

Special Education Legislative Summit



Welcome!

Special
Education
Legislative
Summit 
July 9-12, 2023



Angie Jasper, CEC



Kevin Rubenstein, CASE

Special Education Legislative Summit





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#SELS2023



School Mental Health & Related Services Solutions



eLuma

**You're in
this to make
a difference.**

So are we.



My Why



My Why



Why eLuma's here:

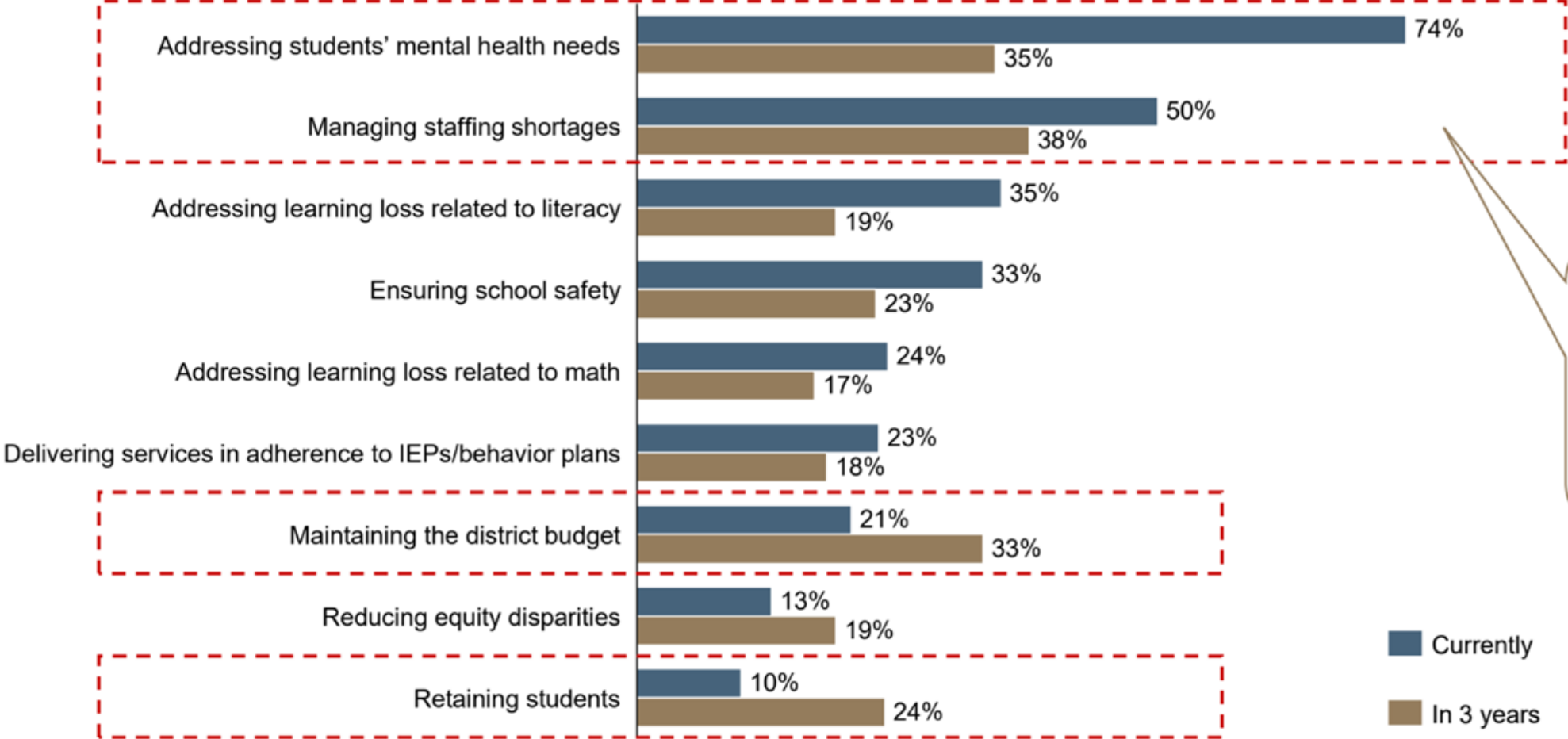
Appropriations

Mental Health

Educator Shortages

Why eLuma's here:

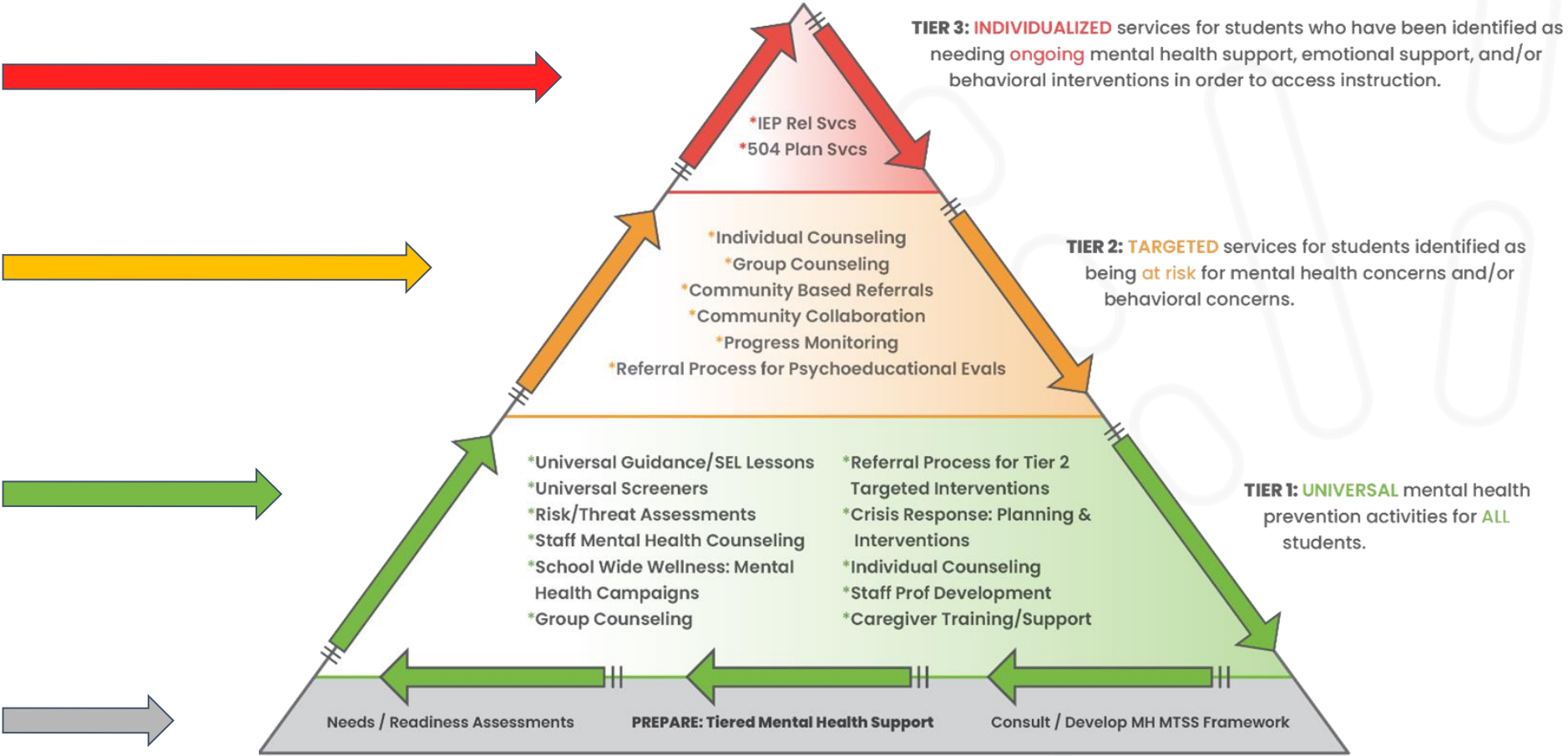
Top challenges facing districts*
Ranked by current challenges



"We've definitely seen a **large increase in the need for mental health services**. Middle and high school students get very few therapy services."
– *Special Education Director, small district in KY*

Currently
In 3 years

Where does eLuma fit?



The **eLuma** Tiered Approach:



1. Universal Screening
2. Classroom SEL Lessons
3. Small Group Counseling
4. Individual Counseling
5. Staff Professional Development
6. Caregiver Support
7. Threat / Risk Assessments

