

# Special Education Legislative Summit



# 2020

**Virtual | July 13-24, 2020**



**Council for  
Exceptional  
Children**



**COUNCIL OF ADMINISTRATORS  
OF SPECIAL EDUCATION**



## LEGISLATIVE RECOMMENDATIONS

The Council for Exceptional Children, (CEC) founded in 1922, is an international nonprofit organization dedicated to improving the educational success of individuals with disabilities and/or gifts and talents. CEC supports children and youth with exceptionalities by advocating for appropriate governmental policies, setting professional standards, providing professional development, and supporting the professionals who work on behalf of children and youth with exceptionalities. CEC represents all disciplines in the field, including teachers, early interventionists, administrators, researchers, and higher education faculty who are teaching the next generation of special educators.

**CEC works to ensure that needs of children and youth with exceptionalities—and those of special educators—are heard by policy makers and engages in an active grassroots advocacy network to advance CEC's critical messages.**

CEC members gather to network, learn and share within state and provincial units in the United States and Canada. CEC's 18 special-interest divisions focus on the most critical issues in special education and early intervention.

### CEC'S Special Interest Divisions

- Council of Administrators of Special Education
- Council for Children with Behavioral Disorders
- Division for Research
- CEC Pioneers Division
- Council for Educational Diagnostic Services
- Division on Autism and Developmental Disabilities
- Division of Visual and Performing Arts Education
- Division for Communication, Language, and Deaf/Hard of Hearing
- Division on Career Development and Transition
- Division for Culturally and Linguistically Diverse Exceptional Learners
- Division for Early Childhood
- Division of International Special Education and Services
- Division for Learning Disabilities
- Division for Physical, Health and Multiple Disabilities
- Division on Visual Impairments and Deafblindness
- Innovations in Special Education Technology Division
- The Association for the Gifted
- Teacher Education Division

### Education Appropriations

#### Members of Congress Are Urged To:

- Oppose the use of public funds for families to access private education through private school vouchers, tuition tax credits, direct tuition payments, taxpayer savings accounts, scholarships, and portability of public funds to private education entities for all students, including students with disabilities, as they are contrary to the best interests of students and their families, the public school system, local communities, and taxpayers.
- Provide the following appropriations:
  - No less than \$14 billion for IDEA's Part B Section 611 State Grant Program
  - \$684 million to fund IDEA's Part B Section 619 Pre-School Program and \$975 million for IDEA's Part C Early Intervention Program
  - \$254 million for IDEA's Part D Program
  - \$70 million to fund the National Center for Special Education Research
  - \$32 million for the Jacob K. Javits Gifted and Talented Students Education Act
- Prioritize a one-time \$12.5 billion appropriation of emergency funding targeted to the Individuals with Disabilities Education Act (IDEA)
- Support emergency funding to States to bolster state budgets and avoid massive cuts to schools
- Support and co-sponsor H.R.1878 and S.866 IDEA Full Funding Act (Part B); H.R. 4107, Funding Early Childhood is the Right IDEA outcomes and results.

### Mental Health: Building Positive Climates for Learning

#### Members of Congress Are Urged To:

- Provide \$2.55 billion for ESSA Title II, Part A in FFY 2020 to ensure educators and early intervention providers are prepared to implement evidence-based mental health interventions
- Provide \$1.6 billion to fund ESSA Title IV, Part A in FFY 2020 to support schools and early childhood programs to hire social workers, counselors, and psychologists
- Consider the mental health needs of students, staff, and families in any COVID-19 relief packages as schools begin the process of reopening, including additional costs to school districts and early intervention programs of providing those



districts and early intervention programs of providing those services.

- Maintain the current structure and funding for Medicaid that allows for reimbursement for IDEA services
- Support legislative policies that increase access to mental health services through private health insurance and Medicaid
- Support policies and funding for services and community interventions for children and youth who experience trauma, environmental stress, and mental health symptoms and disorders
- Support policies and funding that promote prevention and an interdisciplinary partnership among education, early childhood, juvenile justice, mental health, and community health providers to ensure the social and emotional well-being of all children and youth

## Effects of Covid-19

### Members of Congress Are Urged To:

- Pass the Supporting Children with Disabilities During COVID-19 Act (Hassan, Murphy, & Van Hollen) which provides a one-time emergency appropriation of \$12.5 billion for IDEA, including \$500 million
- for IDEA Part C; \$400 million for the IDEA Part B, Section 619 Preschool Program; and \$300 million for IDEA Personnel Preparation Grants to compensate for unexpected expenses during the COVID-19 pandemic in light of significant reductions in state budgets.
- Provide \$175 billion in emergency relief funds to help school districts address the litany of needs for students playing catch up in the aftermath of COVID-19.
- Provide an additional \$100 million for the Teacher Quality Partnership (TQP) Grants in Title II of the Higher Education Act.
- Appropriate \$5 billion for an Emergency Connectivity Fund, administered through the Federal Communications Commission's (FCC) E-Rate program, for schools and libraries to support distance and remote learning for millions of students without home Internet access for the duration of the COVID-19 emergency.
- Increase CARES Act/COVID-19 funding to support evidence-based professional development on remote learning for special education teachers and support staff.

