

Meeting Notes

Advisory Commission on Intergovernmental Relations
<https://portal.ct.gov/acir>

Special Education, Education Governance & Workforce Development Subcommittee

Tuesday, Sept. 17, 2024

Agenda: <https://egov.ct.gov/PMC/Agenda/Download/26613>

A recording is available at: https://ctvideo.ct.gov/opm/2024-09-19_ACIR_Workforce_WG_Video.mp4

ACIR Members present in person: Jan Perruccio (Co-chair), Lon Seidman (Co-chair)

ACIR Members present online: John Filchak, Eric Protulis

Other participants in person: Andy Feinstein, Michelle Laubin, Sheila McKay, Fran Rabinowitz, Louis Rosado Burch, Lindsay Seti

Other participants online: Jennifer Benevento

OPM staff: Christine Goupil

1. Call to order, overview of meeting procedures, agenda review

There was no overview of procedures or agenda review.

2. If desired: review of draft notes of the [7/9/2024 meeting](#)

There was no discussion.

3. Work program, timeline, and membership

Lon Seidman mentioned [Education Governance Recommendations handout](#) linked on the agenda and said not much has changed except that, based on feedback he received, the 10% bonus described in Subsec. 4c has been increased to 20%.

4. Discussion of [Task Force to Study Special Education Services and Funding](#)

Jan Perruccio introduced Fran Rabinowitz, one of the task force tri-chairs, who explained her role at the [CT Assoc. of Public School Superintendents](#) (CAPSS). Fran introduced tri-chair Andy Feinstein, who described his background as a lawyer in private practice involved with special education equity for kids in CT. Fran pointed out that he and she do not agree on everything, but they have come to consensus on many things. Fran said the third tri-chair is Atty. Michelle Laubin, who was added in the last legislative session, and may arrive later. Fran added that Michelle represents special ed. directors.

Fran provided an overview of the task force's efforts and shared some findings. She said CT is the state that spends the most on special ed. and is also number one in private placements for special ed. She noted that the latter could be misleading because CT's numbers for that include placements with the state's Regional Education Service Centers (RESCs), which will provide services in schools but be considered private

placements for that statistic. RESCs offer many programs within the schools, but that is still considered private placement and we need to take a very careful look at those data. Fran also described the history of special ed. funding, how it is incorporated in [Education Cost Sharing](#) (ECS), and the state's approach with [Excess Cost Funding](#). She highlighted that the full expected funding is not being provided, with federal and state government both providing local school districts less than they should. The state shorted districts by well over \$70 million this year.

Fran said they will continue to push for full funding for excess costs but also have some thoughts about incentivizing districts to develop their own programs, such as by lowering the threshold for receiving excess cost payments for such programs. Andy Feinstein noted the need for funding in various areas and said at some point we will have to prioritize where the money would be best be used. He pointed out limitations in the source and use of funds for special ed. and added that special education needs might be reduced if we did more in terms of early childhood development, early intervention, and literacy. Eligibility for special ed. has increased from 12% to 17% in 15 years and there is no evidence of over identification. Kids are meeting those standards.

Fran Rabinowitz said they both feel very strongly about developing a system of interventions. When she was superintendent in Bridgeport, young students were being identified for special education because they had suffered trauma, or they were not reading, or they had behavior issues in 1st grade. Special ed. was the only place where they could get the intervention they needed. When she arrived in Bridgeport there wasn't a reading teacher or math teacher that could intervene in the early grades.

Fran said CT has 92,000 children in in special education and question if we would if we had a robust set of interventions. But there is no money for those interventions. American Rescue Plan's [Elementary and Secondary School Emergency Relief Fund](#) (ESSER) dollars are ending and you can't use [Individuals with Disabilities Education Act](#) (IDEA) money for interventions. This needs to be reformed at the Federal level, but we can do more.