Thank YOU



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Celeste M. Malone



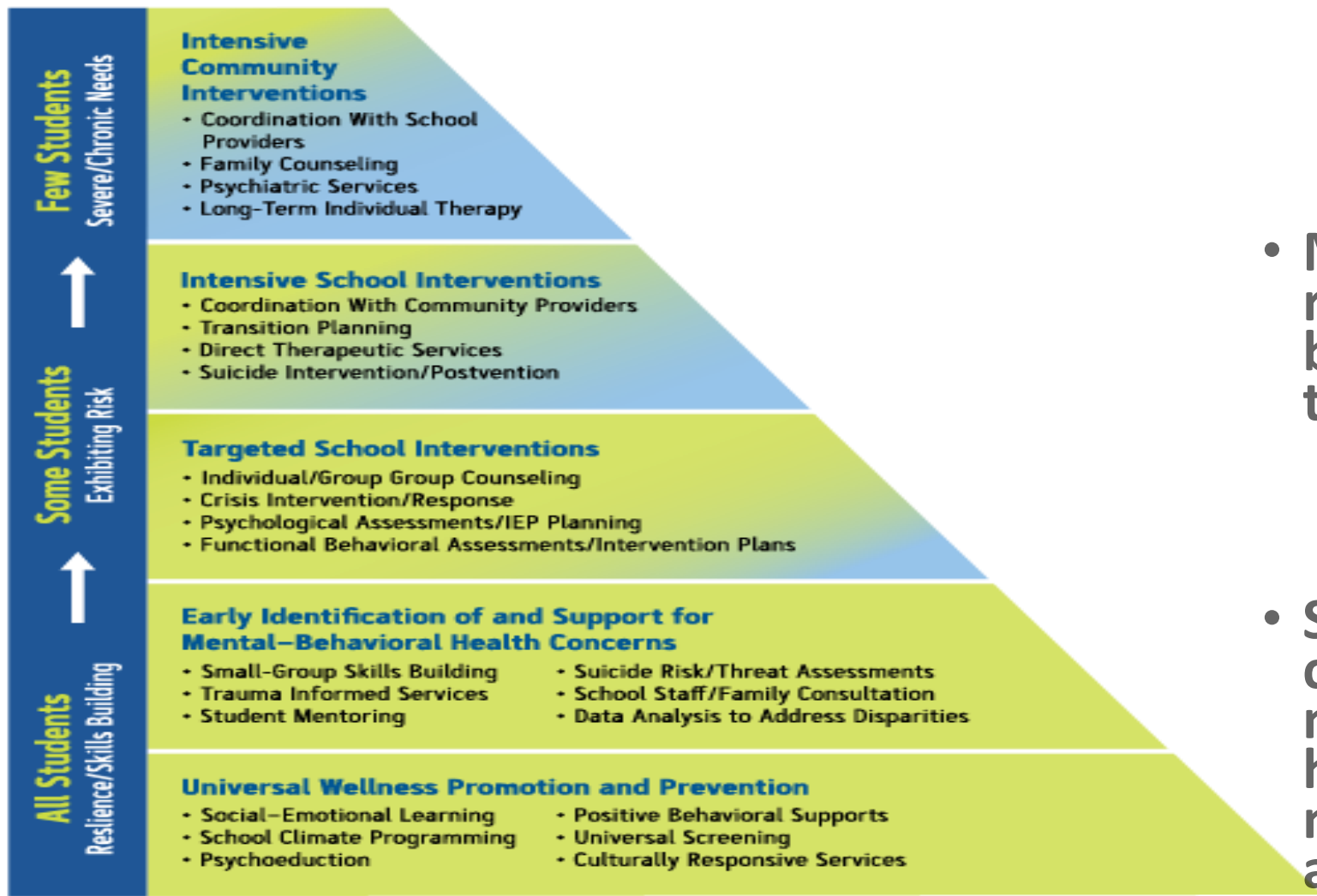
Chris Montesi



Dr. Kelly Vaillancourt Strobach






Kuna Tavalin

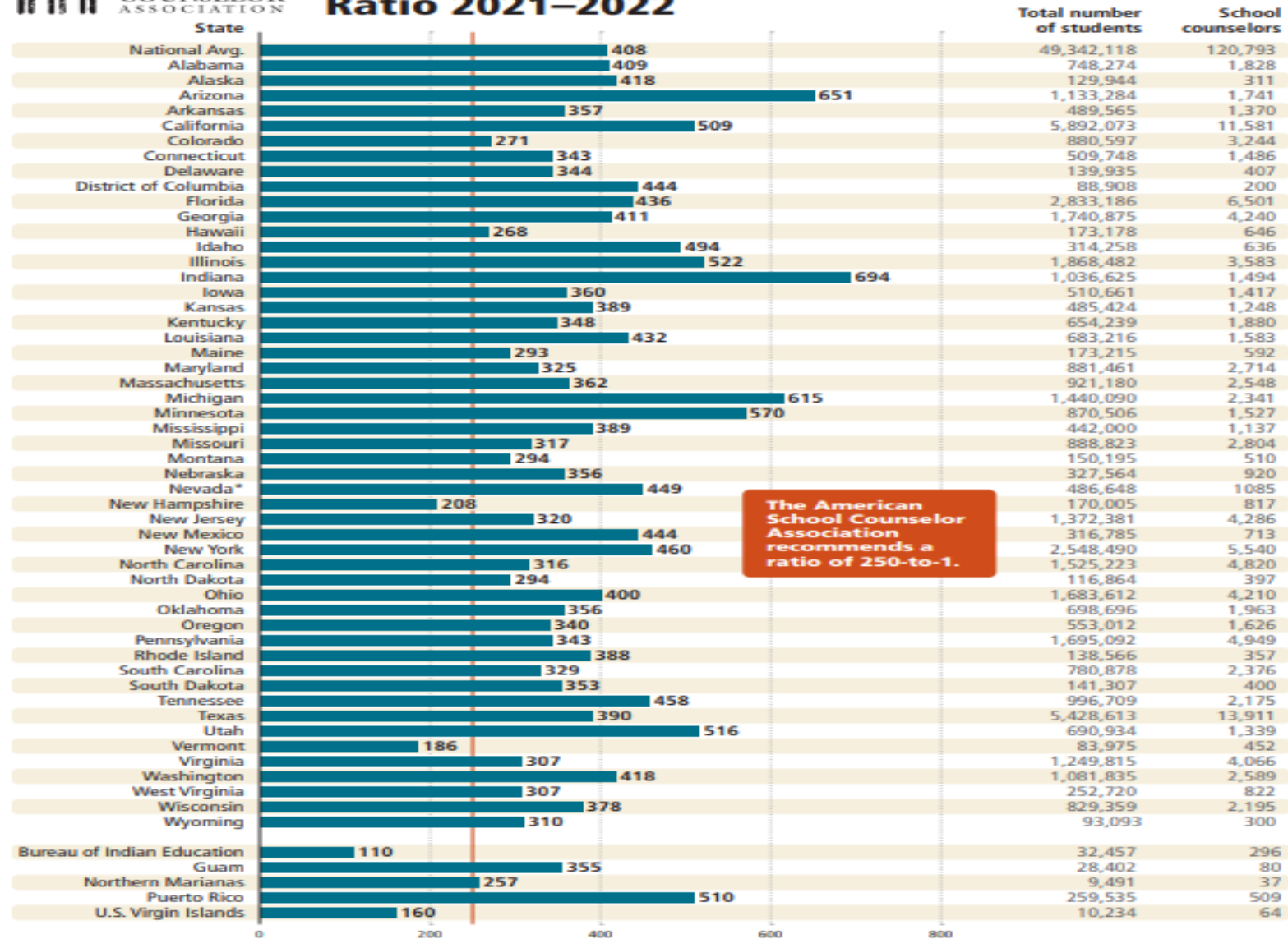


- Most children do not receive the mental and behavioral health care they need
- Schools are a critical component of the US mental and behavioral health care system and most students who do access care do so at school

SCHOOL PSYCHOLOGISTS PROVIDE CRITICAL SERVICES AT ALL TIERS

Key.  School Support  Community Support  School & Community Collaboration

Student-to-School-Counselor Ratio 2021-2022



Data Source: U.S. Department of Education, National Center for Education Statistics, Common Core of Data (CCD), State Nonfiscal Public Elementary/Secondary Education Survey, 2021-22 v.1a. <http://nces.ed.gov/ipeds/>
 Note: Data for Nevada school counselors was not available. 2020-21 data is used here.

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State Shortages Data Dashboard

Data as of January, 2023

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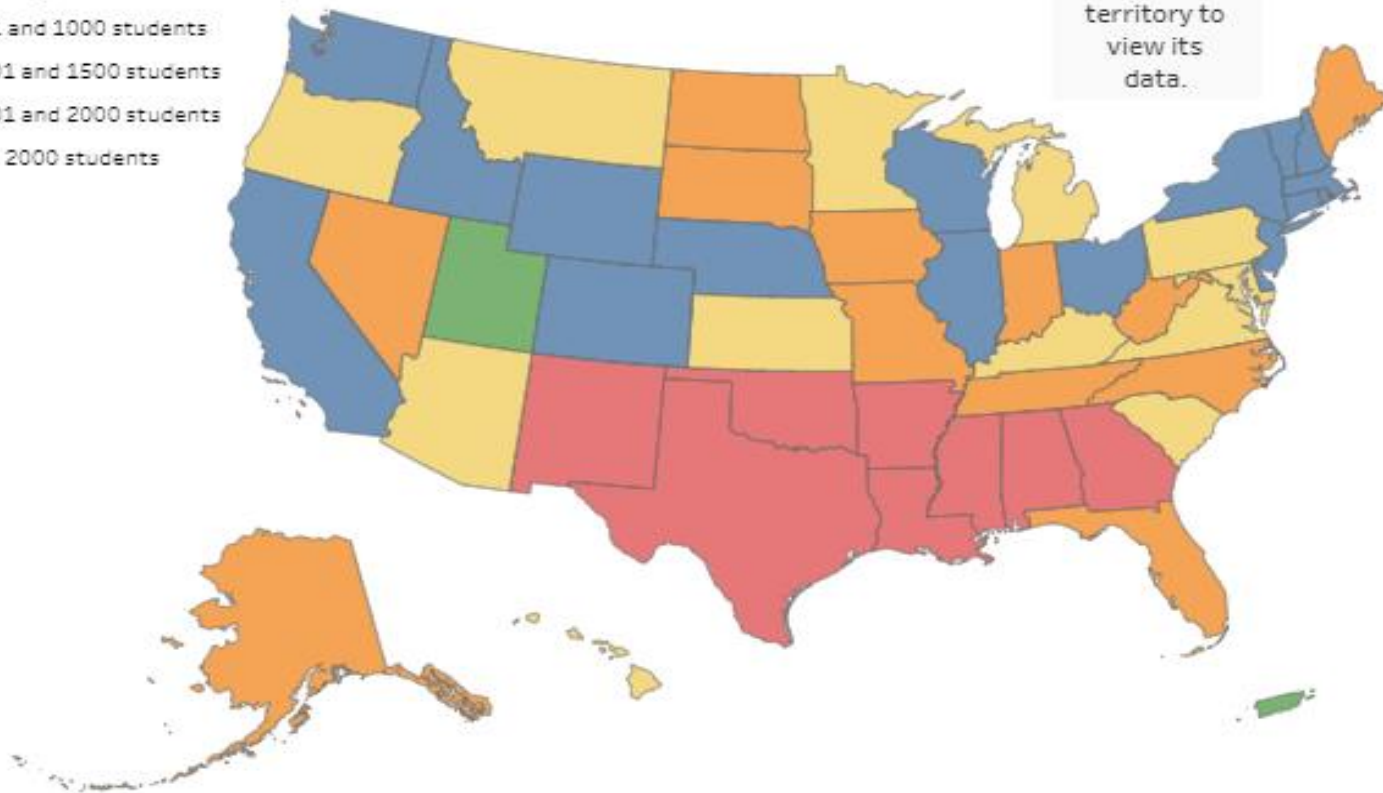


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2020-2021 Ratio

- 1 - 500 students (meets NASP standard)
- Between 501 and 1000 students
- Between 1001 and 1500 students
- Between 1501 and 2000 students
- Greater than 2000 students

Select a
territory to
view its
data.



<https://www.nasponline.org/about-school-psychology/state-shortages-data-dashboard>

Mental Health Services Professionals Demonstration Grant Program

- **Created in FY2019**
- **\$55M FY2022**
- **\$500M BSCA**

****FY24 funding needed to award new grants**

Partnerships with Institution of Higher Education and LEAs, consortium of LEAs, or an SEA

Can be cross disciplinary

Supports **high quality training** aligned with professional standards

School Based Mental Health Services Grant Program

Increased Access

Recruitment

Retention

Respecialization

- **Created in FY2020**

- **\$56M FY2022**

- **\$500M BSCA**

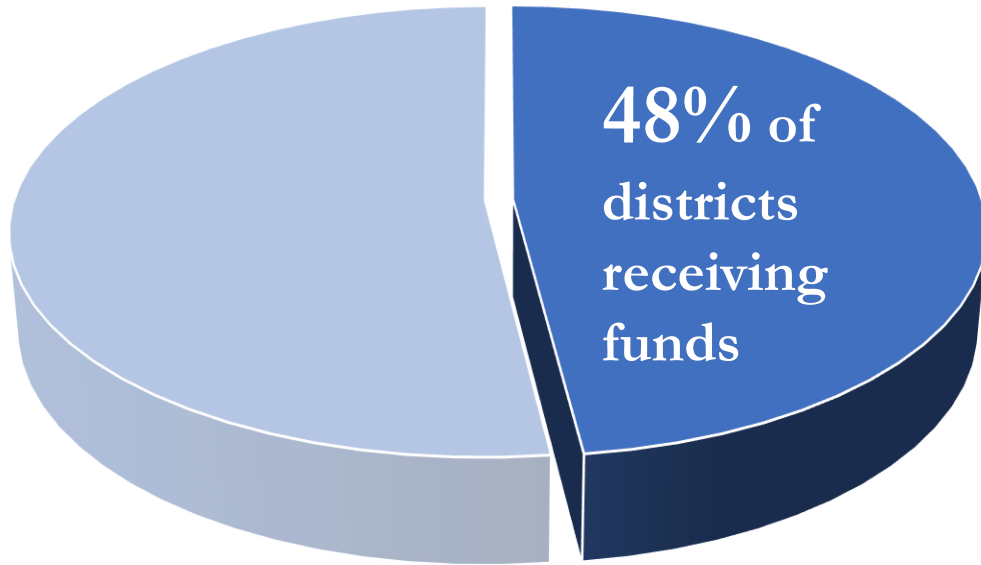
****FY24 funding needed
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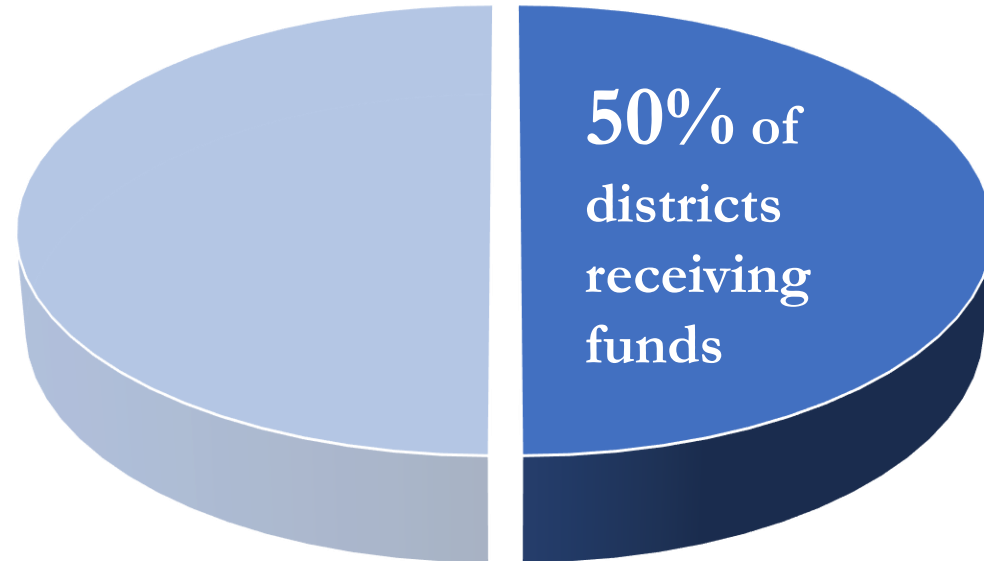


Is the money going to where it needs to be going?