## Shortages of Special Education Teachers and Early Intervention Providers

### Members of Congress Are Urged To:

- Provide \$102 million in Fiscal Year (FY) 2021 to fund IDEA Part D Personnel Preparation Grants.
- Provide an infusion of \$300 million in the next COVID-19 relief bill for IDEA Personnel Preparation Grants.
- Increase CARES Act/COVID-19 funding to support evidence-based remote learning professional development for special education teachers and support staff.
- Provide incentives to SEA's, LEAs, and early intervention providers to implement creative plans to decrease furloughs and "reduction in staff" numbers of special education teachers in the wake of COVID-19.
- Provide \$48 million in FY 2021 to fund IDEA Part D State Personnel Grants to assist SEAs and Part C state lead agencies.
- Strengthen and improve the implementation of the Higher Education Act TEACH Grant Program.
- Provide \$80 million in FY 2021 to fund the Higher Education Act Teacher Quality Partnership Grant Program.
- Strengthen the Higher Education Act Public Service Loan Forgiveness Program, the Teacher Loan Forgiveness Program, and the Loan Forgiveness for Service in Areas of National Need
- Co-sponsor and support the Educator Preparation Reform Act, S. 969 (Reed, D-RI).
- Co-sponsor and support Supporting the Teaching Profession Through Revitalizing Investments in Valuable Educators Act (STRIVE), S. 1866 (Booker, D-NJ) and H.R. 3139 (Norcross, D-NJ).
- Co-sponsor and support Preparing and Retaining Education Professionals Act (PREP), S. 752 (Kaine, D-VA).
- Include education administrators and specialized instructional support personnel in any legislation applicable to addressing education shortages.
- Provide \$70 million for National Center for Special Education Research in Institute of Education Sciences (IES).
- Continue to invest in technical assistance and resource development through existing centers such as the Center on Great Teachers and Leaders (GTL) and develop priorities within existing centers to focus specifically on preparing to serve children with disabilities.



# INFORMATIONAL BRIEF

## Background

On November 29, 1975, President Gerald R. Ford signed into law the Education for All Handicapped Children Act (Public Law 94-142), policy which paved the way for improved outcomes for children and youth with disabilities. The Council for Exceptional Children (CEC) was proud to lead the advocacy effort—alongside many families, organizations, and individuals with disabilities—to secure passage of this landmark legislation, which marked a pivotal shift in how our nation perceived individuals with disabilities.

The current version of this landmark legislation, IDEA, includes state formula grant programs for children starting at birth—a national program that supports the provision of high-quality services including professional development, technical assistance and dissemination, family information and media and technology investments.

## IDEA has four parts:

- **Part A** – General Provisions, which includes overall provisions of the Act including Findings, Purposes, and Definitions;
- **Part B** – Assistance for Education of All Children with Disabilities, which includes (among other things) Authorization, Use of Funds, State and Local Eligibility, Evaluation, Individualized Education Programs (IEPs), Procedural Safeguards, Monitoring, and Preschool Grants;
- **Part C** – Infants and Toddlers with Disabilities, which includes (among other things) Findings, Definitions, Eligibility, Requirements for Statewide System, Individualized Family Service Plans (IFSPs), State Application and Assurances, Use of Funds, Procedural Safeguards, and Authorization; and
- **Part D** – National Activities to Improve Education of Children with Disabilities, which includes State Personnel Development Grants; Personnel Preparation, Technical Assistance, Model Demonstration Projects and Dissemination of Information; Supports to Improve Results for Children with Disabilities; and General Provisions.

## The core purposes of IDEA, as stated in the Act, are:

- To ensure that all children with disabilities have available to them access to a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living;
- To ensure that the rights of children with disabilities and families of such children are protected;

## Individuals with Disabilities Education Act

For over 45 years, the U.S. Congress and the U.S. Department of Education have partnered with state and local governments, teachers and other service providers, higher education, researchers, families, and others to ensure the successful implementation of the Individuals with Disabilities Education Act (IDEA).

