

Special
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Council for
Exceptional
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CASE

COUNCIL OF ADMINISTRATORS
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IDEA

On November 29, 1975, President Gerald R. Ford signed into law the Education for All Handicapped Children Act (Public Law 94-142), 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 law, now known as the Individuals with Disabilities Education Act, (IDEA), was most recently authorized in 2004. It includes state formula grant programs for infants, toddlers, children and youth, with disabilities along with other provisions which are the backbone of special education services in early childhood centers and schools across the country. Through the appropriations process, Congress provides funding for IDEA to the Department of Education which then issues grants to state education agencies.

As stated in IDEA, the core purposes of this legislation are: **IDEA has Four Parts:**

- ▶ To ensure all eligible children with disabilities receive a free appropriate public education (FAPE)—special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living;
- ▶ To ensure the rights of children with disabilities and their families are protected;
- ▶ 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 educators and families have the necessary tools to improve educational results for children with disabilities by supporting systemic 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.

As required by IDEA, special education and early intervention services are collaboratively developed by teams of parents, families, educators, and other service providers. Some meet in homes and others meet in schools. All of them have the interest of supporting students with disabilities and ensuring that infants, toddlers, children, and youth with disabilities receive an appropriate public education in the least restrictive environment.

- 1. Part A** – General Provisions, the general provisions of the Act including Findings, Purposes, and Definitions;
- 2. 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;
- 3. 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
- 4. 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.

As we work to build upon the successes of the past and improve services for the future, the continued collaborative efforts of families, early intervention providers, and school teams will be imperative. High expectations, evidence-based approaches, and well-funded programs are necessary to change the trajectory for children and youth with disabilities across the country. From birth to college and career, IDEA is providing pathways toward better outcomes.



IDEA FAST FACTS

- ▶ In 2019, the most recent year for which there is data, there were 806,319 children ages 3 through 5 served under Part B in the 49 States for which data were available, the District of Columbia, Bureau of Indian Education schools, Puerto Rico, the four outlying areas, and the three freely associated states.
- ▶ In 2019, there were 427,234 infants and toddlers birth through age 2 served under IDEA, Part C.
- ▶ Each year, the Department of Education issues a report to Congress on the number of children served in special education and early intervention programs across the country. The most recent version is available at <https://sites.ed.gov/idea/files/43rd-arc-for-idea.pdf>
- ▶ In 2019, a total of 6,472,061 students ages 6 through 21 were served under IDEA, Part B, in the 49 States for which data were available, the District of Columbia, Bureau of Indian Education schools, Puerto Rico, the four outlying areas, and the three freely associated states.
- ▶ In 2019, the most prevalent disability category of students ages 6 through 21 served under IDEA, Part B, was specific learning disability (specifically, 2,377,731, or 37.1 percent, of the 6,410,219 students ages 6 through 21 served under IDEA, Part B). The next most common disability category was other health impairment (16.8 percent), followed by speech or language impairment (16.3 percent), autism (11.0 percent), intellectual disability (6.5 percent), and emotional disturbance (5.4 percent).



ISSUE BRIEF: APPROPRIATIONS

Overview

Infants, toddlers, children, and youth with disabilities and/or gifts and talents participate in and benefit from all federal public education and early childhood programs. A strong federal investment in programs that provide targeted support is critical to ensuring their success in the early years, in school, and beyond, as well as increasing opportunities for all. Unfortunately, these programs are consistently and woefully underfunded, straining the entire education system.

The Individuals with Disabilities Education Act (IDEA) is the preeminent federal law for providing services to infants, toddlers, children, and youth with disabilities. Fully funding IDEA would significantly improve outcomes by ensuring access to early intervention services, special educators trained to provide specially designed instruction, curricula, devices, family support, and specialized instructional support services designed to help them meet the highest possible outcomes. Fully funding IDEA would also ensure access to and support for learning and quality of life that respects dignity, culture, language, and background.

Finally, as many of our states know, redirecting any public education funding to support vouchers, tax credits, or other funding mechanisms promoting the privatization of education is harmful to public schools and students. Strengthening and investing in public education is the means to ensure all children and youth, regardless of background or disability, can access a high-quality education.

