



pennsylvania
DEPARTMENT OF EDUCATION

Testimony

Senate Republican Policy Committee

Hearing on Special Education

Pennsylvania Department of Education

January 23, 2013

Chairman Erickson, Chairman Folmer and distinguished members of the Senate Republican Policy Committee, thank you for the opportunity for the PA Department of Education (PDE) to comment on the Commonwealth's special education system. This is a topic very important to Governor Tom Corbett, Secretary Tomalis and many Pennsylvanians.

The special education system has been designed to provide services directly to students through different educational channels in our schools, alternative school settings and early intervention programming. Professional development and assistance is also provided to those individuals serving these students through the Pennsylvania Training and Technical Assistance Network (PaTTAN) to meet federal regulatory requirements.

Special education services in the Commonwealth are provided to students from ages three to 21. In the 2010-11 School Year, the total student enrollment was more than 1.78 million students with approximately 275,000 students eligible for special education services.

Currently, the special education funding structure to local education agencies (LEAs) is through the federal Individuals with Disabilities Education Act (IDEA) funds and state appropriations. IDEA funds are appropriated to the state on an annual basis and distributed through intermediate units (IUs) to school districts, while state funds are distributed directly to the LEAs. Total funds that are received by school districts are calculated through a formula. The Department oversees four appropriations used to fund students with special needs: Special Education; Approved Private Schools (APS); Pennsylvania Chartered Schools for the Deaf and Blind; and Early Intervention.

Special Education

In the 2012-13 FY enacted state budget, more than \$1 billion was appropriated for activities related to special education. This includes the appropriations for early intervention, APS and the Chartered Schools for the Deaf and Blind. The amount of these funds specifically targeted for special education was \$1.026 billion.

Federal IDEA-B grants to the state include two grants that serve students between the ages of three through 21 (IDEA-B 611 funds) and early learning students between the ages of 3 and 5 (IDEA-B 619 funds). There has been a moderate increase in both the federal and state funds to support special education in the last decade. The IDEA-B 611 funds totaled \$235.2 million in Fiscal Year 2001-02 (state funds were \$861 million in the same fiscal year) and \$422.7 million in Fiscal Year 2011-12 (state funds were \$1.02 billion).

Over this same period of time, the percentage of the student population with disabilities increased two percent from 13 percent to 15 percent between 2001-02 and 2011-12, while federal and state funding increased 44 percent and 16 percent, respectively.

PDE also administers the Special Education Contingency Fund, which is used to provide supplemental state funding for the implementation of Individualized Education Programs (IEP) for students with significant disabilities. An application for the Contingency Fund may be submitted by a school district or charter school to partially meet the extraordinary educational

needs of an individual child with significant disabilities who requires a highly specialized program or related service in order to receive an appropriate education. The Public School Code allots one percent of the Special Education appropriation for this fund and once an application is approved, additional funding is released to the school district before the end of the current school year. In the 2011-12 School Year, \$10,262,520 in contingency funds were distributed to 134 out of 206 LEA's that submitted requests.

In the past three years, while the total count of students with disabilities has increased, some shifts in the identification patterns have also been observed in some of the student body of Pennsylvania. For example, there has been a decline in students with mental retardation, which has declined from 21,214 to 18,959, or 10.6 percent, while autism has increased from 16,063 to 21,245, or 28 percent, between the 2009-10 and 2011-12 school years.

For the 2011-12 School Year, 15.2 percent (268,466 students) of the total student population (1,765,367 students) was categorized as having a disability. For illustrative purposes, out of Pennsylvania's total student count last school year, 18,959 (1.1 percent) were identified with mental retardation and 21,245 (1.2 percent) students with autism. As disabilities such as these are discussed today and in the future, we must be cognizant that PDE is not able to determine the severity of the disability for each child. PDE does not have data that would determine a student's location on the autism spectrum.

The most commonly identified disabilities are Specific Learning Disabilities with 126,026 students (46.9 percent) and Speech or Language Impairments with 43,542 students (16.2 percent). These categories have a higher representation of the student population and are also significantly less costly to provide supplemental instruction support services when compared to some of the other disabilities. These students can be helped through early learning intervention programs with successful results that often decrease the need for services in the future.

APS and Chartered Schools for the Deaf and the Blind

The Approved Private Schools (APS) and Chartered Schools for the Deaf and the Blind are private schools licensed by the State Board of Private Academic Schools. There are currently 30 APS and four Chartered Schools for the Deaf and Blind facilities throughout the state providing special education programs to 3,837 day and residential students.