IDEA guarantees the civil rights of all children and youth with disabilities and their families, ensuring high-quality, evidence-based practices including individualized specialized services to support children in their development and education and assist them in achieving positive educational and developmental outcomes and results.

- To assist states, localities, educational service agencies, and federal agencies to provide for the education of all children with disabilities;
- To assist states in the implementation of a statewide, comprehensive, coordinated, multidisciplinary, interagency system of early intervention services for infants and toddlers with disabilities and their families;
- To ensure that educators and families have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services; and
- To assess, and ensure the effectiveness of, efforts to educate children with disabilities.

While all involved in implementing and supporting IDEA should be commended, there is a need to build upon these successes and to continue to hold high expectations and pursue improved outcomes for all children and youth with disabilities. This commitment is required for the successful implementation of this essential law.

The continued collaboration of special education and early intervention professionals and other IDEA stakeholders is crucial to ensuring that all children and youth with disabilities have access to the necessary supports and services to achieve their educational outcomes and transition successfully to college and career opportunities.



## Education Appropriations

### Members of Congress Are Urged To:

- Oppose the use of public funds for families to access private education through private school vouchers, tuition tax credits, direct tuition payments, taxpayer savings accounts, scholarships, and portability of public funds to private education entities for all students, including students with disabilities, as they are contrary to the best interests of students and their families, the public school system, local communities, and taxpayers.
- Provide the following appropriations:
  - No less than \$14 billion for IDEA's Part B Section 611 State Grant Program
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- Prioritize a one-time \$12.5 billion appropriation of emergency funding targeted to the Individuals with Disabilities Education Act (IDEA)
- Support emergency funding to States to bolster state budgets and avoid massive cuts to schools
- Support and co-sponsor H.R.1878 and S.866 IDEA Full Funding Act (Part B); H.R. 4107, Funding Early Childhood is the Right IDEA outcomes and results.

## ISSUE BRIEF

### Overview

While children with disabilities participate in and benefit from all federally supported education programs, the Individuals with Disabilities Education Act (IDEA) is the main vehicle for providing their services. The IDEA, mandating a Free Appropriate Public Education (FAPE) for all eligible children with disabilities, is the civil rights law that has revolutionized the lives of children with disabilities since its passage in 1975 and now serves over 7 million children from birth through young adulthood. To support implementation of IDEA and the associated costs, states and localities rely on federal funding to ensure the rights of children with disabilities. It is critical that public funding is dedicated to supporting public education.

### Supporting Special Education in Schools

**Provide no less than \$14 billion for IDEA's Part B Section 611 Program (ages 3-21) in Federal Fiscal Year (FFY) 2021**

Approximately 7 million school-aged students in the United States benefit from the individualized special education and related services provided by IDEA. These services—provided by special and general education teachers and specialized instructional support personnel—are tailored to meet the specific needs of each child.

### Fulfill Congress's 45-year promise to fully fund special education.

IDEA includes a commitment from the federal government to cover 40 percent of the “excess costs” of serving students with disabilities, referred to as “full funding.” Unfortunately, the federal share was only 13 percent in Fiscal Year (FY) 2020, leaving states and school districts to pay the balance and increasing the burden on local taxpayers.

### Addressing the Needs of Young Children with Disabilities

**Provide \$684 million to fund IDEA's Part B Section 619 Pre-School Program and \$975 million to fund IDEA's Part C Early Intervention Program.**

IDEA's early childhood programs serve over 1.1 million infants, toddlers, and preschool children with disabilities and their families through Part C and Part B Section 619 (Preschool). Over the last 24 years, these programs have increased the number of children served by approximately 50 percent.

Despite this growth and documented positive outcomes for children, federal funding has failed to keep pace. In fact, the federal cost per child has decreased by 40 percent during this time. Additional funds must be appropriated to support the needs of children with disabilities.



## Ensuring High-Quality Special Education Services

**Provide \$254 million to fund IDEA's Part D programs and \$70 million to fund the National Center for Special Education Research to better equip educators, practitioners, and families to address the needs of children and youth with disabilities.**

Together, IDEA's National Activities Program (Part D) and the National Center for Special Education Research (NCSER) within the Institute of Education Sciences (IES) provide the infrastructure to deliver high-quality special education and early intervention services to children and youth with disabilities. Part D focuses on preparing personnel, disseminating information, providing resources to families, and utilizing technology. NCSE is the primary driver of special education research in the nation, and identifies evidence-based practices for classroom teachers and early intervention practitioners.

