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Testimony to the House Education Committee re: Special Education Funding

Presented by: Karen Price, Director of Family Support

I would like to thank the legislature for including family voice as you look at reforming special education delivery in Vermont.

Vermont Family Network (VFN) is the Parent Training and Information (PTI) Center in Vermont. VFN has been supporting families for more than 25 years! PTIs exist in every state and are required by the IDEA (Individuals with Disabilities Education Act). VFN Family Support Consultants are skilled parents of children with disabilities who support families in accessing services for their children in the school and in the community. I myself have a child with a disability who has been on an Individualized Education Program (IEP) for his entire school experience. As required by the IDEA, VFN provides parents with information and resources to help them advocate for the provision of a Free and Appropriate Public Education in the Least Restrictive Environment to which their children are entitled. To achieve the IDEA expectations of a PTI, VFN operates a statewide telephone helpline, provides in-person support to families, and occasionally attends school meetings with parents. VFN also provides written materials and conducts training on a broad range of topics of interest to families and professionals who work with children with disabilities.

Parents contact us when they have concerns and questions about their child in school. Special education laws and regulations can be very confusing for parents who are already overwhelmed with the daily challenges involved in raising a child with a disability. In 2017, we had over 3800 contacts with parents and another 700 with professionals who call on behalf of families.

With this background information in hand, VFN offers the following comments related to the proposed changes in special education funding. We welcome increased funding flexibility if it results in improved education practices that provide greater inclusion. But we are concerned that not enough dollars are available under the proposed change in funding to provide the special education services that our children with disabilities are entitled to. We also ask that increasingly scarce education dollars fund special education teachers and support staff that provide direct services to students and not additional administrative expenses at the supervisory union and state level.

In the special education process, the IEP team that determines appropriate services to a child includes the parent as an equal member. However, we hear daily from parents who do not feel included in the process. They feel that their voices are not heard when decisions are made about their children. Parents often have to vigorously advocate for even the most basic special education services. When there is a disagreement in an IEP meeting, the local education agency (LEA) makes the decision. The parent then has the right to engage in dispute resolution over the specifics of the disagreement. This could take the form of filing an administrative complaint, mediation or due process. However, because schools have access to attorneys that most parents do not, many parents are not able to use the

dispute resolution process as it was intended. Parents lack the money to retain an attorney and often, the energy to fight the school. Parents, in truth, are less “equal” members of the IEP team than are school professionals.

VFN is also concerned about the proposed statewide expert panel that will have the power to approve extraordinary special education expenses. We have questions about the reach and influence of this committee, which is separate from the school IEP team that decides a child’s services and supports. The addition of another decision-making body can only delay or even impede the delivery of special education services. Children whose needs fall in this category are often in crisis and it is not unusual for children in these circumstances to receive no education for weeks, or even months, while the school district scrambles to get supports in place. When skilled supports are not available and students cannot be at school, families can be put in the position of jeopardizing their employment and ultimately their family’s stability and well-being. When out of home/community placements are required, the costs are more than financial. We encourage you to look at the potential for more clearly connecting with Agency of Human Services trauma-informed care and initiatives to ensure that Agency of Education has the necessary resources to support SUs in establishing or enhancing best practices like Multi-tiered Systems of Support and early literacy training.

VFN reached out to our counterpart in NJ, where census-based block funding has been in place for ten years. Some of their experiences highlight areas that we should also be watching. The first is that census based funding assumes an equal distribution of identified children. The percentage in NJ has ranged from 8% to 40%. We need to acknowledge that there are variations among VT school districts that could also result in a wide spread. Secondly, capping state special education dollars does not necessarily result in decreased costs. Special education expenses and rates of identification have not dropped in NJ over these ten years. The costs of special education have merely shifted to the local levels. NJ has one of the highest rates of local taxes in the country. In one example, a school district discontinued bus services to all children in order to fund special education services for one child. This is not conducive to good community building.

We ask that whatever action/phase-in VT chooses to pursue, that parent voice be included. In NJ and MA, special education advisory groups that include parents are required at the school district level. This has helped parents to work more closely with schools for better outcomes for children. It is our hope that the input of families of children with disabilities be integral in any decision made regarding special education delivery.

Thank you.