HS Graduation Rate Lower than the National Average

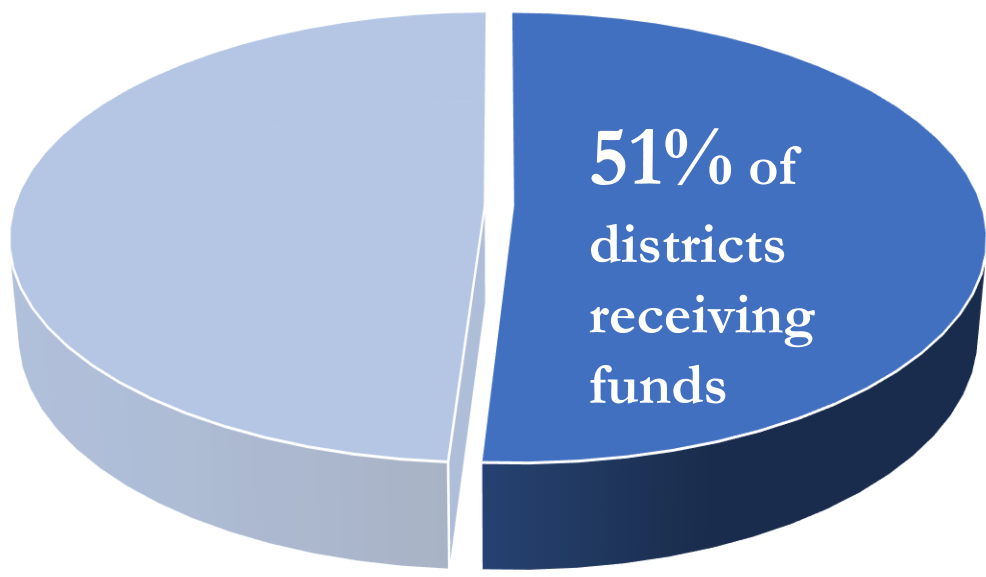


SBMH

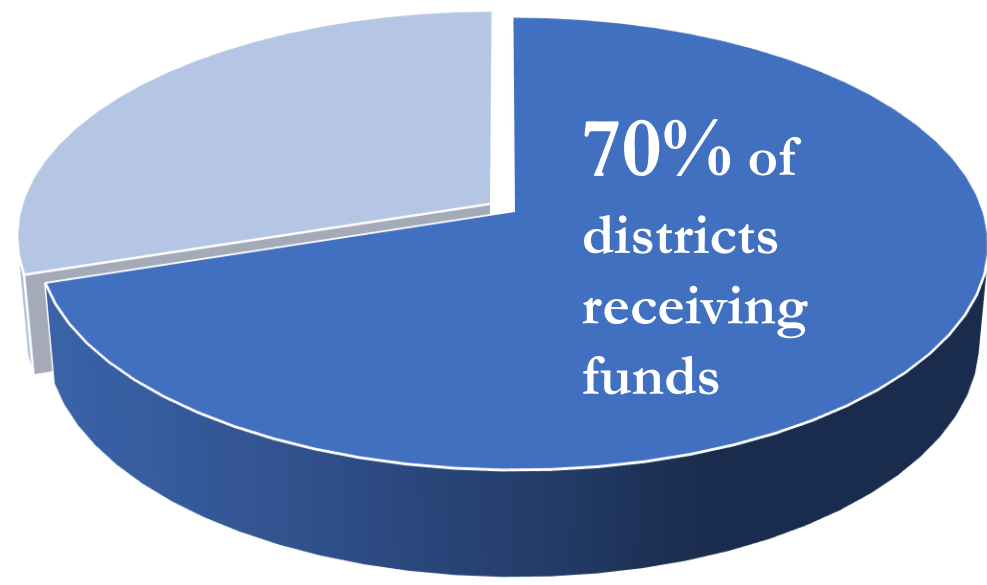


MHSP

Student to Teacher Ratio Greater than their State's Average

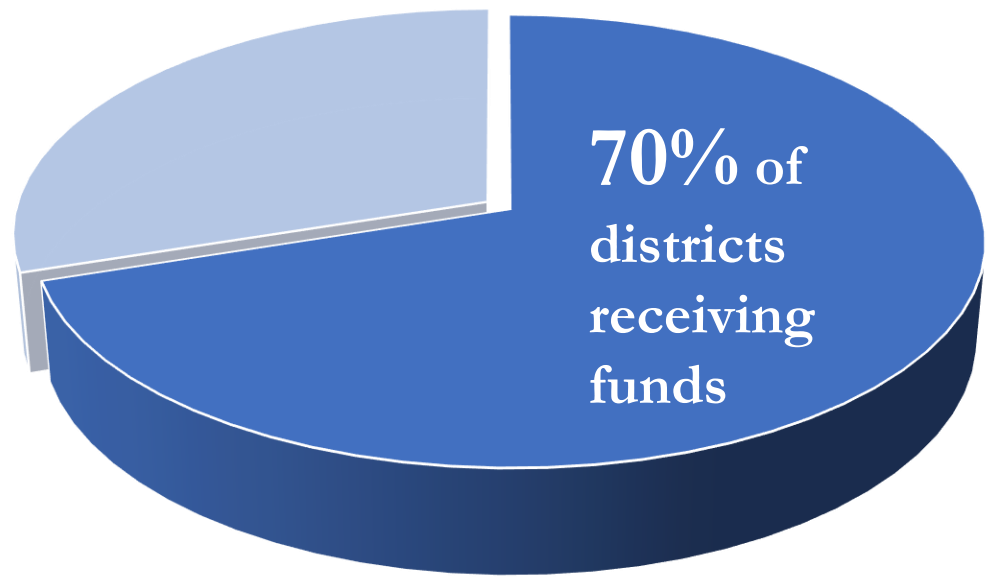


SBMH

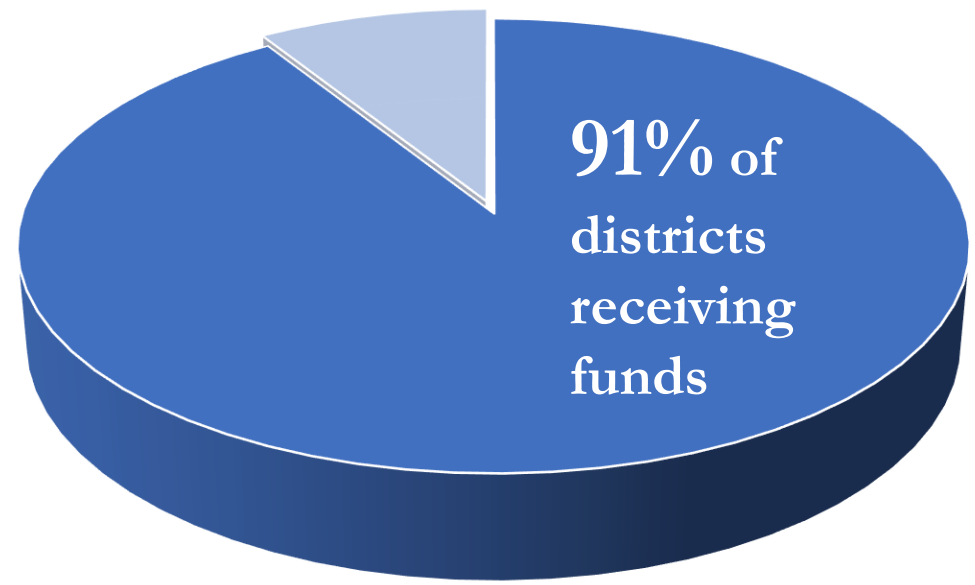


MHSP

Districts serving > 50% non-white students

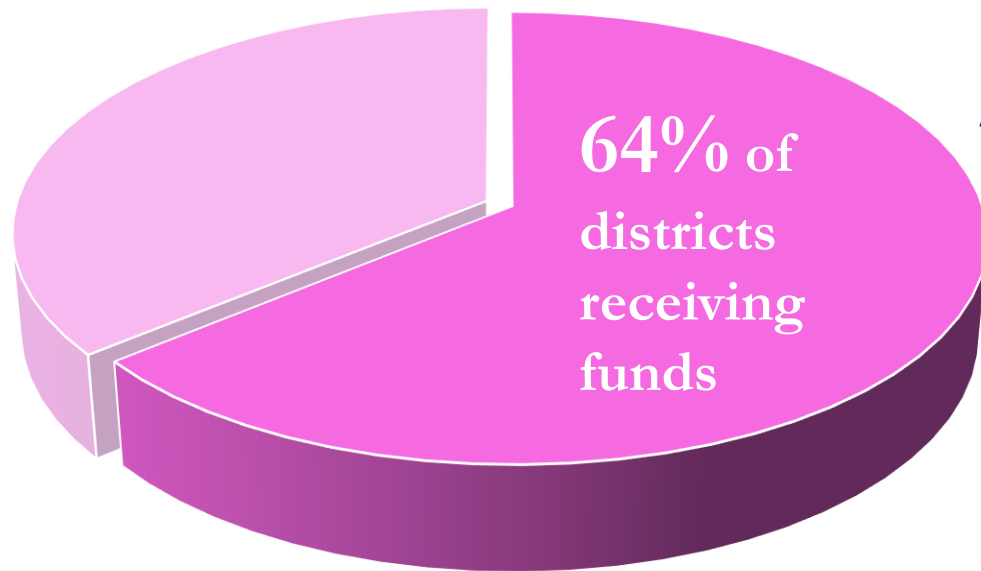


SBMH



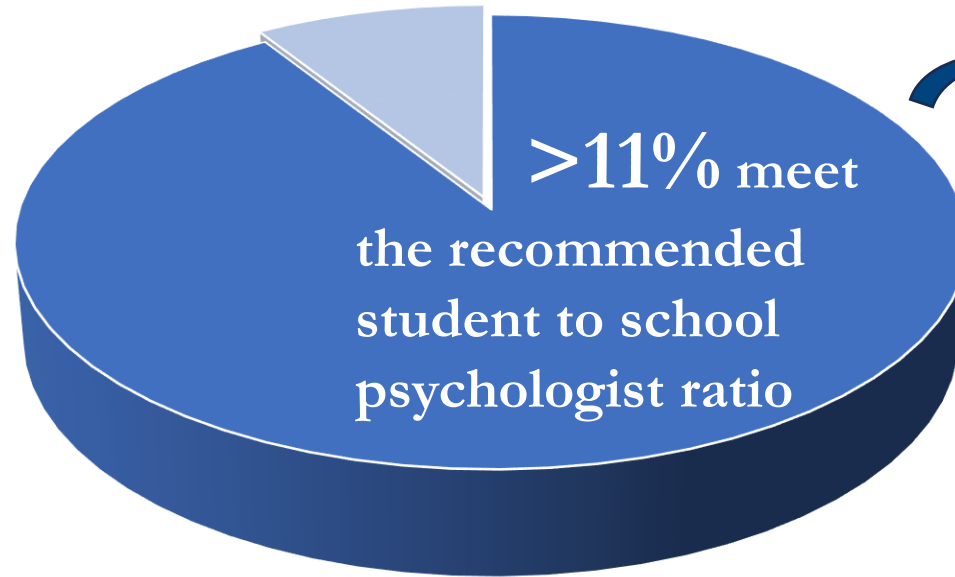
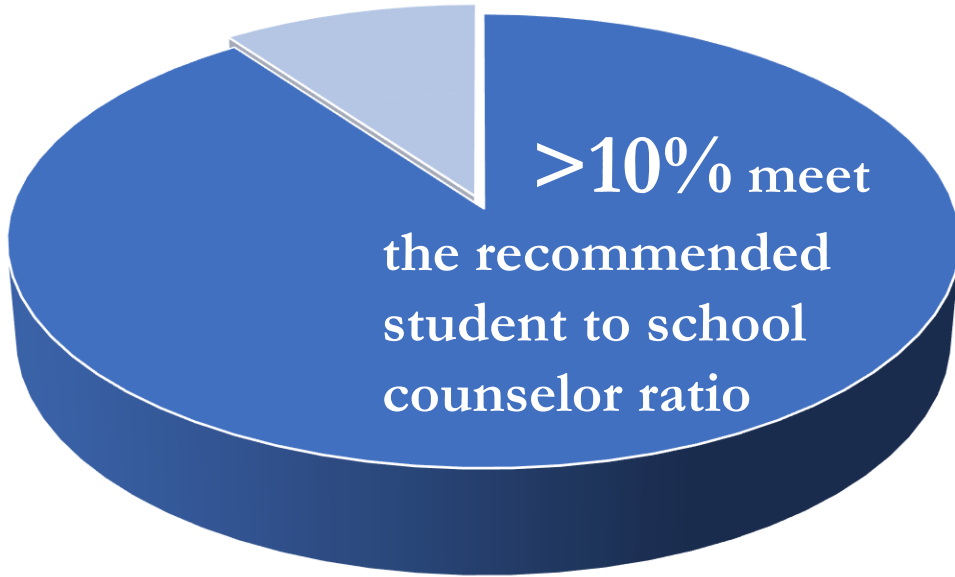
MHSP

Again.... Are funds going to where they need to go?



Colleges &
universities in
their states also
were awarded
funds!

The work must continue...



No districts
receiving
MHSP
funds meet
the ratio

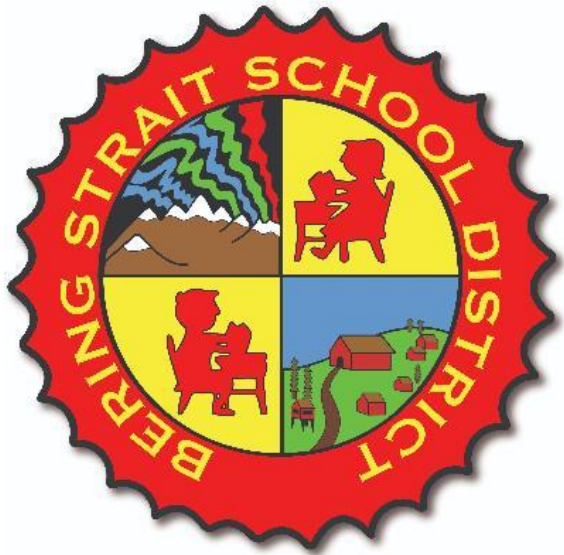
SBMH & MHSP

Plans for Change - SBMH

Bering Straits School District - \$857,202

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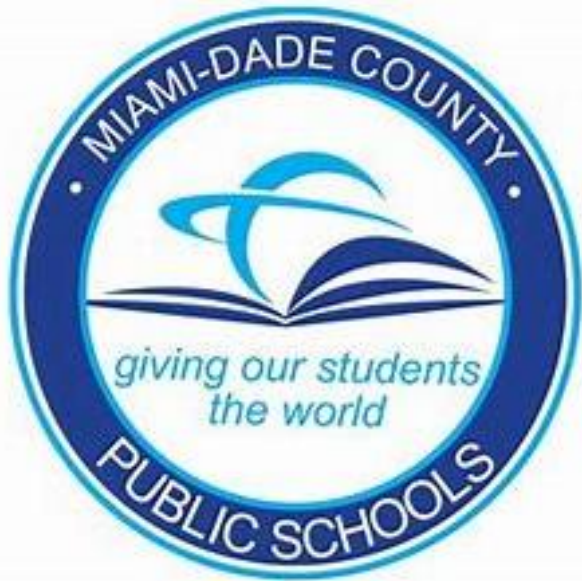
- Remote, rural district in Alaska
- 99% minority students
- School counselor and school psychologist ratios are over what is recommended
- High school graduation rate is at 84%, under the national average
- Many students live in communities with high incidences of violence and substance abuse
- Mental health supports are inadequate if they even exist at all
- COunSeling Training and Recruitment Project (COSTAR)
 - Partnering with 5 universities
 - Recruit / respecialize counselors working in non-school settings
 - Increase culturally-relevant counseling materials



Plans for Change - SBMH

Miami Dade Public Schools - \$3,000,000

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- Large, suburban district in Florida
- Minority students – 94%
- Student to school counselor ratio – well over recommendation
- Student to school psychologist ratio – well over recommendation
- HS graduate rate – lower than state average
- Student to teacher ratio – higher than their state’s average
- **R3 - Recruitment, Retention, and Resiliency Project**
 - 5-year project
 - Goal is to increase the number of credentialed school-based mental health service providers – especially from diverse backgrounds
 - The project will recruit, mentor, train, and retain 28 new school-based mental health providers
 - **20,550 students will be served by the project over the five years!**

Plans for Change - MHSP

Acton Agua Dulce Unified - \$689,186

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- Rural district in California
- Comprised of all Title 1 schools
- 65% of students receive free or reduced lunch
- School counselor and school psychologist ratios are well over what is recommended
- High school graduation rate is under the national average
- Student to teacher ratio is higher than their state's average

- Partnering with the University of California to place social work students in local schools to complete fieldwork
- Focus on recruiting from diverse backgrounds
- Increasing use of evidence-based and inclusive practices

Plans for Change - MHSP

Santa Paula Unified School District - \$635,875

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- Locale in CA is considered ‘Town: Fringe’
- Majority of students are Hispanic – 98%
- Free & reduced lunch - 81%
- HS graduation rate under national average
- Student to teacher ratio higher than their state’s average

- Partnering with CA Lutheran University and UCLA to place social work students in local schools to complete fieldwork
- Assign new hires to high need schools
- Increase diversity of school-based providers
- Increase inclusive practices



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“We may not be able to prepare the future
for our children, but we can at least
prepare our children for the future.”