Unfortunately, funding for IDEA Part D and NCSE remains devastatingly low. In fact, in 2011, 30 percent% of NCSE's budget was cut, resulting in a near stoppage of special education research in 2014.

## Meeting the Needs of Learners with Gifts and Talents

**Provide \$32 million to fund the Jacob K. Javits Gifted and Talented Students Education Act.**

There is a growing educational crisis playing out in every state across the nation that receives little attention among policy makers in Washington: A significant "excellence gap" exists at the top achievement levels between ethnic and racial minority students and white students, and between low-income students and their more advantaged peers. The Javits Act—the sole federal initiative supporting students with gifts and talents—seeks to remedy this by promoting research and programs to better identify and serve high-ability students from underserved backgrounds. In FY 2020, the Javits program was funded at \$13 million. A \$32 million investment is needed for the Javits program to reach its potential.

**Support education funding legislation that matches the needs of children and youth with disabilities and/or gifts and talents, their families, and the educators who work on their behalf.**

## Public Dollars Must Fund Public Education

**Oppose the use of public funds for families to access private education through private school vouchers, tuition tax credits, direct tuition payments, taxpayer savings accounts, scholarships, and portability of public funds to private education entities for all students, including students with disabilities, as they are contrary to the best interests of students and their families, the public school system, local communities, and taxpayers.**

Public education is the great equalizer for an ever more diverse student population. The establishment of programs wherein families access public funds to pay for private education—through private school vouchers, tuition tax credits, direct tuition payments, taxpayer savings accounts, scholarships, and portability of public funds to private education entities—is contrary to the best interests of students and their families, high-quality public education, local communities, and taxpayers.

Research indicates voucher programs and other publicly supported private education have resulted in racial, ethnic, economic, religious, gender, and disability segregation. Taxpayers should fund public education, not private education. It is important to have fiscal protections that guarantee public education funds are not diverted to pay for private education at the expense of the children and youth remaining in the public schools.

## Supporting Schools During the COVID-19 Crisis

**Provide a one-time emergency appropriation of \$12.5 billion for IDEA and funds to minimally compensate for unexpected expenses during the COVID-19 pandemic in light of significant reductions in state budgets.**

Despite many pressing stressors, states, districts, and programs across the country are committed to serving all children during the COVID-19 crisis, including those with disabilities. It is imperative that Congress champion this effort by providing emergency resources to support school and early intervention personnel as they deliver remote, online, and/or teleservices to children with exceptionalities and prepare to meet their individualized needs once school buildings reopen and in-person services resume.

Schools and early intervention programs rely on state and local government for the bulk of their funding. Thus, a significant federal investment in education is critical to avoid significant cuts to budgets as a result of reductions in state and local revenues and unanticipated expenses due to the COVID-19 pandemic.



## Mental Health: Building Positive Climates for Learning

### Members of Congress Are Urged To:

- Provide \$2.55 billion for ESSA Title II, Part A in FFY 2021 to ensure educators and early intervention providers are prepared to implement evidence-based mental health interventions
- Provide \$1.6 billion to fund ESSA Title IV, Part A in FFY 2021 to support schools and early childhood programs to hire social workers, counselors, and psychologists
- Consider the mental health needs of students, staff, and families in any COVID-19 relief packages as schools begin the process of reopening, including additional costs to school districts and early intervention programs of providing those services.
- Maintain the current structure and funding for Medicaid that allows for reimbursement for IDEA services
- Support legislative policies that increase access to mental health services through private health insurance and Medicaid
- Support policies and funding for services and community interventions for children and youth who experience trauma, environmental stress, and mental health symptoms and disorders
- Support policies and funding that promote prevention and an interdisciplinary partnership among education, early childhood, juvenile justice, mental health, and community health providers to ensure the social and emotional well-being of all children and youth

## ISSUE BRIEF

### Background

There is growing awareness of the importance of investing in children's mental health. A whole-child approach—or one in which the academic, physical, and mental health needs of children and youth are met—supports success. In turn, this success depends on dedicated and highly trained mental health professionals working with all children from “cradle to career” who take interdisciplinary approaches to delivering mental health services across a multi-tiered system of support.

With disruptions of school and early intervention services due to COVID-19, children, youth, staff, and families will need access to mental health services provided by well-trained school and community mental health professionals now more than ever. Professionals in schools and early childhood programs who implement evidence-based mental health supports and interventions are more successful in creating environments which support learning and a sense of belonging. High-quality, evidence-based interventions delivered by trained professionals are critical to addressing the impact of traumatic experiences on development. These practices must be integrated into a system of care that is comprehensive, cohesive, and delivered in schools, early childhood programs, transition programs, and community health and mental health systems. Investment in recruiting and retaining school mental health professionals and in identifying and implementing evidence-based mental health interventions across all tiers is essential to achieving successful outcomes for all children and youth.

