

TESTIMONY PROVIDED TO: Senate Education Committee

FROM: Meagan Roy, Director of Student Support Services for CSSU/President Elect, VCSEA

TOPIC: Special Education

DATE: March 15, 2016

Introduction:

Thank you for the opportunity to speak with you today and share my perspectives regarding developing effective educational systems that meet the needs of all learners, including those with disabilities. I applaud your desire to focus on special education. If there is one message I would want this committee to take from my testimony today, it is that we will be most effective when we create integrated educational systems, and no longer view special education as a separate system within general education. Research is clear that the most successful educational systems are those that are integrated, reforming and redefining instruction and intervention for *all* students without creating “silos.” I believe Vermont’s ongoing efforts to codify the implementation of Multi-Tiered Systems of Support (MTSS) through the EQS is essential toward creating this integrated system.

The following comments are offered as general areas that I believe are important for your committee to consider that will support the creation of integrated systems; I will focus specifically on areas related to special education:

Special Education Funding:

Funding the supports and services necessary to ensure the success of all learners is both a critical endeavor and a complex one. We need a special education funding system that provides adequate flexibility for districts and supervisory unions to more fully implement evidence-based practices. A multi-tiered system of supports that provides intervention to students at the first sign of struggle requires a district to be able to use resources flexibly. The current reimbursement model limits schools’ ability to be flexible and dedicate resources where they will have the greatest impact; instead, it limits the reach of special educators and other expert intervention staff.

- ***Study of Special Education Funding***

The issues surrounding special education funding are complex and unlikely to be solved with minor adjustments to our current model. Because of this complexity, I believe we need a comprehensive study of special education funding, with ongoing input from supervisory-union level leadership in order to fully understand the implications for budgeting and programming. This study should include an examination of a census block grant model, a promising approach to provide flexibility to schools across the Tiers of support.

In many ways, allocating special education funding by a census block grant creates the kind of flexibility we need in order to fully implement the evidence-based practices that have been identified as most effective in terms of outcomes for students. However, there are possible limitations to the block grant model that would need to be addressed in a study. SU/SD’s will be concerned with the level of funding we would draw down compared to what we currently receive in a reimbursement model. In addition, very small schools, rural schools and systems in high-poverty areas rely heavily on the extraordinary cost reimbursement. Any funding study should not be limited to investigating a single funding structure, and should instead include a number of models that are feasible in all types of Vermont communities (rural/urban/suburban; low and high-poverty areas).

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In 2012, the Vermont Council of Special Education Administrators developed a White Paper on Special Education Funding. The recommendations generated from that report are highly aligned with elements of the District Management Council's work. I would encourage the committee to consider those recommendations in their discussions:

- Fund special education services using a block grant formula that considers the total number of children served by the district in total (ADM) with a weighting factor for students with disabilities. The weighting would be different depending on the child's specific disability. Maintain funding mechanisms for residential students, state placed students, very high cost students, and continue existing processes for unexpected and unusual cost requests.
- Require a specific evaluation for the need for 1-to-1 paraeducators that considers 1). The student's capacity for independence; 2). Goals and objectives in the IEP designed to measure independence; and 3). A "fading plan" designed to gradually reduce adult support;
- Require all schools to implement:
 - Research or evidence based tiered interventions such as Multi Tiered Systems of Support (MTSS), Positive Behavior Intervention and Supports (PBIS); Universal Design for Learning; and Differentiated Instruction.
- Improve training and/or professional development for Principals and other administrators serving as the Local Education Agency (LEA) representative at Individual Education Program (IEP) team meetings.
- Increase technical assistance from the Department of Education for high cost school districts / supervisory unions.

- ***Special Education Funding to Flow Through Supervisory Unions***

Given Vermont's current emphasis on the consolidation of school governance structures, it is important that state special education funding come through the Supervisory Union instead of individual member districts. The current model requires an accounting exercise in order to reflect the reimbursement as part of the SU/SD budget. With the implementation of Act 153/56 and the consolidation of special education at the Supervisory Union level, it is only logical for special education reimbursement to flow through the SU/SD.

Collaborative Study of Evidence-Based Practices

CSSU has undertaken significant and long-standing work in examining our own instruction and intervention practices in order to develop systems that are more equitable and effective for all learners who struggle. As part of those efforts, we have engaged with both the District Management Council as well as with Michael Giangreco's Project Evolve. These efforts, along with our own research and practice, have provided us a tailored opportunity to engage in the systems change necessary for the implementation of evidence-based practices. I believe that our district, along with our colleagues, could benefit from the opportunity to undergo an analysis of their practices as a cohort. Developing a cohort of SU/SD's working with consultants (such as the District Management Council) is one way to create that opportunity. Implementing evidence-based practices requires a fundamental shift in practice for schools, and a cohort model would allow districts to work together and learn from each other.

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Agency of Education Support

The scope and magnitude of systems change necessary to implement such sweeping changes (both in funding structure and in implementation of evidence-based practices) is significant. Given that, I believe schools need the dedicated resources of the Agency of Education position in support of this work. Most important, it will be critical for the Agency to recognize the interconnected nature of this work (funding and evidence-based practices) with existing foci (proficiency based learning, personalized learning, MTSS, etc). The Agency needs to model that integration in their work.

Mental Health Services for Children and Families

It is no secret that schools are increasingly responsible for providing high quality education to students who are adversely impacted by the effects of trauma, substance use and abuse, poverty and mental health challenges. In special education, we find ourselves disproportionately bearing the cost burden in order to serve children and their families with complex needs in the area of mental health. Educators have not seen such a level of need in many parts of the state previously and with such young children.

Cuts to mental health funding over the years while children's mental needs have increased has resulted in costs being incorporated into the education fund. This reality is well documented in the "Report on Act 68 of 2013 – Section 6: School-Based Mental Health and Substance Abuse Service: Study" of January 15, 2014. A great deal of shared work between schools and mental health agencies has identified some best practices and positive results when these practices are implemented with fidelity. Yet many children with mental health needs remain unserved or underserved despite the approximately \$84 million spent by schools on mental health services including \$52.8 million through Medicaid State Plan (Report on Act 68). Positions such as School Based Clinicians and Behavior Interventionists are funded through a 55% Federal (through Mental Health Designated Agencies) and 45% school district match.

“VCSEA supports the essential collaboration and interwoven service delivery system between Mental Health, Department for Children and Families (DCF), Education and other key partners required in an integrated service delivery model. The strong foundation of the System of Care built more than twenty- five years ago has been challenged by current children and family needs.”
(VCSEA Legislative Priorities, 2016)

Early Childhood Education

I fully support the legislature's emphasis on ensuring all Vermont children have access to high quality early education experiences prior to entering public school. CSSU has implemented Act 62 since its inception and is now an early adopter of Act 166. We believe in providing quality PreK experiences and will continue to prioritize this work.

That said, there are challenges to the implementation of Act 166 that require attention; these have been outlined in past testimony by VCSEA representatives and are summarized here:

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- Socio-economic concerns: Children from low income households are more likely to attend less qualified programs that are less expensive and provide a full day of services to facilitate parental employment.
- Students with disabilities who are attending programs outside the school district may not receive special education services.
- Defining SU Boundaries: Providing services outside of SU boundaries can cause implementation challenges including a) tracking students as they attend programs out of county of residence, b) Central Office and local resident school administrative layers c) potential lack of special education support d) Vermont's residency requirements for education and tax structures are not designed for this level of expansion of tuition payments.
- It is a challenge for schools to effectively oversee program quality in partner programs