

Testimony to the Vermont Senate Education Committee  
Michael Giangreco, Ph.D.  
University of Vermont  
Department of Education (Special Education Program)  
March 24, 2016

As requested, my primary role today will be to respond to questions from Senators based on my testimony to this committee in the past session (2015) and more recent testimony offered to the House Education Committee earlier this session specifically related to the Piccus Report and the proposed bill related to special education funding drafted by the House Education Committee. I have also been asked offer a few key points prior to the committee's questions; these are summarized below.

1. I support the shift away from a reimbursement approach to special education funding because it: (a) inadvertently incentivizes labeling students as disabled to garner resources, (b) interferes with schools implementing desirable practices because it has negative reimbursement implications, (c) is unnecessarily complex and time consuming, (d) limits flexibility, (e) interferes with innovation, and (f) leads escalating sets of rules, regulations, audits, and paperwork as schools seek ways to maximize their reimbursement and the state seeks to control costs. The time and personnel resources (which also translate to dollars) devoted to this unnecessarily complex and flawed system could be either saved or put to better use educating students.
2. In determining a better alternative approach to funding special education I suggest it desirable to consider what you want any such funding system to do. I would like to see a system of funding special education that: (a) is more simple, (b) is predictable, (c) is equitable, (d) allows for more flexibility in how schools utilize funds to support students with disabilities, (e) does not incentivize labeling students as disabled in order to garner resources, (f) reduces paperwork burdens on schools and the Agency of Education (AOE) while maintaining accountability, (g) is congruent with the educational policy initiatives and directions of the AOE so that funding supports (rather than drives) educational practice, and (h) encourages innovation.
3. Any significant change in the funding approach should be evaluated to determine the extent to which it is achieving its aims. So not only must we decide what we want it to do (as suggested in the previous point), we must also be clear on what it must do. The State of Vermont and local schools have an obligation, under both federal and state law, to provide a "free appropriate public education" to all students with disabilities in the "least restrictive environment".
4. It seems to me that at its most basic level, the funding of special education is about how to most equitably distribute appropriated State funds to the schools. For many years, I have advocated for a shift toward primarily a census-based model of funding that is based on the total number of students eligible to attend any particular school -- not based on the number of students identified as disabled. Any such census model should make an adjustment for poverty because of its well-known impact on educational needs

and supports. Adjustments should also be made to protect small schools from potentially catastrophic costs (State hold-back before dividing up remaining funds); this problem should be reduced as the scale of supervisory unions increases with consolidation -- thus spreading out the financial impact.

5. Since this issue is so complex, but the time the legislative session begins it is almost too late for the development of a thoughtful plan; in the past I have cautioned about the potential dangers of a quick-fix approach. I suggest that a cross-stakeholder group be charged with developing a proposed alternative, which include should include modeling of the financial impact. A thoughtful process could easily take a year to develop and work out the details and would require dedicated efforts and time commitment within the AOE, which is already stretched thin in terms of human resources. In any changed funding model, some SUs and districts will get more and others less -- what will this look like. After an initial transition period, the financing in a census model should be highly predictable.
  6. I reviewed an early version of the House bill and suggested that any statements about appropriate staffing levels be deleted from the bill (e.g., was on p. 13 "Full Equivalent Staffing). I oppose including these numbers in the final bill because I believe they have a questionable basis and could be misused to the detriment of education in Vermont. Under a census model, the only thing that is happening is the State is determining how much money is directed to each educational unit (e.g., SU, district); I suggest it is inappropriate and inadvisable for the bill specify staffing levels. That said, I do think it would be helpful for Vermont to establish inclusive special education quality standards just as in the past it has established general education school quality standards -- but that is a for a different discussion.
- Responses to Senator's questions...