Placement of students in an APS or a Pennsylvania Chartered School must be based on the student's individual needs. Chapters 14 and 171 of the state's special education regulations and standards govern these placements, which are based on the appropriate level and location of intervention and the appropriate grouping of students.

When an IEP team (which includes school personnel and the parents) agrees the only source of an appropriate program of education for an eligible student is in an APS and state supported slots are available, then the costs for students placed in APSs are shared between the school district of residence and the Commonwealth. However, because the APS appropriation is limited, supplemental funding from the Commonwealth is not available for all students placed in an APS.

Early Intervention

Early Intervention (EI) supports and services are designed to meet the developmental needs of children with disabilities, as well as the needs of the family related to enhancing the child's development, including: vision and hearing; cognitive development; communication development; social or emotional development and/or adaptive development. Early Intervention prepares young children with disabilities for success in school and for many children reduces or eliminates the need for special education services later in their school careers. These services are provided by the Department of Public Welfare (DPW), which oversees the Infant/Toddler EI program (birth to age three) and the Department of Education, which oversees the Preschool EI program (age three to school age). Preschool EI is funded through state funds, as well as IDEA-B 611, IDEA-B 619 and Medical Assistance ACCESS without the use of local funds. Between the 2000-01 and the 2011-12 fiscal years, the number of Preschool EI students served incrementally grew from 28,759 to 51,802 students. At the same time, state funding doubled from \$93.5 million to \$197.8 million. Furthermore, DPW also provides additional funds to these services.

Similar to school age special education students, there has been a noticeable change in the types of disabilities identified in EI students. The two categories of disabilities with the most significant increase over the last decade are autism and developmental delay. The EI student population classified with autism increased from 1,119 children in the 2000-01 FY to 4,178 in 2011-12 FY. Developmental delay increased from 11,363 in the 2000-01 FY to 26,070 children in 2011-12 FY. The percentage of speech or language impairment identification decreased from 47.96 percent to 34.73 percent during the same timeframe, although the actual number of students increased as there have been higher enrollments over the years (from 13,793 to 17,989 children).

The Preschool EI program has been able to document positive outcomes since 2008-09 FY, with 99 percent of enrolled children making progress from the time they entered the program until they exited the program. Additionally, 80 percent of the students who entered the program below expectations in development increased their rate of growth before exiting the program and 60 percent of students exiting the program were within age expectations and did not need any further special education services.

Pennsylvania Training and Technical Assistance Network

The Pennsylvania Training and Technical Assistance Network (PaTTAN) is an initiative of the Bureau of Special Education. The purpose of PaTTAN is to support the efforts and initiatives of the bureau by providing systematic and results-oriented technical assistance to local education agencies (LEA) serving students who receive special education services or students who are at-risk for needing special education. While PaTTAN is a statewide network of support, there are three regional offices (Pittsburgh, Harrisburg and King of Prussia) that deliver consistent training and technical assistance in contexts appropriate to regional differences and needs.

Key to the effectiveness of the PaTTAN system is the robust partnership with the Commonwealth's 29 intermediate units. Each IU employs training and consultation (TAC) staff

who work in concert with PaTTAN consultants as part of PDE's system of support for LEAs. PaTTAN supports TAC staff through a train-the-trainer affiliation, which is intended to build TAC capacity to serve the LEAs in their regions. PaTTAN consultants also work in partnership with the TAC staff on disseminating information, providing training and technical assistance with the new initiatives, and supporting the most challenging students and educational issues facing the LEAs. Together, PaTTAN and the TAC staff provide an effective regional and statewide support network.

A major responsibility of the PaTTAN system is to assist the bureau with its role in meeting federal and state special education regulations. PaTTAN works closely with the bureau in developing the needed professional development and services in order for Pennsylvania to meet its requirements under the IDEA and Chapter 14 of the State Board of Education's regulations.

Beyond its work with the IU staff, PaTTAN provides a full array of professional development and technical assistance targeted at improving student results. The continuum of professional development and technical assistance provided through the PaTTAN system takes on many forms in order to meet the varied needs of its constituents. Week-long summer institutes, on-going professional development series, webinars, video conferences, teleconferences, on-site training, and individual student or teacher consultations are some of the means by which PaTTAN provides training and technical assistance to the field.

Thank you again for the opportunity to provide these comments on how Pennsylvania's special education system currently operates. Providing quality and necessary services to these student populations is of the utmost importance to the Governor and PDE. The Administration looks forward to continued dialogue with the General Assembly on these issues and our staff are available to assist the Senate and this committee should it consider legislation affecting this important area of public policy.