Franklin D. Roosevelt nearly 83 years ago, at the University of Pennsylvania, 9 20 1940).

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Let's Go Learn

Tools for Writing Truly Individualized IEPs



#SELS2023



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Kaitlyn Brennan



Susan Kemper Patrick



Laurie VanderPloeg

Grounding our conversation

- Teacher certification, experience, and stability matter for student success.
- Preparation matters for teacher retention.
- Students of color and students from low-income households are disproportionately taught by underprepared and inexperienced teachers.



Inequitable Opportunity to Learn Student Access to Certified and Experienced Teachers

Jessica Cardichon, Linda Darling-Hammond, Man Yang,
Caitlin Scott, Patrick M. Shields, and Dion Burns



LEARNING
POLICY
INSTITUTE

FEBRUARY 2020

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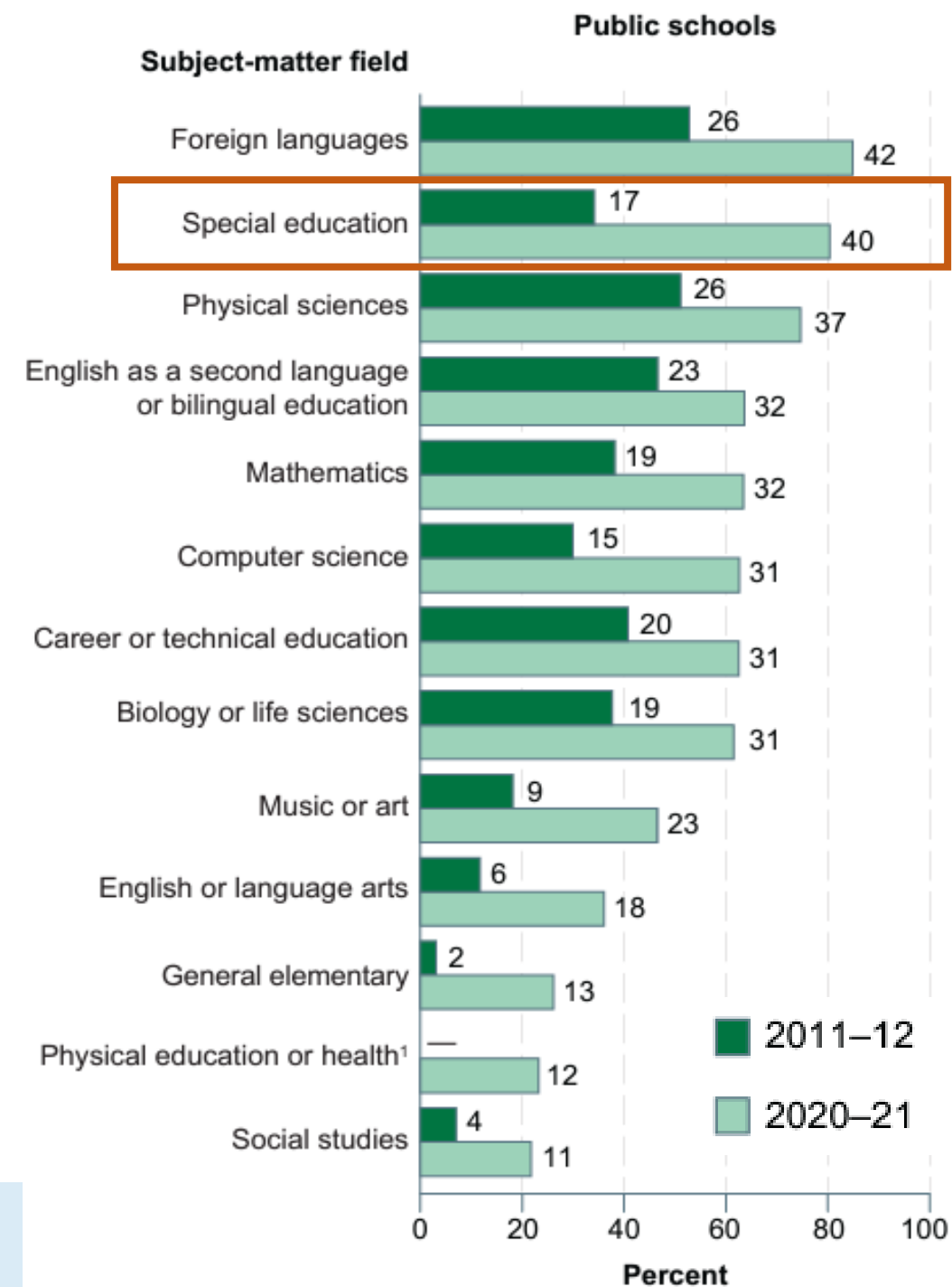
What are the extent of shortages in
special education?

Shortages among special education teachers are widespread and long-term but may be worsening amid the pandemic.

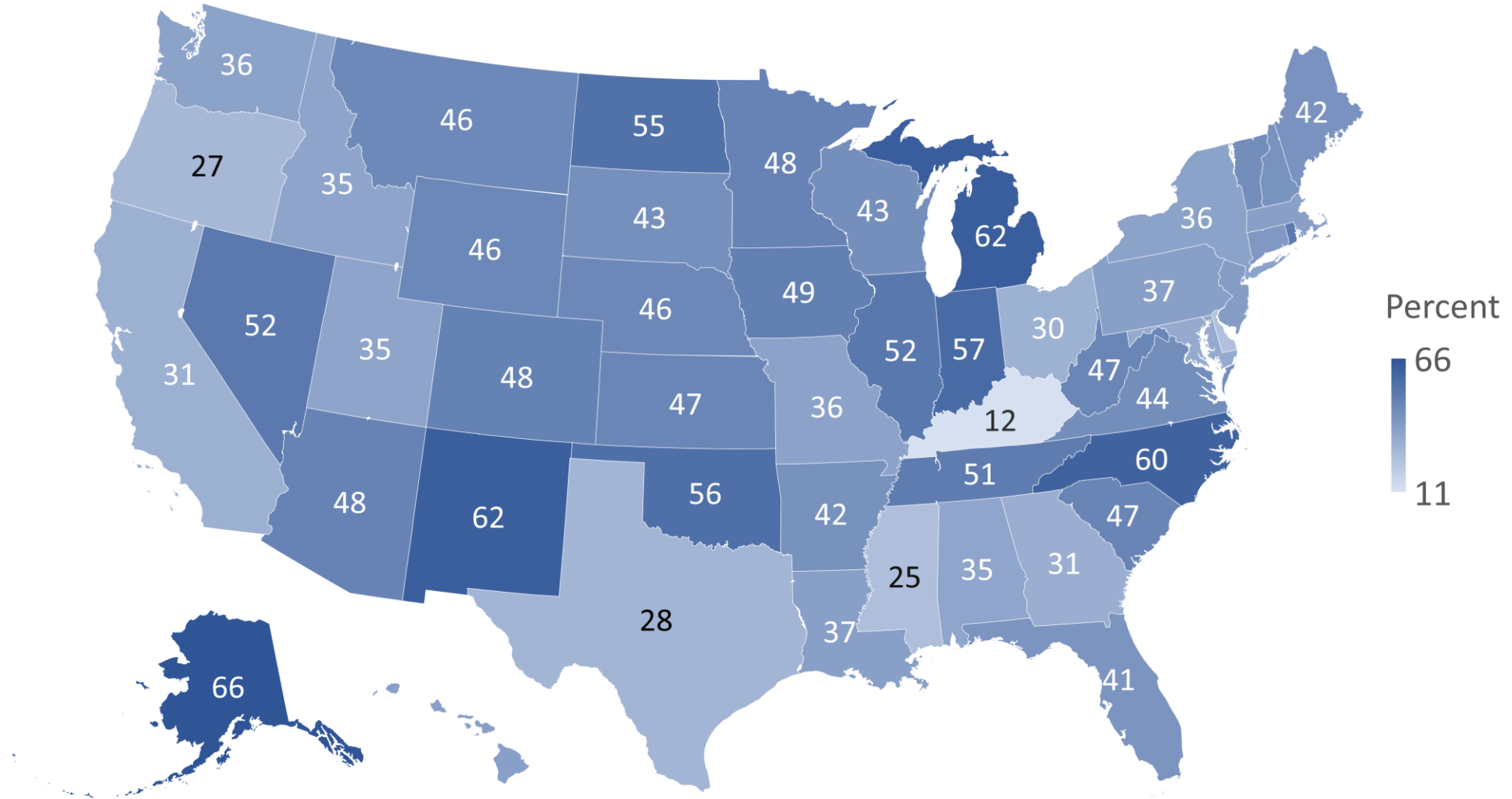
- In 2020-21, an estimated 40% of schools nationally with special education vacancies reported that those vacancies were very difficult to fill or unfilled.
- Special education, along with STEM fields, foreign languages, and ESL, is often identified as a high shortage area.

Source: [U.S. Condition of Education \(2023\)](#).

U.S. Department of Education, National Center for Education Statistics, Schools and Staffing Survey (SASS), "Public School Data File" and "Private School Data File," 2011–12; and National Teacher and Principal Survey (NTPS), "Public School Data File" and "Private School Data File," 2020–21. See Digest of Education Statistics 2022, table 210.60.



Special education vacancies were unfilled or very difficult to fill



Note: Data from the District of Columbia and Kentucky should be interpreted with caution.

Source: LPI Analysis of National Teacher and Principal Survey (2023). U.S. Department of Education, National Center for Education Statistics, National Teacher and Principal Survey (NTPS), Public School Data File 2020–21.

States have also been reporting staffing challenges related to special education positions.

Illinois

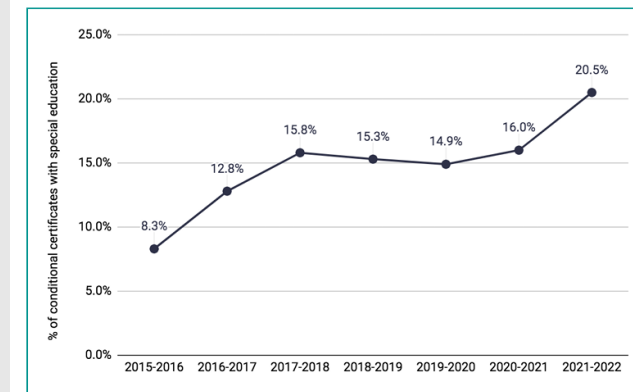
The Educator Shortage Survey identified special education as a major challenge for staffing in 2022-23:

- 77% of districts reported minor to serious problems with special education shortages
- 45% of districts reported shortages were worse in 22-23 than 21-22.
- 72% of districts reported fewer applicants for special education positions in 22-23 than 21-22

Washington

Washington's Professional Educator Standards Board identified special education as the #2 shortage area state-wide in 2021.

Figure D. Percentage of conditional certificates issued in special education



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What may be causing shortages
more broadly?

Many challenges impede teacher recruitment and retention.

- Low salaries
- Lack of respect for the profession
- Trauma and stress, including student trauma
- Poor working conditions
 - Pupil load; lack of planning time; lack of supports
 - Lack of time for collaboration
 - Lack of involvement in decision making
- Few opportunities for career advancement and support
- School leadership quality

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Teacher Turnover: Why It Matters and What We Can Do About It

Desiree Carver-Thomas and Linda Darling-Hammond

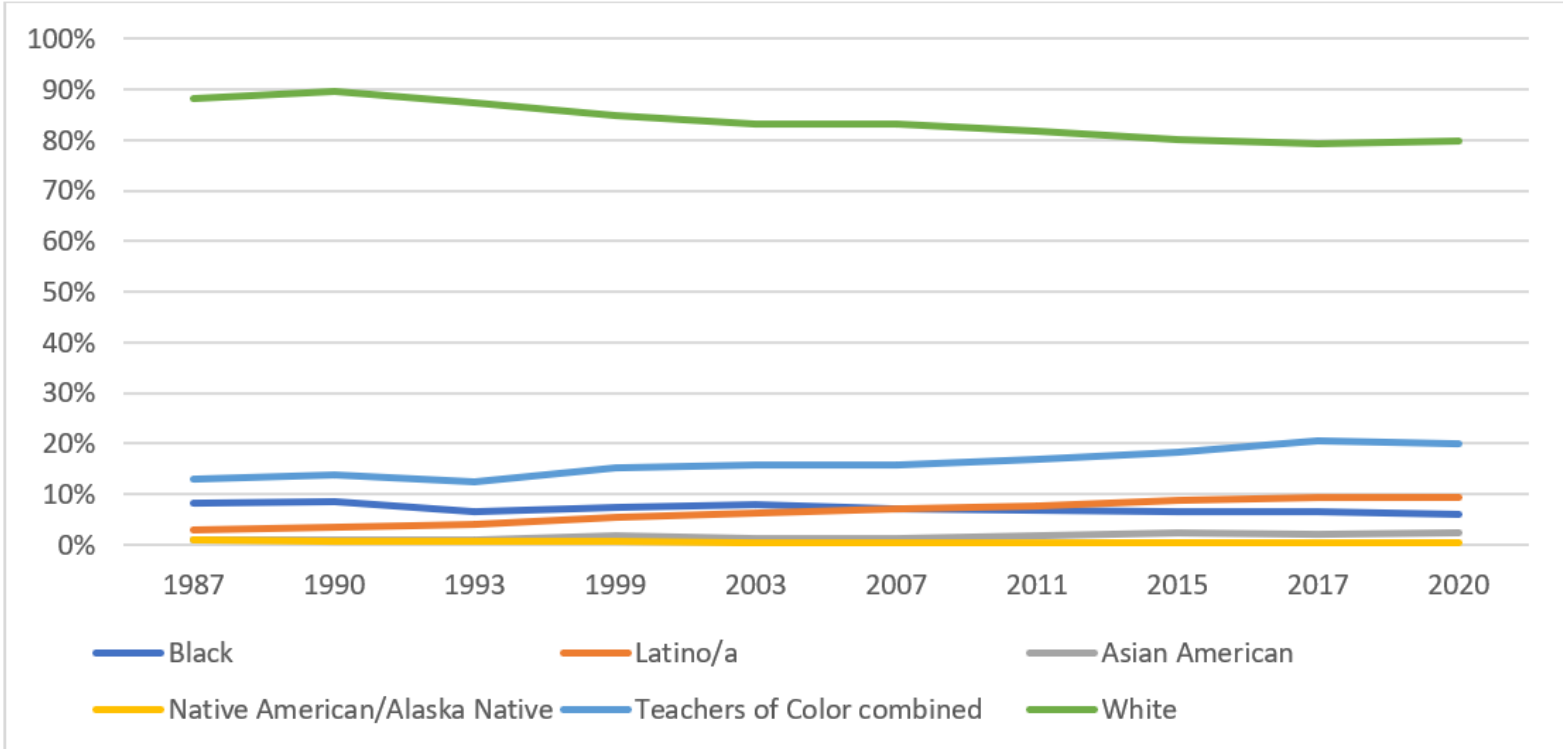
LEARNING
POLICY
INSTITUTE

AUGUST 2017

Research on shortages among special education teachers (SETs) largely find similar reasons for attrition among SETs, with higher attrition and extra emphasis on caseloads and marginalization (Billingsley & Bettini, 2019; Mason-Williams et al., 2022).