### School Mental Health Services During the COVID-19 Pandemic

This year brings special challenges regarding the provision of school mental health services. As schools plan to reopen and early intervention services begin again—whether fully in-person or using a hybrid model—children and staff all are experiencing a major traumatic event. Schools and early intervention programs will need to hire additional mental health providers, collaborate with community mental health services, and train teachers, early interventionists, and administrators to identify children and youth who need short- and long-term services. An additional federal investment of targeted funds will be necessary to address mental health concerns, as good mental health is critical to academic achievement.



## Recruiting and Retaining High Quality Professionals

Building a positive school and early childhood program climate requires highly skilled personnel, social workers, psychologists, and counselors. Collectively, these individuals make a difference in the lives of children and youth, resulting in positive developmental, academic, and social outcomes. In order to ensure this goal is achieved, Congress should provide \$1.6 billion to fund Every Student Succeeds Act (ESSA) Title IV, Part A in Federal Fiscal Year (FFY) 2021 to support schools and early childhood programs in implementing prevention programs and hiring social workers, counselors, and psychologists.

A positive school and early childhood program climate results from caring communities of adults, children, and youth learning together. It also requires implementing a multi-tiered system of support, including evidence-based curriculum and intervention within a trauma-informed environment. Investment in effectively training professionals is necessary to achieve these results. Changes must be implemented to reduce the ratios of mental health professionals to children and youth and ensure professionals are specifically trained to address children's mental health.

## Interdisciplinary Approaches to Mental Health

Access to mental health services—screening, providing direct services, engaging and supporting families, and connecting to community-based interventions—is vital to the well-being of children and youth. Supporting and funding services for families (in addition to their children) is also critical. Policies to fund mental health services through private health insurance, Medicaid, and programmatic mental health resources (e.g., training, curriculum, sharing of best practices) are needed to create a comprehensive

system of support. In addition to community mental health interventions, educators, early intervention providers, school counselors, school social workers, school psychologists, and early childhood providers must acquire and use evidence-based interventions to promote children's mental health. This is especially true for children growing up in urban areas plagued by gun violence.

Professionals must collaborate and communicate with community providers (i.e., pediatricians, mental health providers) who are trained in trauma-informed interventions to appropriately address the mental health needs of children and youth and their families. This collaboration supports implementation of approaches that:

- Provide evidence-based mental health services for children and youth
- Are culturally responsive
- Are trauma informed
- Address social and emotional and mental health needs for all children and youth;
- Confront the stigma of mental health challenges
- Ensure an adequate number of professionals are trained to address the complex needs of children and youth with social, emotional, and mental health challenges

Positive outcomes for children and youth are the result of caring communities of adults, children, and youth learning together. This outcome also requires implementing a multi-tiered system of support, including evidence-based curriculum and intervention within a trauma-informed environment.





## Shortages of Special Education Teachers and Early Intervention Providers

### Members of Congress Are Urged To:

- Provide \$102 million in Fiscal Year (FY) 2021 to fund IDEA Part D Personnel Preparation Grants.
- Provide an infusion of \$300 million in the next COVID-19 relief bill for IDEA Personnel Preparation Grants.
- Increase CARES Act/COVID-19 funding to support evidence-based remote learning professional development for special education teachers and support staff.
- Provide incentives to SEA's, LEAs, and early intervention providers to implement creative plans to decrease furloughs and "reduction in staff" numbers of special education teachers in the wake of COVID-19.
- Provide \$48 million in FY 2021 to fund IDEA Part D State Personnel Grants to assist SEAs and Part C state lead agencies.
- Strengthen and improve the implementation of the Higher Education Act TEACH Grant Program.
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- Co-sponsor and support the Educator Preparation Reform Act, S. 969 (Reed, D-RI).
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- Include education administrators and specialized instructional support personnel in any legislation applicable to addressing education shortages.
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- Continue to invest in technical assistance and resource development through existing centers such as the Center on Great Teachers and Leaders (GTL) and develop priorities within existing centers to focus specifically on preparing to serve children with disabilities.

