%

Additional recommendations:

- III. Provide incentive grants to enable districts to work together to create multidistrict programs or build up in district services to reduce the number of out placed students.

- a. The discussion focused on the use of incentive grant programs to support local school construction and special education services. The idea is to provide additional funding to districts for building out early childcare and special education capacity, with a potential increase in state reimbursement rates.
 - b. The conversation addressed the high costs of outplacement in private settings and the need to build in-district programs to reduce these costs. The goal is to increase capacity and provide education in the least restrictive environment.
- IV. Develop a model contract for private provider sources to expedite contract approval between districts and new private providers. (There is currently a standard contract for data services and Youth Service Bureaus).
- a. The discussion revolved around the creation of a model contract for schools to streamline agreements with private providers. The aim was to address initial hurdles in contract formation and ensure certain elements are consistently included.
 - b. The meeting discussed the need for a model contract for APSEPs to ensure consistency and compliance with standards. The idea was to create a guiding document to help districts that may not have experience in this area.
 - c. It could be a list or model but shouldn't be mandated.
 - d. There is some legislative language already for model contracts.
 - e. There is no consensus on the legislature mandating a model contract.
- V. Task the state auditor with responsibility for examining cost differentials between various private providers.
- a. There are 84 APSEPs – Need of the students drives costs – some of the funding given during Covid is no longer available. Private teacher salaries need to stay competitive.
 - b. Lisa Hammersley - Does CSDE have a list of outplaced tuition categories? We were generally concerned with lack of public data and transparency.
 - c. Bryan has excess cost data that the districts report to the CSDE. Student by student – total cost transportation, tuition etc.
 - d. Michelle – if
 - e. 10 Minute Break – 10:22 AM

Andrew Feinstein Recommendations

- Tracking Achievement Gap
We are spending an enormous amount of money to provide the remedial instruction of special education to students with disabilities. Yet, the achievement gap between students with disabilities and neurotypical students is not narrowing. I propose that we propose legislation to mandate the Connecticut State Department of Education (CSDE) to provide annual data, using validated standard instruments, of the achievement gap between students with disabilities and other students by disability category and by district.

- Oversight of APSEPs
Neither local school districts nor CSDE oversees and monitors the educational programming and quality of Approved Private Special Education Placements (APSEPs). I propose that we recommend legislation to require each APSEP to pay \$100 for each student placed at the APSEP under an IEP to a fund within CSDE which will be used exclusively to (a) monitor on a regular and frequent basis the performance and programs of each APSEP; (b) ensure that the tuition and other charges of the APSEP are reasonable; (c) work with districts to reduce the cost of transportation to APSEPs; and (d) encourage the return to in-district programming of such students who no longer need the intensive services of the APSEP.
 - a. Speakers discussed the lack of publicly available data on special education costs and the need for more transparency. They considered whether existing data could be made public to help districts compare costs and identify discrepancies.
 - b. There is a model out there for regionalized transportation.
 - c. Some sort of clearing house is needed.
 - d. It is valuable information to have.
 - e. RESC Transportation collaboratives were discussed.
 - f. Without more identifying information it is hard. Just because you have 5 seats on a spreadsheet you can't put 5 students in those seats.
 - g. It is not a one size fits all – information is the first step.
 - h. How do you create a system where the information is available?
 - i. CT SED System can incorporate this additional information.
 - j. There are states that do set rates for APSEP.
- Grants to create in district capacity
I propose that we recommend legislation to fund a grant program out of CSDE to help districts establish programs (a) to provide therapeutic and educational programs to place students in lieu of suspension or expulsion; and (b) to create small, structured and supportive programs to reduce the need for out-of-district placements.
 - a) Meeting participants addressed the proposal for a grant program to create therapeutic settings in schools to reduce the need for exclusionary discipline and improve student placements.
- Parental observations
Parents are supposed to be full partners in the IEP process. Yet, they have to rely on reports from school officials for how the student is performing in school. Parents, and their retained evaluators, need to have observations, under clear rules as to length, non-intervention, and privacy. I propose that we recommend legislation, modeled after the law in Massachusetts, to guarantee the right of observation. See, section 3 of G.L. c. 71B.
 - a. Did not discuss
- Cameras in classrooms
Increasingly, throughout the country, legal requirements are being adopted to place cameras, with recording equipment, in self-contained classrooms. These video

recordings provide protection for teachers accused of abuse and assurance for parents concerning how their children, who are often non-verbal, are treated in school. The Texas law is a model for this sort of legislation. See, Texas Education Code § 29.022.

- a. Did not discuss
- Ban on seclusion; same day notice of restraint
I propose that we recommend a complete ban on seclusion of a child alone in a room in a manner which prevents the child from leaving. Further, I propose that we recommend an amendment to the law on restraint to ensure that there is notice to parents on the day of the restraint.
 - a) The discussion touched on the inconsistencies in reporting restraint and seclusion incidents in schools. Concerns were raised about the accuracy of data and the need for consistent definitions and reporting standards.
 - b) Pay bonus for sped teachers; minimum pay rate for paraeducators
The staffing shortages of special education teachers is acute. The shortage of paraeducators is catastrophic. There may be a variety of causes, but the one lever we have is increased pay. I propose that we recommend an annual pay bonus of 10% for special education teachers and a minimum pay rate of \$25 per hour for paraeducators. I propose that these additional amounts be funded directly by the state.
 - a) The discussion focused on the staff shortage issue, particularly for teachers and related service staff. There was a consensus on the need for increased pay and exploring different funding mechanisms to address these shortages.
 - b) Consensus – staff shortages are a major issue – we need funding to increase pay for para educators.
 - c) Support for school based health centers.
School-based health centers provide valuable medical and psychological support at about 15% of the schools in the state. Due to Connecticut's low Medicaid reimbursement rates and the deductibles and copays of private health insurance, the model of providing services at no cost to parents is not sustainable without governmental funding. I propose that we recommend a support program to permit the expansion of school-based health centers to more schools and to guarantee that services are provided at no cost to parents.
 - a) The importance of school-based health centers was highlighted, especially for supporting students with special needs. The current funding model is inadequate, and additional state funding is necessary.

The meeting adjourned at 12:00 PM.

Monday, December 2nd at 10:00 AM – No meeting on December 3rd.