The teacher workforce does not reflect the nation's racial and ethnic diversity.

Figure 1. The Share of Teachers of Color in the Teacher Workforce: 1987-2020



Note: Analysis by Learning Policy Institute. “Teachers of Color” combined includes all non-white teachers, including Native Hawaiian/Pacific Islander teachers and teachers reporting two or more races.
 Sources: National Center for Education Statistics reports (see endnotes for complete list of sources).⁵

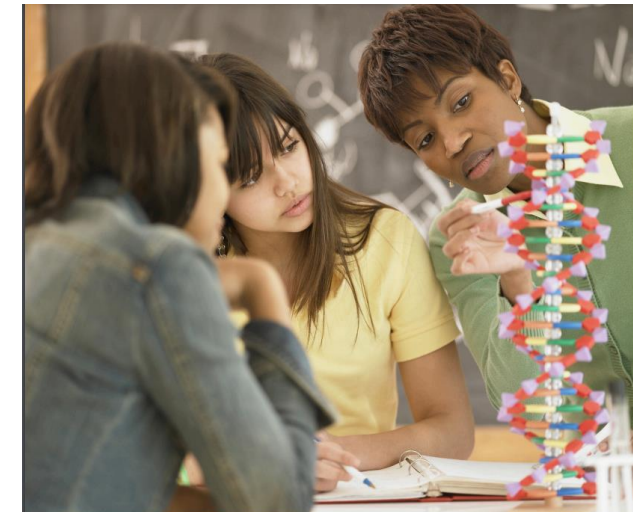
Preparation and support also matter for recruitment and retention.

Preparation and mentoring strongly influence teacher effectiveness and retention

- Fully prepared novices are less likely to leave teaching than those who lack key elements of training.
- Those who receive high-quality mentoring and induction stay at more than twice the rate of those who lack these supports.
- Underrepresented teachers of color are least likely to get access to either full preparation or high-quality early career supports.

Funding for both is insufficient

- The debt load for preparation has increased.
- More teachers are entering the profession without full preparation.



Solving the Teacher Shortage *How to Attract and Retain Excellent Educators*

Anne Podolsky, Tara Kini, Joseph Bishop, and Linda Darling-Hammond



SEPTEMBER 2016

COVID's Impact on the Educator Workforce

- **Teacher shortage areas:** All states have shortages:
 - 48 states reported shortages in special education; 46 in science; and 44 in math
- **Teacher stress and burnout:** [Nationally representative surveys](#) of teachers indicate teachers experienced high levels of stress and burnout.
 - Educators were more than twice as likely as other working adults to report frequent job-related stress
 - Teachers of color were more likely to report burnout, stress, and other work-related challenges
 - Working conditions were related to both well-being and intentions to leave

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What can be done to address
teacher shortages?

Strategies to build and maintain a well-prepared, diverse, and stable educator workforce.

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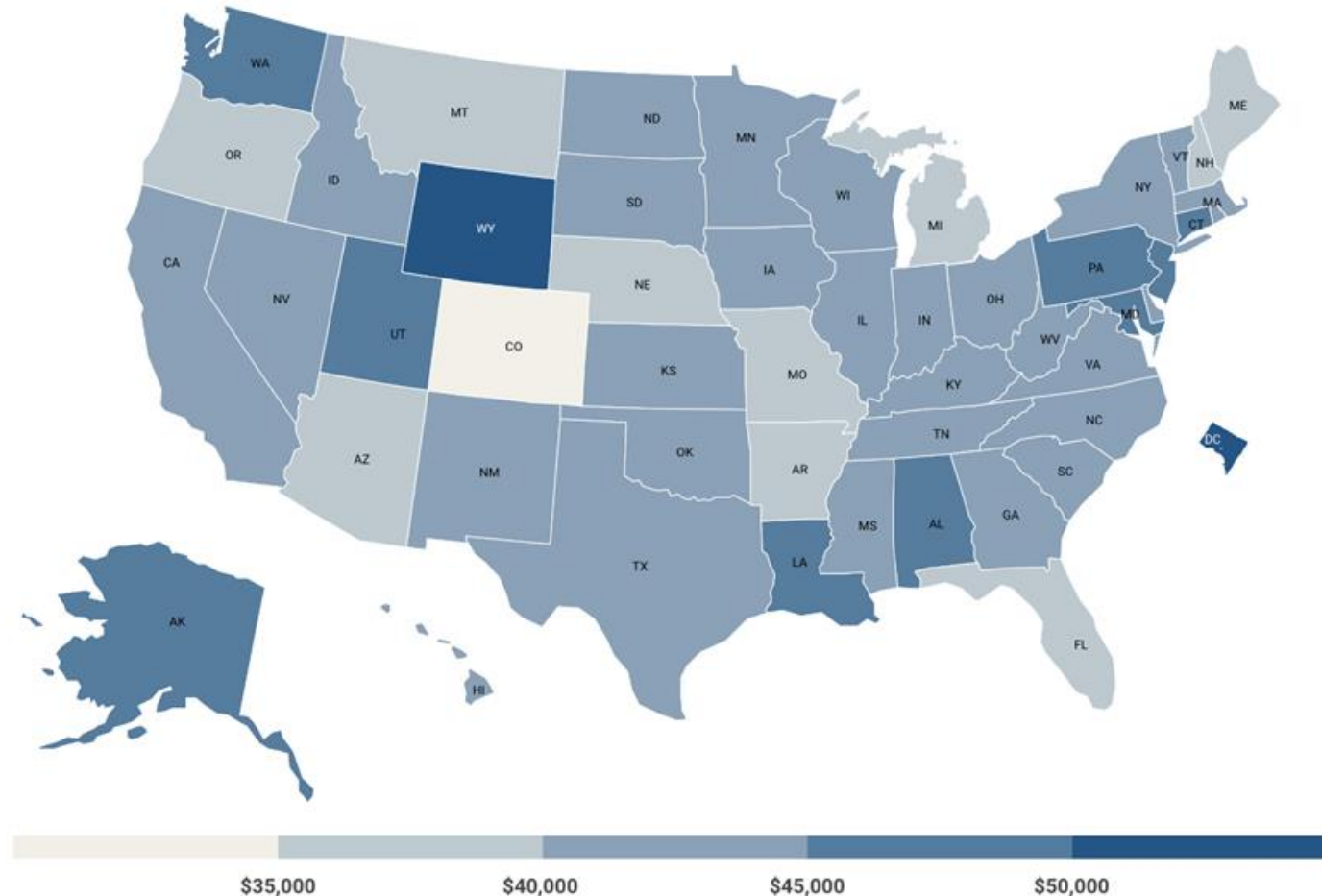
- Competitive compensation
- High-retention pathways into the profession
 - Educator residencies and Grow Your Programs
- Service scholarship and loan forgiveness programs
- Mentoring and induction for new educators
- Opportunities to learn, grow, and collaborate
- Supportive and inclusive school leadership



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Boosting educator compensation

Cost-of-Living Adjusted Annual Starting Salary (2019–20)



- The Raise Act
 - Refundable tax credit for ECE and K-12 educators
 - Up to \$15,000 annually
- Educator Down Payment Assistance Act
- Addressing college costs and student loan debt barriers

State Support for High-Retention Pathways

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- California: \$2.9 billion in the educator workforce, including \$350 million in teaching residency programs and \$125 million in Grow Your Own programs.
 - \$50 million in grants to LEAs to support special education recruitment and retention
- Texas: \$1.4 billion in the Texas COVID Learning Acceleration Supports (TCLAS) initiative, which includes targeted supports for teacher residency programs.
- New York State: \$30 million in the Empire State Teacher Residency Program, which subsidizes master's degrees for qualified teacher residents.
- West Virginia: by 2024, all individuals pursuing teaching through a traditional teacher preparation program must complete a yearlong residency.

Federal investments in high-retention pathways (FY 2023)

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- \$70 million for the Teacher Quality Partnership Grant Program to support comprehensive preparation
- \$115 million for the IDEA-D Personnel Preparation Program to support the comprehensive preparation of special educators
- \$15 million for the Augustus F. Hawkins Program to support comprehensive preparation at HBCUs, TCUs, and MSIs

Does this meet our national needs?

Meeting the current needs would require funding of \$3 billion annually

Funding constraints ahead

- The Fiscal Responsibility Act (FRA):
 - Caps defense and non-defense spending in FY 2024 and 2025.
 - Caps FY 2024 at current levels; FY 2025 1% above current levels.
- Possible reduction in funding for the Department of Education in FY 2024
 - House may reduce FY 2024 by \$60 billion for the education related bill.
 - Senate likely to align FY 2024 to FY 2023 levels.

Public Law 118-5
118th Congress

An Act
To provide for a responsible increase to the debt ceiling.

June 3, 2023
[H.R. 3746]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Fiscal Responsibility Act of 2023.
2 USC 900 note.

SECTION 1. SHORT TITLE.
This Act may be cited as the “Fiscal Responsibility Act of 2023”.

SEC. 2. TABLE OF CONTENTS.
The table of contents for this Act is as follows:
Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.

DIVISION A—LIMIT FEDERAL SPENDING
TITLE I—DISCRETIONARY SPENDING LIMITS FOR DISCRETIONARY CATEGORY
Sec. 101. Discretionary spending limits.
Sec. 102. Special adjustments for fiscal years 2024 and 2025.
Sec. 103. Budgetary treatment of previously enacted emergency requirements.
TITLE II—BUDGET ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES
Sec. 111. Authority for Fiscal Year 2024 Budget Resolution in the House of Representatives.
Sec. 112. Limitation on Advance Appropriations in the House of Representatives.
Sec. 113. Exercise of rulemaking powers.
TITLE III—BUDGET ENFORCEMENT IN THE SENATE
Sec. 121. Authority for fiscal year 2024 budget resolution in the Senate.
Sec. 122. Authority for fiscal year 2025 budget resolution in the Senate.
Sec. 123. Limitation on advance appropriations in the Senate.
Sec. 124. Exercise of rulemaking powers.

DIVISION B—SAVE TAXPAYER DOLLARS
TITLE I—RESCISSION OF UNOBLIGATED FUNDS
Sec. 1. Rescission of unobligated funds.
Sec. 2. Rescission of unobligated funds.
Sec. 3. Rescission of unobligated funds.
Sec. 4. Rescission of unobligated funds.
Sec. 5. Rescission of unobligated funds.
Sec. 6. Rescission of unobligated funds.
Sec. 7. Rescission of unobligated funds.
Sec. 8. Rescission of unobligated funds.
Sec. 9. Rescission of unobligated funds.
Sec. 10. Rescission of unobligated funds.
Sec. 11. Rescission of unobligated funds.
Sec. 12. Rescission of unobligated funds.
Sec. 13. Rescission of unobligated funds.
Sec. 14. Rescission of unobligated funds.
Sec. 15. Rescission of unobligated funds.