## ISSUE BRIEF

### COVID- 19 Pandemic Impact

Latest assessments show that without adequate aid to state and local governments, the COVID-19 devastation may lead to a revenue shortfall of nearly \$1 trillion by 2021 for state and local governments. In lieu of substantial federal investments, budget cuts are certain. In the reverberation of the Great Recession, state and local government austerity added to a substantial shortage in employment in public K–12 schools and early intervention programs—a shortfall that continued through 2019. As of early 2020, public employment in school settings had yet to return the levels established prior to the Great Recession. In 2019, almost every state lead agency for Individuals with Disabilities Education Act (IDEA) Part C reported personnel shortages. Then, the COVID-19 pandemic hit—and local education jobs dropped sharply. More K–12 public education jobs were lost in April than in all of the Great Recession. What's more, 50 percent of the jobs lost in K–12 public education between March and April 2020 were among special education teachers and paraprofessionals. Such dramatic declines will significantly undermine capacity to deliver a Free Appropriate Public Education (FAPE) to students with disabilities.

### Background

Special education, early intervention, and related services provided through the Individuals with Disabilities Education Act (IDEA) are delivered collaboratively by a multidisciplinary team of professionals, including special education teachers, early intervention providers, specialized instructional support personnel, and administrators. Although persistent shortages exist among all the professional disciplines, the focus for this issue brief is on special education teachers and early intervention providers.

The shortage of special education teachers and early intervention providers is at persistent crisis proportions:

- 48 states and the District of Columbia report a shortage of special education teachers—with this area being the most severe shortage for most states.<sup>1</sup>
- Special education teachers leave the teaching profession at nearly twice the rate of their general education colleagues (12.3% vs. 7.6%).<sup>2</sup>
- 51% of all school districts and 90% of high-poverty school districts report difficulty attracting qualified special education teachers.<sup>3</sup>



- Just 18% of special education teachers and 10% special education professors are people of color, while more than half of students with disabilities are from minority backgrounds.<sup>4</sup>
- 42 states report a shortage of early intervention providers, including special educators and related service providers.<sup>5</sup>
- Enrollment in teacher preparation programs has dropped 35% over the last five years, foreshadowing an insufficient pipeline of special education teachers.<sup>6</sup>
- Over 50% of the teaching force will retire in less than 10 years.<sup>7</sup>
- Before COVID-19, there were challenges; now, the shortage is even more challenging.<sup>8</sup>

## Effect on Student Achievement and Fully Prepared Special Education Teachers

Shortages of fully certified personnel and unfunded positions impede the ability of children and youth with disabilities to reach their full developmental and academic potential and hinder the work of preparing all children and youth to be college- and career-ready. The national cost of public school teacher turnover has been estimated at more than \$7.3 billion a year. High turnover rates create extra costs for schools and early childhood programs—potentially \$20,000 or more for every teacher or early intervention provider who leaves.

As a result of this turnover, high-need urban and rural schools and early childhood programs are frequently staffed with under-prepared and inexperienced teachers, providers, and specialized instructional support personnel. Not only do fully qualified, fully prepared special education teachers improve outcomes for students with disabilities, but research has shown they are more likely to remain in teaching than teachers prepared through fast-track routes (Feng & Sass, 2013; Miller, Brownell, & Smith, 1999). The constant re-training of new staff means that high-need schools and early childhood programs are unable to close neither the quality staff gap nor the student achievement gap. Strong induction programs that rely on well-trained mentors, provide systematic professional learning opportunities, and introduce new teachers into a collaborative school culture promote retention in the field and effective teaching, particularly when provided over a two-year period (Billingsley, Griffin, Smith, Kamman, & Israel, 2009; Brownell et al, 2018).

## Decline in Special Education Higher Education Faculty and State Approved Programs

In addition, the number of special education faculty in higher education programs has declined in recent years. Between 2014 and 2016, there was a loss of 38 state-approved special education teacher preparation programs. An anticipated wave of retirements will continue to shrink this dwindling capacity to address the teacher shortage. States that prepare more special education teachers have fewer shortages. States with the smallest special education teacher shortages have more preparation programs and graduate more special education teachers than states with the highest special education teacher shortages (Peyton, Acosta, Pua, Harvey, Sindelar, Mason-Williams, Dewey, Fisher, & Crews, under review, “State Level Characteristics Influencing the Supply and Demand of Special Education Teachers”). While most states have identified professional standards for early childhood educators that reflect the work of supporting young children, minimum preparation requirements are inconsistent across programs, which has led to some programs being shorter than others and to a patchwork of different degree requirements.