Consistently well-funded programs will lead to better outcomes for infants, toddlers, children, and youth with disabilities. Therefore, we call on Congress to provide appropriate funding levels in Fiscal Year (FY) 2023 for all of public education, and specifically the programs listed below.

Members of Congress are Urged to:

- ▶ Invest no less than \$16.2 billion in IDEA Part B State Grants (Sec. 611)
- ▶ Invest \$932 million in IDEA Part C
- ▶ Invest \$503 million in IDEA Part B Section 619
- ▶ Invest \$300 million in IDEA Part D personnel preparation (Sec. 662)
- ▶ Invest \$1 billion in School-Based Health Professionals
- ▶ Invest \$70 million National Center for Special Education Research
- ▶ Invest \$32 million in the Jacob K. Javits Gifted and Talented Grants

Supporting Special Education in Schools

Approximately 7.4 million school-aged children and youth 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 or youth. IDEA includes a commitment from the federal government to cover 40% of the “excess costs” of serving children and youth with disabilities, referred to as “full funding.” Unfortunately, the federal share was only about 13% in Fiscal Year FY 2022, leaving states and school districts to pay the balance and increasing the burden on local taxpayers. It is imperative that Congress put IDEA on the first step of a 10-year glidepath to full funding in FY 2023 to enable districts to better support children and youth with disabilities and hire more fully prepared special education personnel.

FUNDING FAST FACTS

- ▶ The number of students receiving services under IDEA has risen by 17% since 2000-2001
- ▶ Approximately 6% of public school students are enrolled in gifted and talented programs.
- ▶ 98% of school districts report special educator shortages
- ▶ Only half of youth with mental health conditions received treatment last year

Supporting the Needs of Young Children with Disabilities and their Families

IDEA's early childhood programs serve approximately 1.2 million infants, toddlers, and preschool children with disabilities and their families annually through Part C and Part B, Section 619 (Preschool Special Education). Over the last 30 years, the number of people served by these programs has increased by approximately 50%. Despite this growth in enrollment and documented positive outcomes, federal funding has failed to keep pace. In fact, the federal investment per child has decreased by over 40% during this time. Significant increases are needed to support infants, toddlers, and preschool children with disabilities and their families.

Ensuring a High-Quality Special Educator Pipeline

IDEA Part D, Section 662 (Personnel Preparation), focuses on preparing special educators, early interventionists, and specialized instructional support personnel to help ensure an adequate number of providers with the skills and knowledge necessary to support infants, toddlers, children, and youth with disabilities—with an emphasis on incorporating research into training programs and practice. This program is increasingly critical to addressing pervasive personnel shortages across the nation.

Supporting School Mental Health Services

There is a significant mental health crisis in this country— an estimated 1 in 6 children and youth experience a mental health disorder each year. This challenge, which has been further amplified by the pandemic, hampers success inside and outside the classroom. In the FY 2023 budget proposal for the U.S. Department of Education, the Biden Administration recommends \$1 billion for school-based health professionals, including school counselors, nurses, social workers, and school psychologists. This funding, targeted to schools based on their share of Title I Part A, would help support school-based mental health services in schools by investing in personnel.

Delivering the Research that Guides Best Practices

The National Center on Special Education Research (NCSE) is the primary driver of special education and early intervention research in the nation and identifies evidence-based practices for classroom teachers and early intervention practitioners. Funding for NCSE has remained devastatingly low for the last 10 years. In fact, in 2011, 30% of NCSE's budget was cut, resulting in a near halt to special education research in 2014. NCSE has been operating on a diminished budget for a decade, significantly hampering the breadth of research it supports and its ability to support new research projects. Restoring funding to NCSE is critical to researching pressing questions in special education, and especially now, as the impact on infants, toddlers, children, and youth with disabilities and their families must be examined and addressed.

Meeting the Needs of Learners with Gifts and Talents

There is a growing educational crisis playing out in every state across the nation that receives little attention: a significant “excellence gap” exists at the top achievement levels between students of color 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, including students with disabilities. This program is an equity accelerator that ensures students with gifts and talents, regardless of their background, can excel.