Andy mentioned [Scientific Research Based Interventions](#) (SRBI) and noted that, although districts have hired math and reading specialists, those are the first positions cut at times of constrained budgets. Lon Seidman said his district has found that having those specializations keeps some kids out of special ed. but you must be able to afford it. Fran said she was able to start that in Bridgeport but they are gone again. Task force tri-chair Michelle Laubin apologized for joining late and said special education directors and practitioners face more pressure to identify every child who meets the standards for special ed. eligibility than to not identify students as being eligible for special education services than to not do that. The numbers keep getting pushed up and the infrastructure for early intervention is less than the infrastructure for special education. We must acknowledge the system we have built.

As background for the tr-chairs, Jan Perruccio described the subcommittee's previous discussions, which focused on governance and how to encourage regional or other fiscally prudent opportunities to provide robust programs for all students. We also have been looking at special education and its cost. Thirdly, we are also looking at workforce issues regarding teachers, para educators, and administrators. The pool is drying up as well. There is a lot of crossover.

Andy Feinstein highlighted the benefits of programs at the regional level, especially for small districts. He also pointed out the large increase in special ed. excess costs, not due to more kids being out-placed but because the cost of those placements rose. And the cost of private placements rose because, unlike school districts, private providers were able to raise pay to fill vacancies and passed along the costs. Fran Rabinowitz said a cornerstone of this is that we do not have staff and do not have staff or the pipeline.

Fran said there are a lot of reasons why special Ed teachers are not coming forward. There is less respect for the profession within education. We need to work on that. She mentioned the paperwork involved with special ed. and said teachers have told her they went into the profession to teach kids, not to do paper. How

do we work on that? She highlighted that special ed. depends on having staff and said suburban districts probably can fill most special ed teachers, but the more challenged districts have many openings.

Jan Perruccio spoke of additional challenges faced by special ed. teachers and how the planning and placement team (PPT) process can help with that. She also pointed out that existing regional programs fly under the radar and she knows of four or five in the region where she had been a superintendent. She described how different towns contribute to a regional program and asked how such approaches can be scaled and marketed. Andy Feinstein asked if there are obstacles requiring legislative action and Lon Seidman said there is no incentive for regionalization. He added that districts are almost incentivized to choose outplacement due to the state's approach to excess cost reimbursement. There was a discussion of the large proportion of the state's special ed. funding that is spent on out-placement, including associated transportation.

There was a discussion of the declining quality of some private programs, many of which have been purchased recently, and the challenges of knowing which are good programs. Fran Rabinowitz said districts should be incentivized to provide programs necessary so kids can remain within their community. It provides so many benefits. There was a discussion of coordination between the task force and this ACIR subcommittee to avoid duplicating each other's work.

Andy Feinstein pointed out the frequent opposition in this state to regional approaches, but there might not be the same opposition to this kind of regionalism of services. Jan Perruccio said the goal for special ed. is for different districts to come together to provide opportunities for students as locally as possible. She thinks much of the opposition resulted from how the regionalization approach was launched. Lon Seidman said the biggest issue with CT's approach to regional education is that it is so rigid and once a town is in, it cannot get out. He distinguished between that and flexible partnerships in which a town does not need to the same partner when needs change.

Jennifer Benevento noted the difficulty of joining this discussion remotely and said if close to 20% of our are identified as special ed. students, they are not special ed. They are a minority population and we need to stop putting them in a box and consider all the things that go along with that box, such as those raised in the earlier discussion of respect. She pointed out that people do not have the same reaction to magnet schools, which are described as enabling kids to specialize in what they're interested in. People are not supportive if the magnet school is posed as mixing races or bringing students from different communities. What we are trying to do is to give every student what they need, not to label them as a special ed. student.

Jennifer said that instead of talking about regionalizing special ed., we should talk about differentiating education to create opportunities and spaces where kids can thrive and get whatever it is that they need. She described concerns about private special ed. placements and added that creating different buckets of money leads to people fighting for it. She also mentioned behavior issues in school, noting that many kids are disinterested because they're they are being expected to be engineers by the time they graduate from high school, but others do not need to that level of math. She suggested that the work done here dovetail with work around graduation requirements. Education should be special, but not special ed. because that suggests there is something wrong. It should be special because it is what that kid needs.