## Teacher Loan Burden and Salary Deficit

Teacher and early intervention provider salaries lag behind those of other occupations that require a college degree, and young individuals often accrue significant debt to prepare for these professions. Adjusted for cost of living, average teacher salaries in the lowest special education teacher shortage states are nearly \$7,000 greater than salaries in the highest shortage states (Peyton et al). Beginning teachers and providers nationally earn about 20 percent less than individuals with college degrees who enter other fields, a gap which widens to 30 percent by mid-career. Compounding this challenge, more than two-thirds of those entering the education and early intervention field borrow money to pay for higher education, resulting in an average debt of \$20,000 for those with a bachelor’s degree and \$50,000 for those with a master’s degree. College loans represent a significant debt burden for many prospective teachers and providers and mark a potential disincentive to enter the profession. In addition, teachers must pay for numerous certification exams and state licensure. When the financial benefit meaningfully offsets the cost of professional preparation, it is more likely that teacher education programs will successfully recruit and retain high-quality professionals in the fields and communities where they are most needed. While the CARES Act temporarily deferred some of this burden, co-sponsoring the STRIVE Act would assist in mitigating the significant loan debt accrued by special education teachers and early intervention providers



## Recruitment, Preparation, and Retention

The recruitment, preparation, and retention of special education teachers and early intervention providers requires a systemic approach that is multifaceted and long-term. The goal is to ensure an adequate supply of fully prepared special education teachers and early intervention providers who enter the field and stay there. By underwriting the cost of completing high-quality teacher and early intervention provider preparation programs and addressing the other barriers to completing preparation, policymakers can ensure special education teachers and early intervention providers are better prepared for successful, long-term careers. Policies that support such a strategy include:

- Servicing scholarships and loan forgiveness programs that cover or reimburse a significant portion of tuition costs in exchange for a commitment to teach in high-need schools and early childhood programs or subject areas such as special education and early intervention
- Teacher candidate programs that use rigorous preparation and clinical experiences
- Grow-your-own programs that recruit teacher and provider candidates from nontraditional populations who are more likely to reflect local diversity and remain in the profession

Fully prepared teachers and providers are more effective and are more likely to remain in the field than those who enter through abbreviated or fast-track routes (Feng & Sass, 2013; Miller, Brownell, & Smith, 1999). Teachers and providers who are fully prepared, including access to opportunities for extensive field work, are able to provide high-quality instruction—which results in greater achievement gains for children and youth with disabilities.

## Footnotes

<sup>1,5</sup> <https://tsa.ed.gov/#/home/> , 2020

<sup>2,3</sup> [https://gtlcenter.org/sites/default/files/EducShor\\_Data%20Tool%20User%20Guide.pdf](https://gtlcenter.org/sites/default/files/EducShor_Data%20Tool%20User%20Guide.pdf) , 2019

<sup>3</sup> [https://gtlcenter.org/sites/default/files/EducShor\\_Data%20Tool%20User%20Guide.pdf](https://gtlcenter.org/sites/default/files/EducShor_Data%20Tool%20User%20Guide.pdf), 2019

<sup>4</sup> Edweek, 2019

<sup>6</sup> [https://gtlcenter.org/sites/default/files/EducShor\\_Data%20Tool%20User%20Guide.pdf](https://gtlcenter.org/sites/default/files/EducShor_Data%20Tool%20User%20Guide.pdf), 2019

<sup>7</sup> Gallup, Special Education Legislative Summit, 2019

<sup>8</sup> <https://www.epi.org/blog/public-education-job-losses-in-april-are-already-greater-than-in-all-of-the-great-recession/> , 2020

IDEA special education and related services and early intervention are delivered in collaboration by a multidisciplinary team of professionals including special education teachers, early intervention providers, specialized instructional support personnel, and administrators. Although persistent shortages exist among all the professional disciplines, the focus for this issue brief is on special education teachers and early intervention providers.



## Effects of Covid-19

### Members of Congress Are Urged To:

- Pass the Supporting Children with Disabilities During COVID-19 Act (Hassan, Murphy, & Van Hollen) which provides a one-time emergency appropriation of \$12.5 billion for IDEA, including \$500 million
- for IDEA Part C; \$400 million for the IDEA Part B, Section 619 Preschool Program; and \$300 million for IDEA Personnel Preparation Grants to compensate for unexpected expenses during the COVID-19 pandemic in light of significant reductions in state budgets.
- Provide \$175 billion in emergency relief funds to help school districts address the litany of needs for students playing catch up in the aftermath of COVID-19.
- Provide an additional \$100 million for the Teacher Quality Partnership (TQP) Grants in Title II of the Higher Education Act.
- Appropriate \$5 billion for an Emergency Connectivity Fund, administered through the Federal Communications Commission's (FCC) E-Rate program, for schools and libraries to support distance and remote learning for millions of students without home Internet access for the duration of the COVID-19 emergency.
- Increase CARES Act/COVID-19 funding to support evidence-based professional development on remote learning for special education teachers and support staff.