Members of Congress are Urged to:

- ▶ **Provide \$1 billion for Safe Schools National Activities**, including the School-Based Mental Health Services Professional Demonstration Grant and the School-Based Mental Health Services Grant programs, to address severe shortages of school-based mental health professionals (school psychologists, school social workers, and school counselors).
- ▶ **Provide \$3 billion for ESSA, Title II-A** to ensure educators and early intervention providers are prepared to implement evidence-based mental health interventions.
- ▶ **Provide \$2 billion to fund ESSA, Title IV-A** to support schools and early childhood programs to hire school social workers, school counselors, and school psychologists.
- ▶ **Provide \$300 million for IDEA, Part D** Personnel Preparation grants to increase the pipeline of well-prepared special educators and specialized instructional support personnel, including school-employed mental health professionals.
- ▶ Maintain the current structure and funding for Medicaid that **allows 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 interdisciplinary partnerships** 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: MENTAL HEALTH Building Positive Climates for Learning

Overview

Children and youth need strong instructional programs with caring staff to experience success in school, and infants and toddlers need well-trained professionals to help them toward developmental milestones. Equally important is ensuring access to high quality social and emotional learning programs and mental health services and supports. Professionals in schools and early childhood programs who provide evidence-based mental health services and interventions are adept at creating positive environments that support learning and a sense of belonging. Therefore, every school must have dedicated, highly qualified school mental health professionals as essential members of the school team available to work with all children.

Now more than ever—after pandemic disruptions and the spate of violent incidents in schools—children, youth, staff, and families need access to mental health services provided by well-trained school and community mental health professionals. As an example of this need, recent Centers for Disease Control reports indicate that emergency room visits for mental health concerns during the pandemic increased among both 5- to 11-year-olds and 12- to 17-year-olds.

Behavioral and mental health interventions are critical to addressing the impact of traumatic experiences on child development and must be integrated into a comprehensive and cohesive system of care, 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 identifying and implementing evidence-based mental health interventions in all tiers is essential to achieving successful outcomes for all children and youth.

School Mental Health Services

As we look toward the new school year, students and staff will continue to face the trauma of the pandemic and heightened concerns related to school safety. 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. Targeted federal investments are necessary to improving mental health in general, and good mental health is critical to academic achievement. as good mental health is critical to academic achievement.

Recruiting and Retaining High-Quality Professionals

Building a positive climate in schools and early childhood programs requires highly skilled school 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. Federal investments will help ensure sufficient numbers of mental health professionals specifically trained to meet the needs of all children and youth in schools and early intervention settings.

Addressing Mental Health Needs of Children and Families

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

Access to mental health services—screening, providing direct services, engaging and supporting families, and connecting to community-based interventions—is also vital to the well-being of children and youth. Policies to fund mental health services through private health insurance, Medicaid, and programmatic mental health resources (e.g., evidence-based training, curriculum, and best practices) are needed to create a comprehensive system of supports to ensure children and families are mentally healthy.

School mental health and community providers should be trained in trauma-informed, culturally responsive interventions and should collaborate, as appropriate, to address the mental health needs of children and youth and their families. Such collaborations should include attention to the stigma of mental health challenges and ensuring an adequate number of professionals trained to address children’s complex social, emotional, and mental health needs.

FAST FACTS ON CHILDREN'S MENTAL HEALTH

- ▶ One in six children have a mental health condition, but only half receive any mental health services.
- ▶ From 2019 to 2020, children with behavior or conduct problems increased by 21%.
- ▶ 4.4% of children aged 3-17 (approximately 2.7 million) have diagnosed depression.
- ▶ 9.4% of children aged 3-17 (approximately 5.8 million) have diagnosed anxiety.
- ▶ 8.9% of children aged 3-17 (approximately 5.5 million) have a diagnosed behavior problem.
- ▶ Suicide attempts among 10 to 12 year olds increased fivefold between 2010 and 2020

ISSUE BRIEF: EDUCATOR SHORTAGES

Overview

As the nation continues to face a critical shortage of special educators, early interventionists, and specialized instructional support personnel (SISP), we have made a longstanding commitment to ensuring special educators have the knowledge, skills, and abilities to meet the unique needs of our infants, toddlers, children, and youth with disabilities. Now more than ever, we need to develop a workforce pipeline to attract diverse personnel into all areas of special education; effectively prepare personnel to provide opportunities for positive outcomes and post-school success; and retain special educators for long-term overall impact. To ensure an effective workforce, we need an effective pipeline.