Jennifer pointed out that many people who are interested in going into special Ed are people who have special needs themselves. She described a situation she has heard about in which someone with dyslexia was not provided time to complete the Praxis exam that he would have been allowed to complete an exam as a student. We need to think about all of those things and reimagine education as special education for all of our special students, not just for people who have something that we claim is wrong or different. We have is an antiquated educational system and I hope we can be constructive partners and do something interesting and dynamic.

Eric Protulis said that when considering expanded program, we must not focus on just additional funding or on cost savings, but also on providing the right support and the training for the staff to implement the

program. Jan Perruccio said the regional programs or partnerships she is aware of always consider both. It is about student need and programming as well as whether it is cost efficient, or at least budget neutral. That is the political aspect. Christine Goupil asked how the obstacles Lon mentioned earlier about regional approaches might tie into this additional point about regional approaches.

Lon Seidman outlined the current approach with regional school districts, highlighting the difficulty an individual town would face trying to leave if circumstances change. He pointed out the advantages of a more flexible agreement and described his district's approach, highlighting that they are constantly changing the terms of their local agreements to match the regional circumstances. He talks with a number of other regional districts, and there's tremendous distrust and none of it is good for kids. Regional districts are constantly bickering over control and dollars because there is no way out and a community will not vote for that in this day and age. The governance structure has been the same since before the Republic began.

Fran Rabinowitz spoke of regionalism that is happening and we need to market that, maybe call it partnerships, and incentivize around that, especially in the area of special education, especially in smallest towns. She added that another concern she has is that special education identification but the achievement gap is also growing and the largest achievement gap is for special education. That should be studied. Where are those kids and how are they doing after they were identified? How well are we meeting the needs of special ed. students and do we have the same standards for them? The original goal of IDEA was for special ed to help kids reach standard. Not every child is not going to do that, or will meet standard in a different way, but we very seldom hear about the gap in special ed and we are spending billions on it. To what end?

Responding to Lon Seidman's explanation of obstacles to regional education, Kathy Demsey said the state might need to amend the core, interdistrict cooperative law so people feel empowered to use it. She noted the federal requirement for reporting longitudinal data about student performance and said this will require creative thinking. Regarding Fran's comments, Kathy said a small proportion of special ed. students have an intellectual disability and what not is working right? What creates the special ed. achievement gap? She does not know if we equip our teachers with how to do that. She described the experiences of her son and the importance of mainstreaming, of reaching kids where they are, and of early intervention.

Kathy pointed out that well over 2 billion dollars of the 10 billion spent on education in CT goes towards special ed and asked what is the return on that investment if those students continue to get further behind? There must be a system change. Cooperative arrangements can be more cost effective and that, plus improved professional development and support of teachers, can help meet the needs of a broader range of students.

Andy Feinstein said class size might be the biggest determinant and noted that outplacements often puts kids in a smaller class size environment. The task force is considering whether that is a special ed. issue or not, although it clearly impacts that. He pointed out the enormous cost of a broad move to smaller class sizes, but he thinks class size is probably the biggest contributing factor. Fran Rabinowitz agreed and noted that 1st grade classes had 28 students when she was in Bridgeport and teachers cannot differentiate with so many. She added that Darien would never accept having 28 kids in a 1st grade but it continues to happen in our most challenged districts. When she was an elementary teacher, she taught 32 and she taught 18. She taught kids to read in a small class who would not have learned to read in a class of 32.

Lou Rosado Burch agreed regarding the role of class size and said salaries are another factor. He noted the challenges of having task force recommendations be adopted in legislation, but pointed out the benefit of the different groups collaborating on recommendations. There was a discussion of the timing of the Task Force's work and its message to legislators regarding changes needed in special ed. Lon Seidman pointed out the problems, highlighting funding, staffing, and facility needs, and Fran Rabinowitz said we have to remedy those and to enhance respect for the special ed. profession and improve the salary and working

condition. She emphasized that it is time for the professionals in the profession to make decisions. Too many times, people outside the profession tell us what we need to do.