Service scholarships and loan forgiveness

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- DIVERSIFY Act
 - 2X TEACH Grants
 - ECE Educators
 - Removes penalty
- Loan Forgiveness for Educators Act
 - Makes educator's monthly loan payments
 - Completely retires debt after 5 years
 - Includes teachers, leaders, & ECE educators



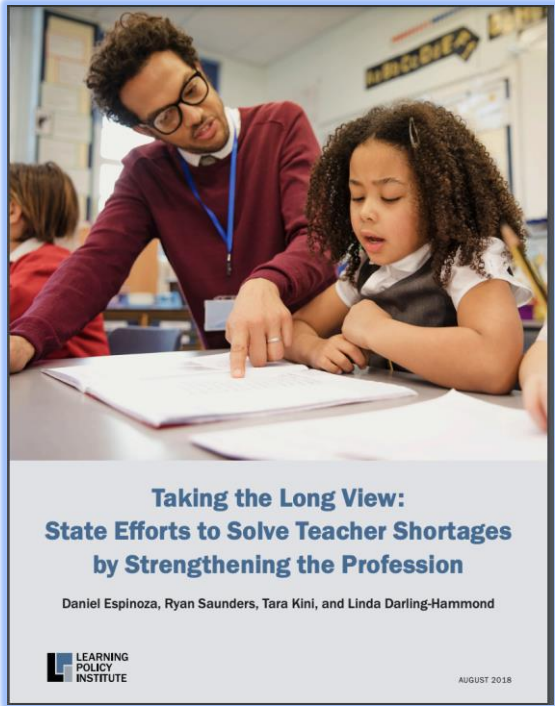
Supporting teachers throughout their career

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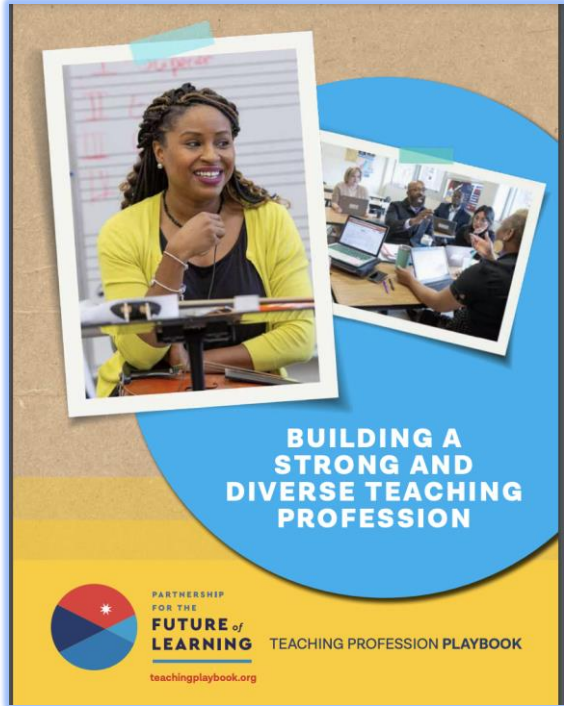


- Ensure all novice teachers receive mentoring and induction
- Support the earning of advanced and high-need credentials
- Implement recruitment incentives to attract teachers to high-needs schools
- Supportive and inclusive school leadership

Resources



Blog Series:
<https://learningpolicyinstitute.org/blog/teacher-shortage-series>





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LPI Research

learningpolicyinstitute.org

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bit.ly/LPIupdates

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- Even prior to the pandemic, special education was the field with the greatest shortage, with 48 states and DC reporting such shortages.
- Between 2005 and 2012 there was a 17% decline in the number of special education teachers and a simultaneous increase (by 400,000 students) in the number of students receiving special education services.
- High poverty schools are more likely than well-resourced schools to have teacher shortages, as well as unqualified and inexperienced teachers.

- Approximately 1 million education jobs were lost due to the pandemic.
- Nearly 1 in 4 teachers indicated that they were likely to leave their jobs in the 2020-21 school year. Prior to the pandemic, the number was 1 in 6.
- In the 2021-22 school year, 44% of U.S. public schools indicated a full- or part-time teaching vacancy. Of those vacancies, 45% were special education positions, and 61% were explicitly identified as resulting from the COVID-19 pandemic.

- Without significant intervention, by the 2025-26 school year, there is projected to be a shortfall of roughly 200,000 public school teachers.
- Based on Bureau of Labor Statistics projections, between 2020 and 2030, 37,600 new special education teachers are required to keep up with demand.
 - From 2010 to 2020, the number of students who receive special education services increased by approximately 800,000 students.
- In 2018, there were one-quarter fewer Black and Latinx teacher candidates enrolled in teacher preparation programs than were enrolled in 2010.

- In order to meet the demand, states have increasingly turned to the use of long-term substitutes for special education teachers, some with only a high school diploma and most with no teacher training at all.
- In the 2020–21 school year, 16% of new teachers were individuals who were not fully prepared—a nearly 80% increase since 2014–15.
- At least 25,243 special education teacher positions were filled by individuals who were not fully qualified for those positions in 2018-19
 - **27,195 total when you include Part C**
 - In the state of Nevada 20.44% of those serving as special education teachers were not fully qualified; in Louisiana 18% and in Oklahoma 15% were not fully qualified; in Texas 5800 individuals serving as special education teachers were not fully qualified to do so.



Council for
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Council of
Administrators
of Special Education

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- Those prepared through alternate pathways that require less coursework and student teaching experiences are 25% more likely to leave their teaching positions and the profession than those who are well prepared.
 - High poverty schools are more likely than well-resourced schools to have unqualified and inexperienced teachers
- The turnover of practicing special education teachers is reported to be about twice that of general education teachers, as much as 15% per year.
 - LPI Teacher Turnover Calculator
- Teacher turnover has significant negative effects, particularly for students with disabilities.
 - For example, a GAO report found a positive relationship between the percent of inexperienced teachers and the likelihood that students would receive a range of disciplinary consequences, including suspension, expulsion, and referral to law enforcement

- The pipeline of teachers is insufficient with [340,000 fewer students enrolled](#) in teacher preparation programs in 2019 than in 2010.
- A shortage of special education faculty in higher education contributes to the special education teacher shortage and further limits the capacity of higher education to address this significant problem.
- Between 2009 and 2018, there was a [19% reduction in the number of special education doctoral programs.](#)
- [Data from 2018](#) showed that the number of special education doctoral programs, 79 nationwide, dropped to the lowest level in decades.
- In states which have more teacher preparation programs, there is less of a shortage of special education teachers



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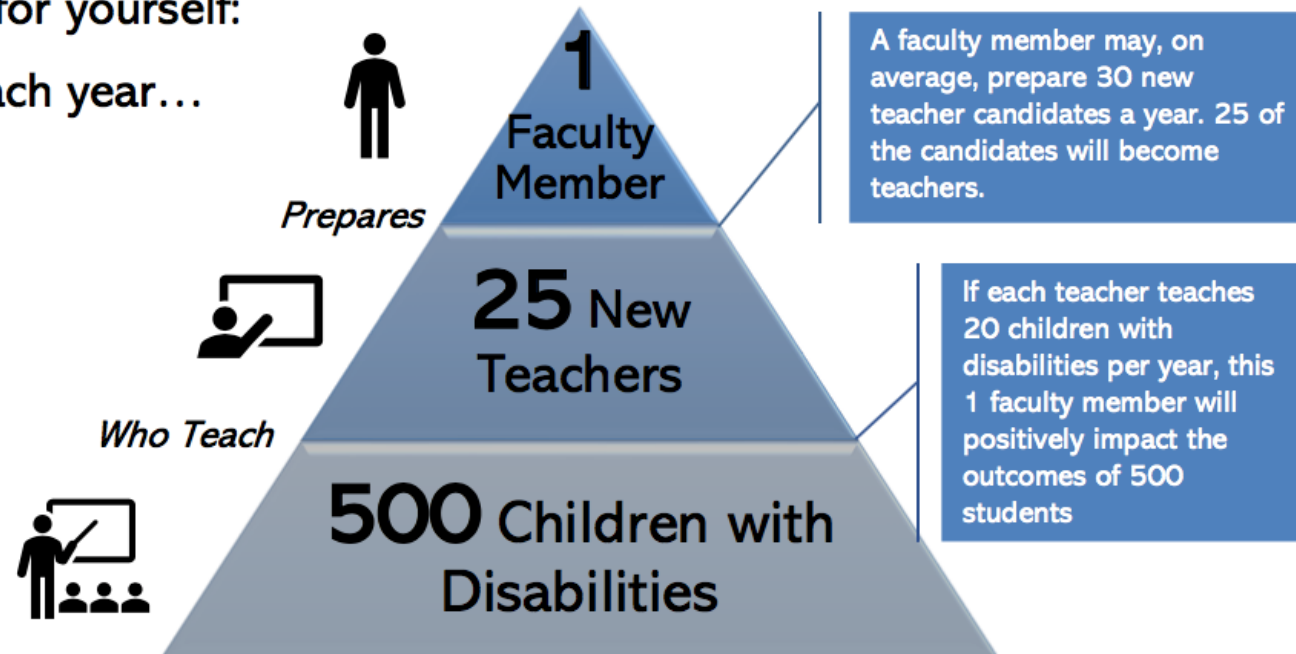
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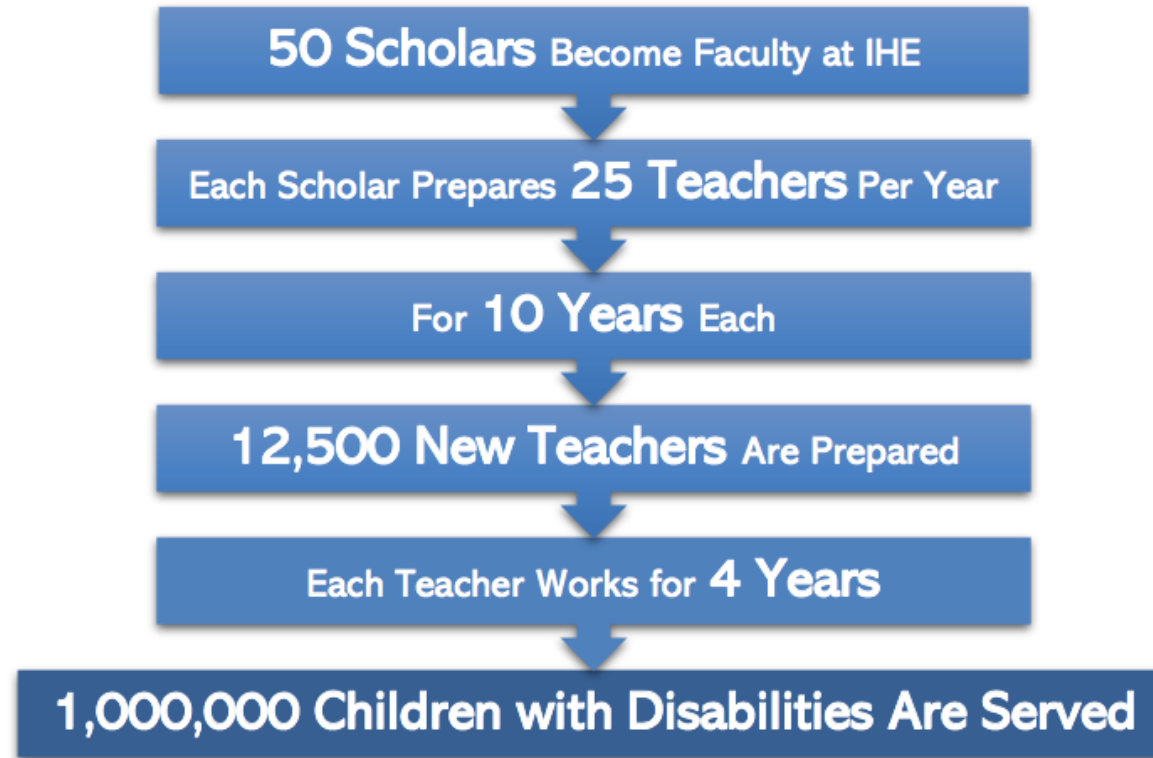
The Exponential Impact of Investing in Doctoral Training

See for yourself:

Each year...



The math makes sense! Let's multiply to see the impact:



- Funding to support critical programs to address the special educator and specialized instructional support personnel shortage.
 - IDEA Part D
 - Teacher Quality Partnership Grants
 - Augustus F. Hawkins Centers of Excellence under the Higher Education Act
- IDEA calls for “qualified personnel”
- Without the qualified workforce, the promise of IDEA cannot be met
- Investing in high quality full preparation
- Promote policies to attract, prepare retain diverse well qualified staff
- Student financial aid – TEACH Grants, Pell Grants, Public Service Loan Forgiveness, Teacher Loan Forgiveness



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Special Education Legislative Summit



Lunch & State Team Time

- Florida- Wright Meeting Room
- North Carolina- Bell Meeting Room
- Utah- Whitney Meeting Room
- Virginia- Banneker Meeting Room