## ISSUE BRIEF

### Background

As schools were shuttered in March, education as we knew it shifted dramatically. Teachers, principals, and other staff who typically engaged with children in-person worked tirelessly to develop services and supports from a distance. As educators engage in plans for reopening schools across the country, we must also grapple with the reality that public education systems as we knew them prior to the pandemic-related school closures were poorly funded and, in many cases, deeply inequitable. While funding from the CARES Act has begun to flow to state and local governments and plans for reopening schools are coming into focus, the virus is flaring in states across the country. Additionally, we can't ignore the impact of the ongoing racial unrest which has persisted in cities large and small. The schools we return to in the coming weeks will look and feel vastly different than the ones we left in March. Unlike anything before in the history of our country, this is a turning point - for children and youth with exceptionalities, for the schools and early education settings that serve them, for higher education programs that prepare our educators, and for the public education system itself.

### The Costs Associated With Safely Reopening Schools

When it was passed more than 40 years ago, the Individuals with Disabilities Education Act (IDEA) promised funding for children at 40 percent of the excess cost. Unfortunately, the federal government has never come close to fully funding IDEA and the program is currently funded at just 13 percent. Although many school districts have not relied heavily on federal dollars in the past, the closure of businesses during March and April caused an economic downturn resulting in financial strain on state and local governments, including school districts, early childhood providers, and state education agencies.

While the CARES Act provided some funding to schools, without a significant infusion of federal dollars, school systems are facing economic impossibilities at a time when their communities are relying on them the most. Simultaneously, the costs associated with reopening schools include additional expenses.

Student and adult mental health challenges have grown, and thus, more mental health support will be necessary. This has been especially true for our students in minority communities who have experienced a disproportionate impact from a double-pandemic of COVID-19 and racial inequities. Schools are also purchasing mass quantities of personal protective equipment (PPE) and cleaning supplies in an effort to protect adults and children from spreading the virus.



Additionally, many school districts will be in situations where they will have to hire staff members who did not complete their licensure as institutions of higher education were forced to close due to the virus. This will result in additional professional development costs and a need for more extensive educator induction programs. In addition, some students who did not complete their programs may walk away from the field altogether. Together, these factors will cause an already dire staff shortage situation to become even worse.

Specifically, we note the need for additional funding in the following areas as schools and early childhood centers reopen to:

- Hire mental health providers for our school systems and early childhood programs, including school social workers, psychologists, counselors, and others who can support learning for the whole child.
- Provide high-quality professional development to new and experienced educators above and beyond what was already planned to support the needs of learners attending schools in-person, remotely, or a hybrid of the two.
- Purchase PPE and other cleaning supplies in order to keep children and adults safe at school.
- Provide funding for teacher partnership grants to ensure that schools across the country have a pipeline of educators in the years to come.
- Ensure all learners are connected to the Internet to help end the “Homework Gap” in rural communities.

## Regulatory Adjustments and Flexibilities

The CARES Act is not having the impact it could have on school systems due to an interpretation by the Department of Education of the Equitable Services Rule in the Elementary and Secondary Education Act (ESEA). The interim final rule published on July 1, 2020, allows for public funds to flow to private schools based on the overall population of the private schools rather than its low-income population as ESEA intended.

Seventy-eight percent of special education administrators indicated in a recent survey that they would need to write corrective action reports under IDEA §1416 in the coming year due to pandemic-related school closures, and the Secretary’s report to Congress on April 27, 2020, suggested the need for narrow, temporary, and targeted flexibilities. Despite this, however, no actions have been taken to address these needs.

Specifically, the following areas must be addressed in any future legislation:

- Reiterate the right of parents and families to collaborate with schools and early childhood settings to preserve the rights of children and youth with exceptionalities in IDEA and Section 504. Specifically, the right to a free appropriate public education (FAPE) is sacrosanct and must be protected. No waivers of this are necessary.
- Amend the CARES Act to ensure that funds meant for public education stay in public education.
- Allow for narrow, temporary, and targeted flexibilities in initial eligibility and Part C to Part B transition timelines of IDEA.

**COVID-19 has ravaged our schools and its impact may be disproportionately felt on children and youth with exceptionalities. Congress must support our schools, students, and public education as we navigate the challenges of the pandemic.**