Lon Seidman highlighted an earlier point made by Jennifer Benevento about looking at special ed. students as a population and added that more students need services, it is not just that more are being identified. Something is changing that we must address. He described the success of his district's program and said it is huge, not just for the individual students but also for society. Students who might have been institutionalized in the past can contribute to society and live independently. That is a good use of taxpayer money. Fran mentioned that when school districts do not have the money or the space to provide a full day program at the preschool level, kids do not come and miss services for a couple of years.

Lon said his district expanded pre-K to full day because other students did not attend when it was only two hours. It was not mandated but we would not meet the peer requirement without it. Andy Feinstein said we also must talk about the transition to adulthood and there was a discussion of the provision of services people age 18-22. There is little coordination between school-based services and health services at that age and that there is very little help for a child once they're 22.

Jennifer Benevento said the 1st thing you learn as a parent of a special need kid is to get ready to fight for everything you need for your kid. What do we want kids lives to look like? What do we want them to do? Where are we trying to get them to? Every person has the right to work. Every person has the right to have dignity, and to be purposeful and to contribute to society. We don't have jobs that that many people can go into. We've done a beautiful job for people who want to become engineers, but we haven't figured out how to help a kid who might have special needs become a baker. What we want kids to learn should be related to what comes next and, if there is nothing to come next, then no wonder we're having a hard time. The school system is not purposeful for a lot of our kids and we need to be smart about what we're preparing kids for and take some of the stress off of kids who aren't going to be engineers. Putting them on a track to make them an engineer when they are never going to be one is frustrating for teachers and everybody else.

Kathy Demsey suggested piloting small group classrooms with an intent to look at the outcome for students having special needs. Can repurposing part of that \$2 billion we spend on special education to reduce class size and things like that help us achieve a better outcome for a larger number of kids? She just thought of this but is there a way to do a demonstration project? Given the amount we currently are spending and given the outcomes, we should reconsider how we're spending some of that funding to get kids where they need to be and to provide a better educational opportunity for all students and a better work environment for teachers. It's just a thought.

Fran Rabinowitz said it is a wonderful thought and added that special ed. is a black hole in terms of data. We do not know how kids are performing in special education. If she had the funding, she would hire a data person to analyze longitudinal data on these kids just to find out. She might be wrong: they might be soaring, but achievement gap frightens her. They are the lowest performing subgroup. She has the greatest respect for special education, but it is not magic dust and there is nothing magical that comes down on kids because they are identified as special ed. We should consider different categories. How are you doing if you have a learning disability, if you have a behavior issue? She noted Jennifer's mention of the need to fight for services, but what about the families that do not have the knowledge or resources to do that. What happens? We know, and that is not the system we want.

Lou Rosado Burch mentioned charter schools because, when they opened, one of the selling points was that they would be laboratories to learn about education practice that can benefit the rest of our districts. Has that happened? The demographics are different at charter schools and their special ed. enrollment is not as high. It is important that everybody is treated the same way with the same expectations. If there is discrimination, there needs to be accountability. We need to make sure that students applying to those schools are able to get in and to benefit from those practices and that the rest of our districts can also benefit from those experiments.

There was a discussion of the timing of task force report and that the group is going through recommendations and preparing the final report in the next sixty days. Jan Perruccio said the subcommittee now has an agenda for our next meeting and some homework. Fran thanked everyone for this collaboration because it makes this more powerful, and the task force welcomes the subcommittee's recommendations. She said the task force also does not want to redo things that have been done and, to Einstein's point, we do not want to keep doing the same thing when it does not do what we need. Jan thanked everyone, read three dates of upcoming meetings, and the meeting was adjourned.

Notes prepared by Bruce Wittchen, OPM