Special Education Legislative Summit





Relay

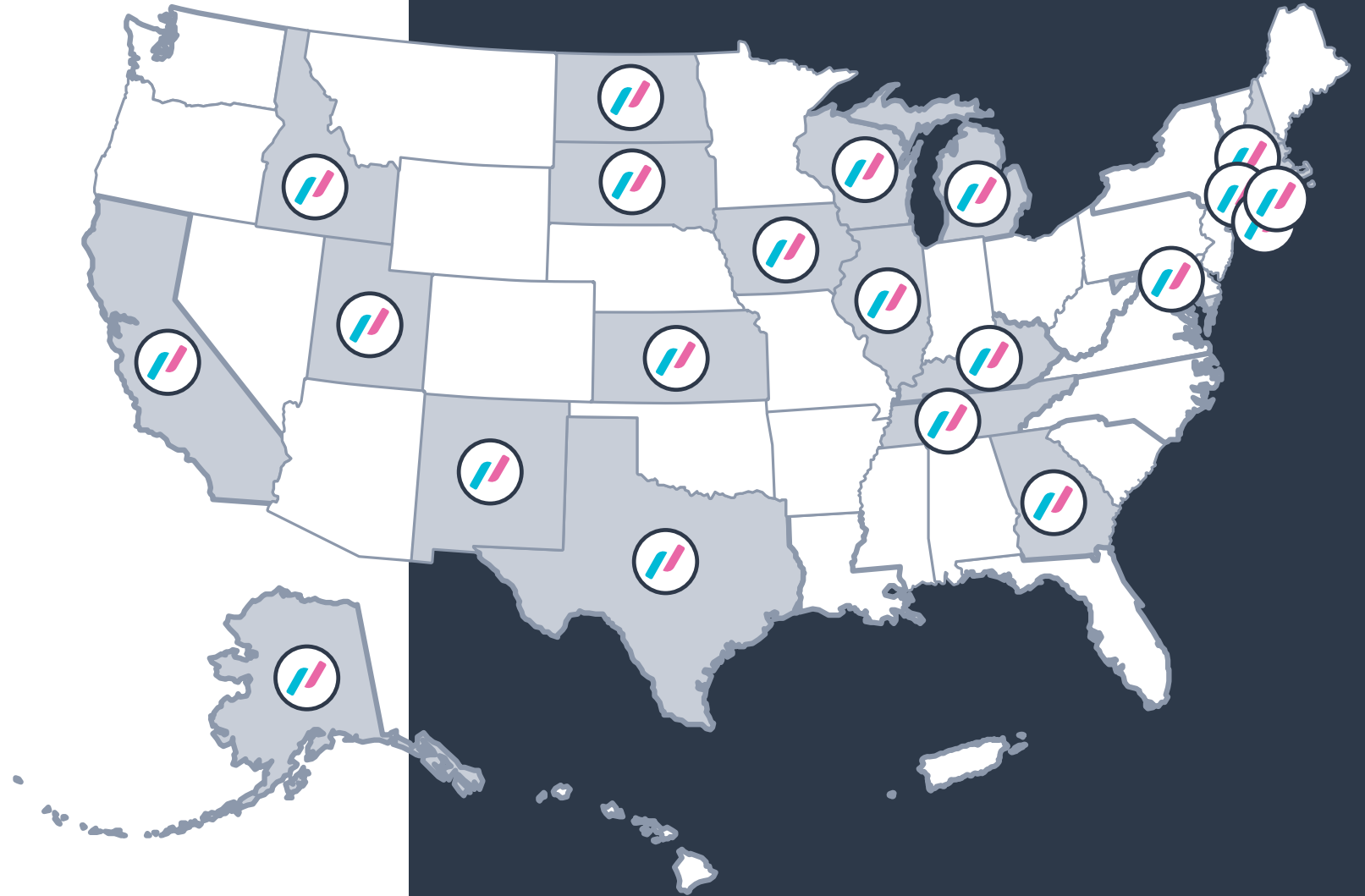


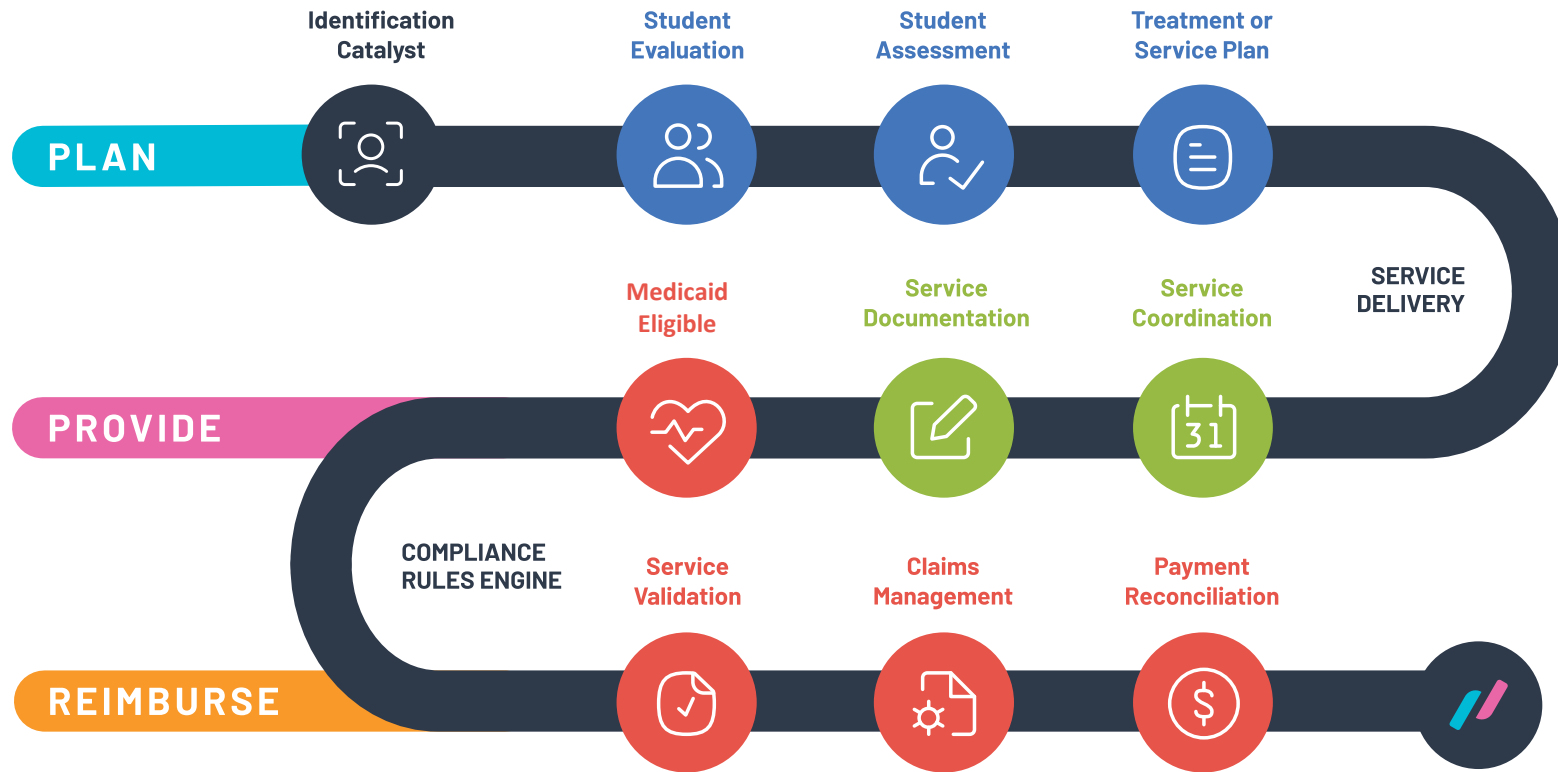
Relay is a School Based
Medicaid Workflow Solution.

22+ States

800+ District Nationwide

100+ Years of Combined School
Medicaid Experience





LEGEND



Student Support Solutions

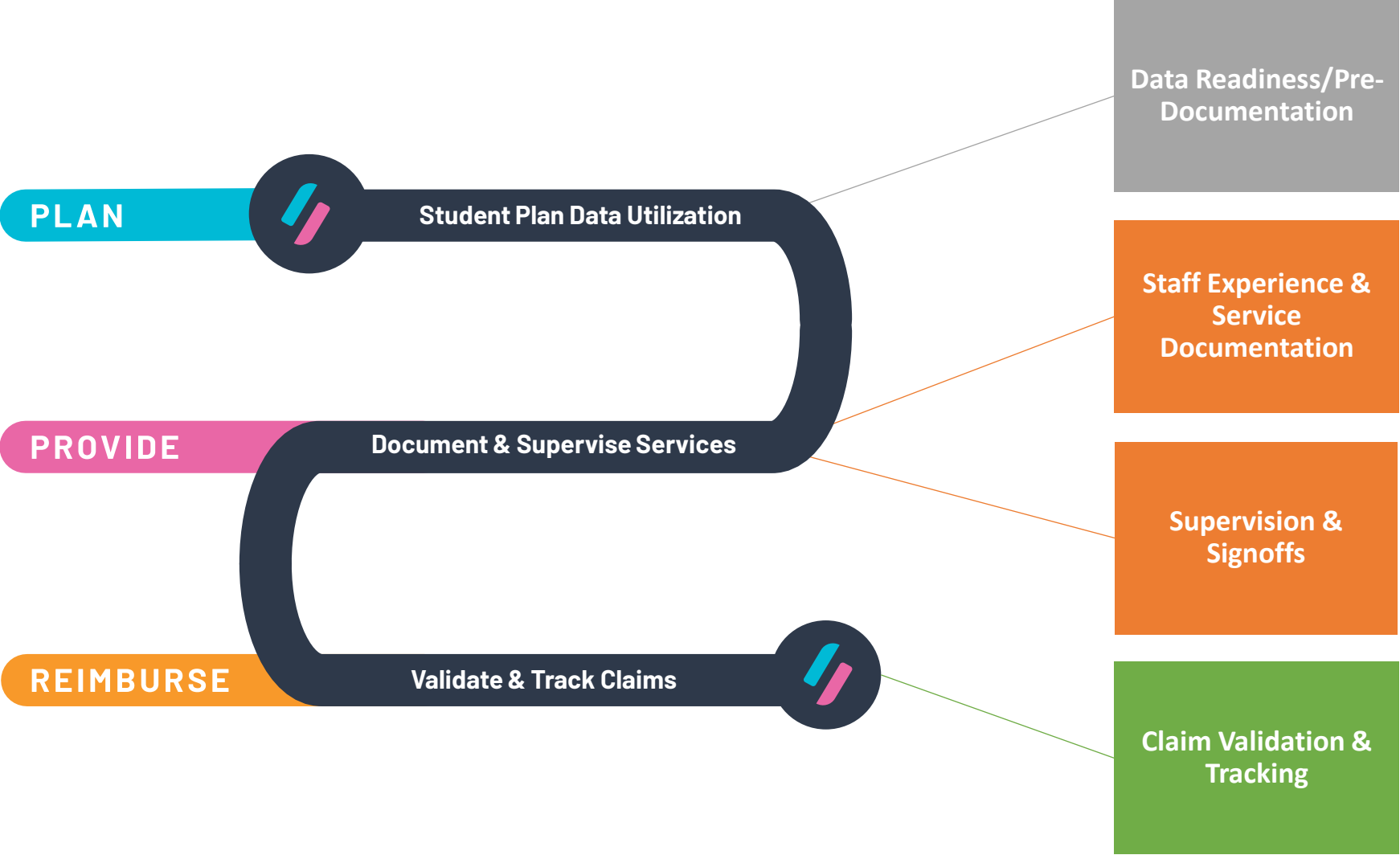


Service and Medicaid Intersection

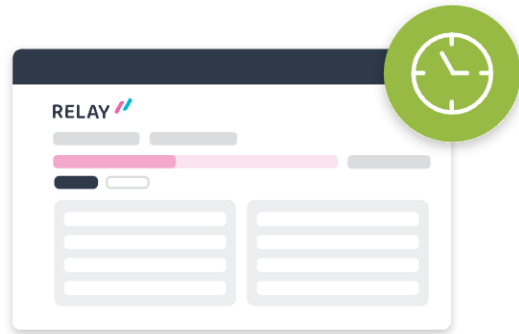


Medicaid Solutions

Medicaid Workflow – 3 Key Areas



Our Goal



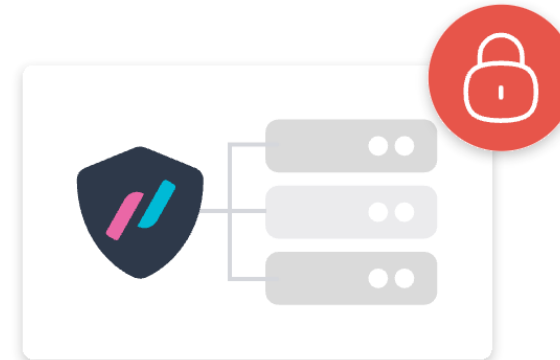
Speed Up Service Documentation



Understand Your Medicaid Program



Reduce Data Entry



Ensure Compliance and Student Privacy

Get Involved

Sign Up for
Medicaid 101 Webinar



Schedule a Medicaid Interview
with A Medicaid Liaison



Special Education Legislative Summit





Myrna R. Mandlawitz



Sasha Pudelski



Peter Zamora

Special
Education
Legislative
Summit 
July 9-12, 2023



ISSUE BRIEF: Appropriations

Sasha Pudelski, Peter Zamora, Myrna Mandlawitz

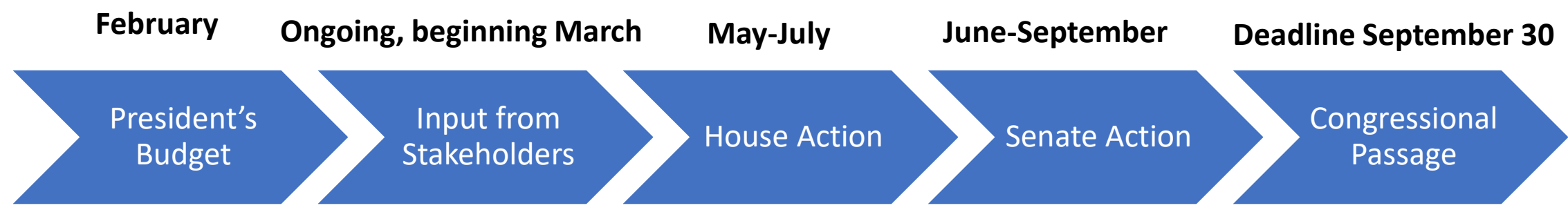
Agenda

- Appropriations “Process”
- Overview & Status of Federal Education Funding
- Peter: COVID “Emergency” Funding
- Sasha: IDEA/Special Education Dollars
- Our “Asks”
- Q & A

Appropriations vs. Authorization

- Authorization
 - Establishing/enacting a program and setting funding limits.
- Appropriation
 - Providing funds for an authorized program.

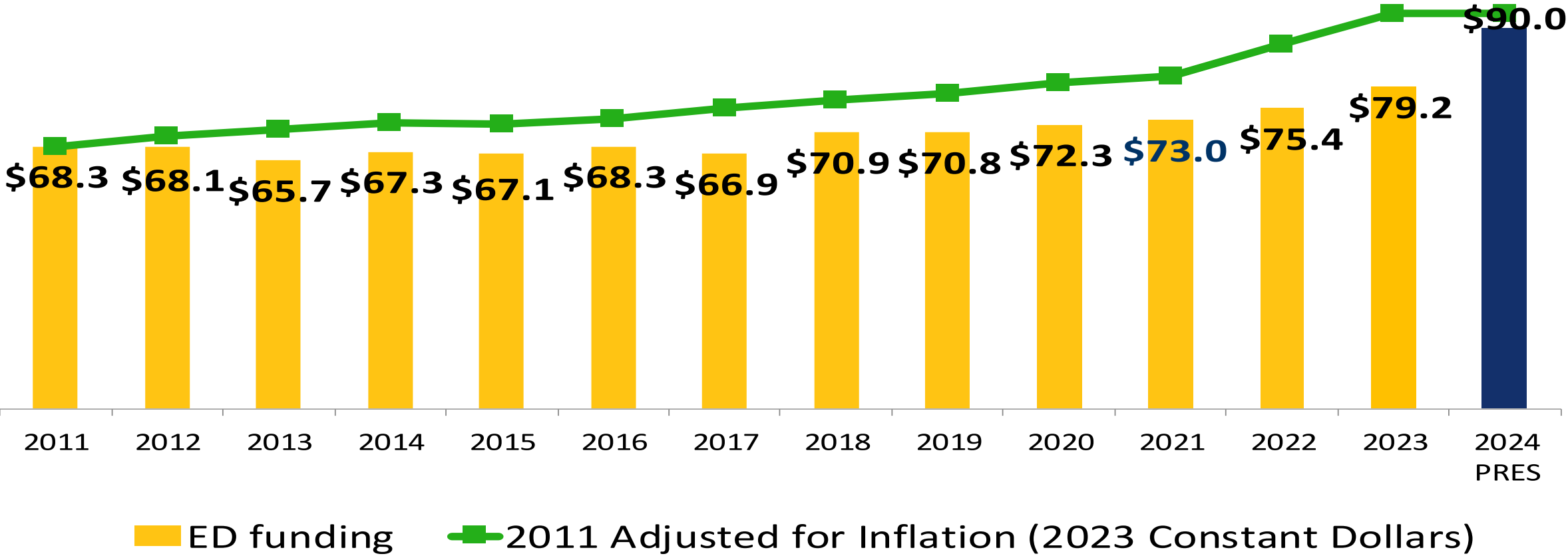
Typical Appropriations Schedule



But of course, NOTHING in DC is really “typical!”