The pandemic created a unique set of inequities and challenges such as higher attrition rates, accelerated retirements, decreased enrollment in preservice programs, and increased stress—all of which exacerbated pre-pandemic issues. It is imperative that we collectively develop and utilize a multi-pronged approach, as attracting, preparing, and retaining educators must ALL be considered and addressed to yield a significant systemic improvement.

We must support comprehensive strategies, funding options, professional learning opportunities, and needed resources. Although persistent shortages exist among all the professional disciplines, this brief's focus is on special educators, early interventionists, and SISP.

Members of Congress are Urged to:

- ▶ **Invest \$300 million in IDEA Part D personnel preparation (Sec. 662)**, the federal program dedicated to improving the special educator pipeline by comprehensively preparing specialized instructional support personnel, special educators, early interventionists, and the higher education faculty and researchers that support their preparation
- ▶ **Invest \$300 to the Augustus F Hawkins Center for Excellence Program**, the federal grant program dedicated to diversifying the educator workforce by supporting comprehensive teacher preparation programs at Historically Black Colleges and Universities (HBCUs), Tribal Colleges and Universities (TCUs), and minority-serving institutions (MSIs) of higher education including Alaska Native-serving or Native Hawaiian-serving institutions (ANNH), Asian American and Native American Pacific Islander-serving institutions (AANAPISI), Hispanic-Serving Institutions (HSIs), Native American-serving nontribal institution (NASNTI), and Predominantly Black Institutions (PBIs).
- ▶ **Invest \$1 billion for Teacher Quality Partnerships**, the federal grant program dedicated to improving the quality of educators by funding comprehensive educator preparation programs at institutions of higher education that pair intensive student teaching under the supervision of an expert mentor teacher with coursework in children's learning and development, as well as curriculum and teaching methods.

Shortages of Fully Prepared Special Educators Persist, Impacting Equity

Every student deserves an equitable opportunity to achieve. Shortages of fully certified personnel and unfunded positions impede the ability of infants, toddlers, children, and youth with disabilities to reach their full developmental and academic potential. They also hinder the work of preparing all children and youth to be college- and career-ready. Nevertheless, the crisis remains persistent:

- ▶ 48 states and the District of Columbia reported a shortage of special education teachers in the 2020-2021 school year— with this area being the most severe shortage for most states. 98 percent of districts report shortages in special education
- ▶ Special education teachers leave the teaching profession at nearly twice the rate of their general education colleagues.
- ▶ Just 18% of special education teachers and 10% of special education professors are people of color, while more than half of students with disabilities are from minority backgrounds.
- ▶ 42 states report a shortage of early intervention providers, including special educators and related service providers.
- ▶ Enrollment in teacher preparation programs has dropped 38% over the last five years, foreshadowing an insufficient pipeline of special education teachers.

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

Special education higher education faculty are critical to training future generations of special educators. However, the number of special education faculty in higher education programs is declining. In 2020-2021, there was a 5% decline in adjunct faculty and a 13% decline in full-time faculty. To support the faculty pipeline, institutes of higher education need to develop and implement strategies that focus on diversity, equity, and inclusion to support a sustainable change in the future.

Loan Burden and Salary Deficit

Salaries in the education field lag behind those of other occupations and educator candidates often accrue significant debt to prepare for these professions. More than two-thirds of those entering the education and early intervention field borrow money to pay for higher education, and college loans represent a significant debt burden for many prospective teachers and providers. Prospective educators must also pay for numerous certification exams and state licensure. These factors provide a barrier for many potential educators—particularly people of color—and a financial disincentive for all wishing to enter the profession. When the financial benefit meaningfully offsets the cost of professional preparation, it is more likely that educator preparation programs will successfully recruit and prepare high-quality professionals who remain in the fields and communities where they are most needed.

Recruitment, Preparation, and Retention

The recruitment, preparation, and retention of special educators, early interventionists, and SISPs requires a systemic approach that is multifaceted and long-term. By underwriting the cost of completing high-quality preparation programs and addressing other barriers to completing preparation, policymakers can ensure personnel are better prepared for successful, long-term careers. Fully prepared educators are more effective and are more likely to remain in the field than those who enter through abbreviated or fast-track routes. Educators who are fully prepared, including through access to opportunities for extensive field work, can provide high-quality instruction—which results in greater achievement gains for infants, toddlers, children, and youth with disabilities.