President's FY 2024 Budget Has Big Education Funding Increase But is Still Below the 2011 Inflation-Adjusted Level

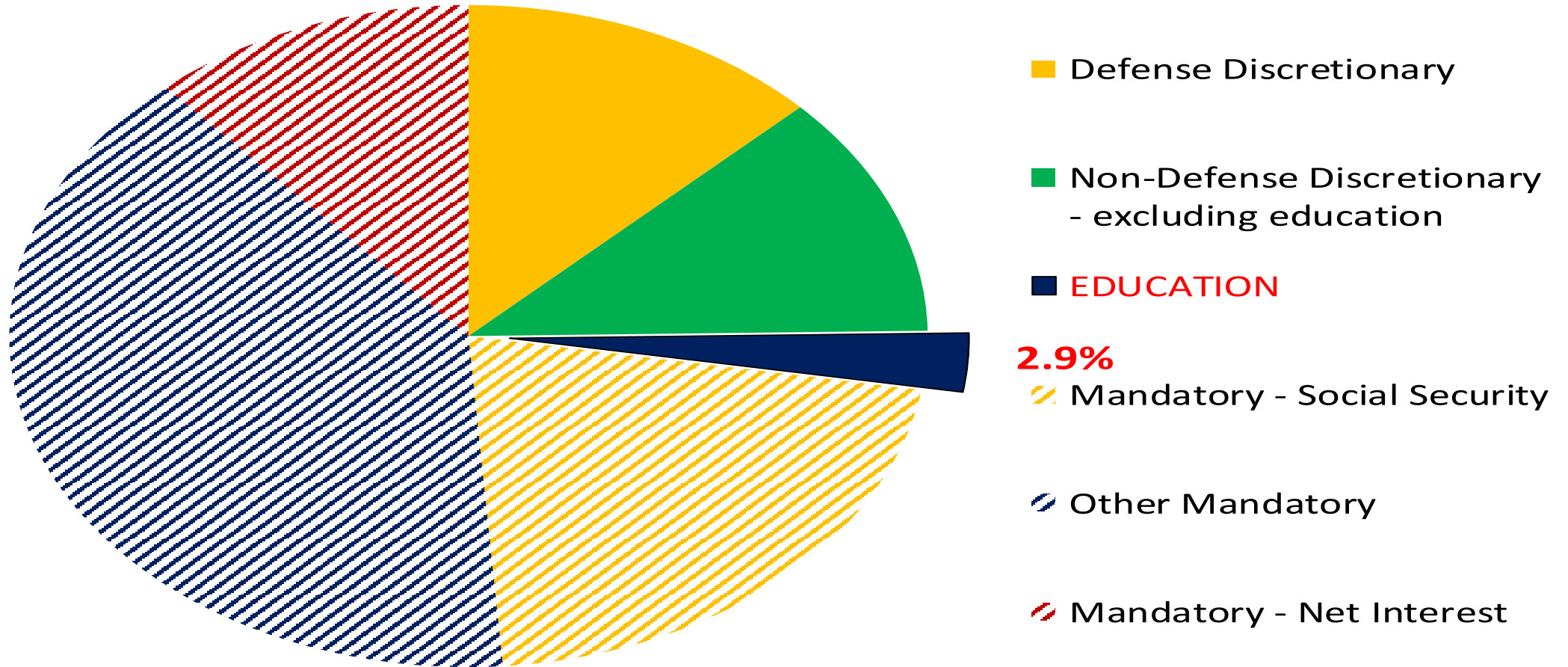
(Department of Education Discretionary Funding in Billions of Dollars)



2017, 2019, 2020, 2021, 2022 & 2023 totals reflect rescissions of Pell Grant funds

Education Accounts for 2.9% of President's 2024 Budget

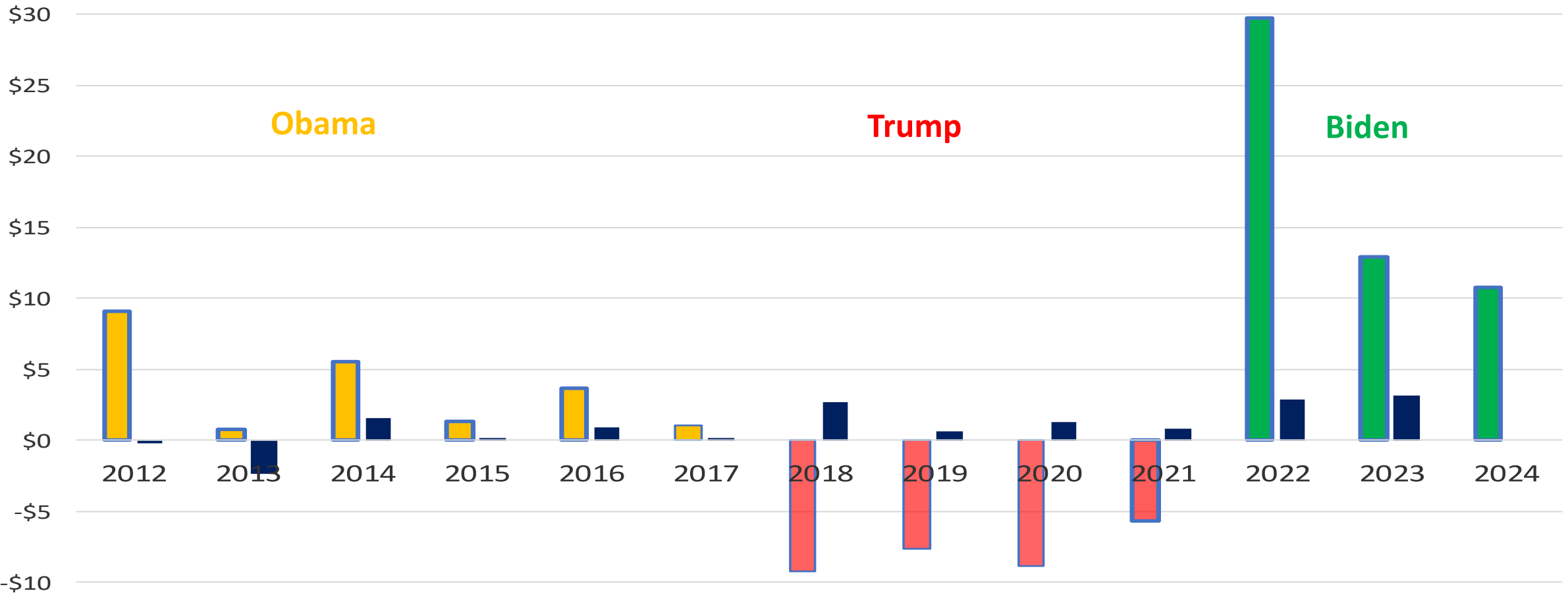
Outlays, Includes COVID-Relief Spending



- Defense Discretionary
- Non-Defense Discretionary - excluding education
- **EDUCATION**
- 2.9%**
- ▨ Mandatory - Social Security
- ▨ Other Mandatory
- ▨ Mandatory - Net Interest

Department of Education Funding: President's Requested Change vs Change Enacted

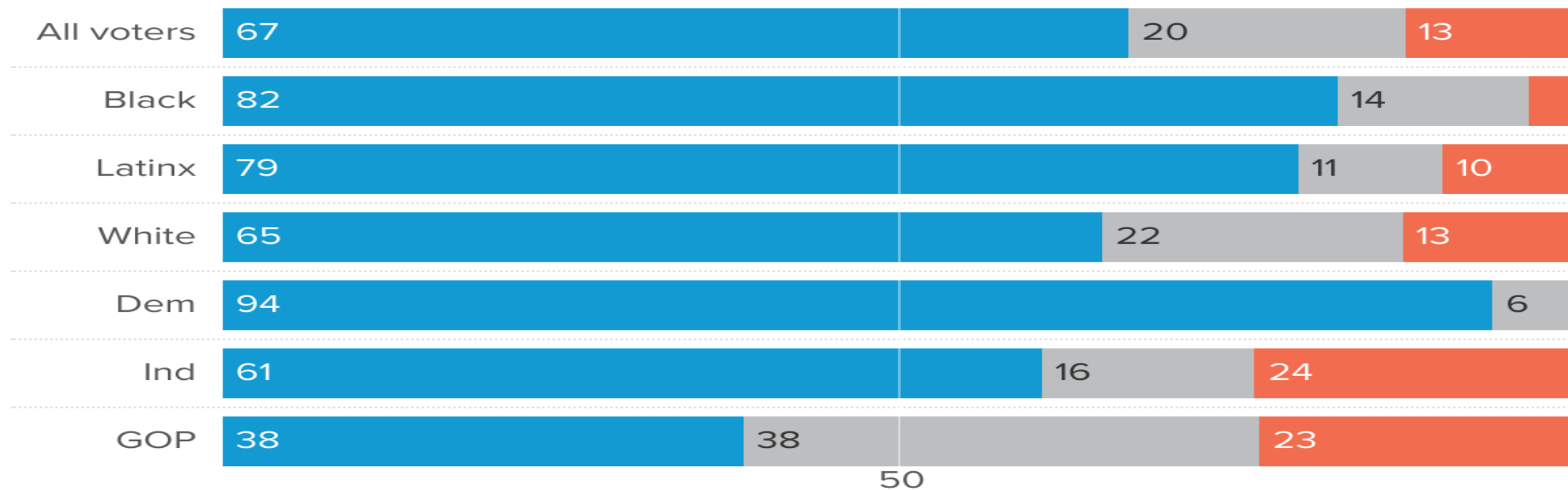
Billions of Dollars, Change vs Prior Year



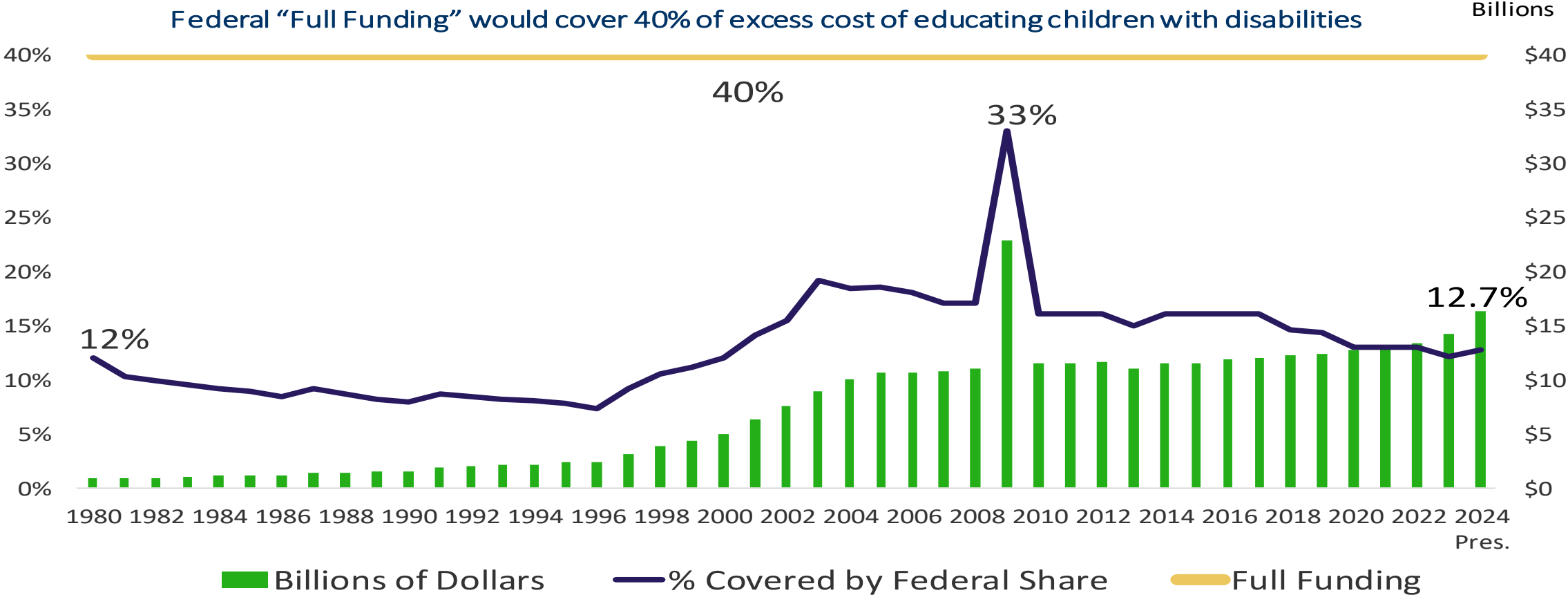
Two Thirds of Voters Believe the US Spends Too Little on Education

"Approximately 2% of the regular federal budget is spent on education. Do you think this amount is too little, about right, or too much?"

● Too little ● About right ● Too much Numbers are percents



Special Education: Federal Share Just at 1/3 of “Full Funding” with President’s Big 2024 Funding Increase, Leaving Cost Burden to State and Local Budgets



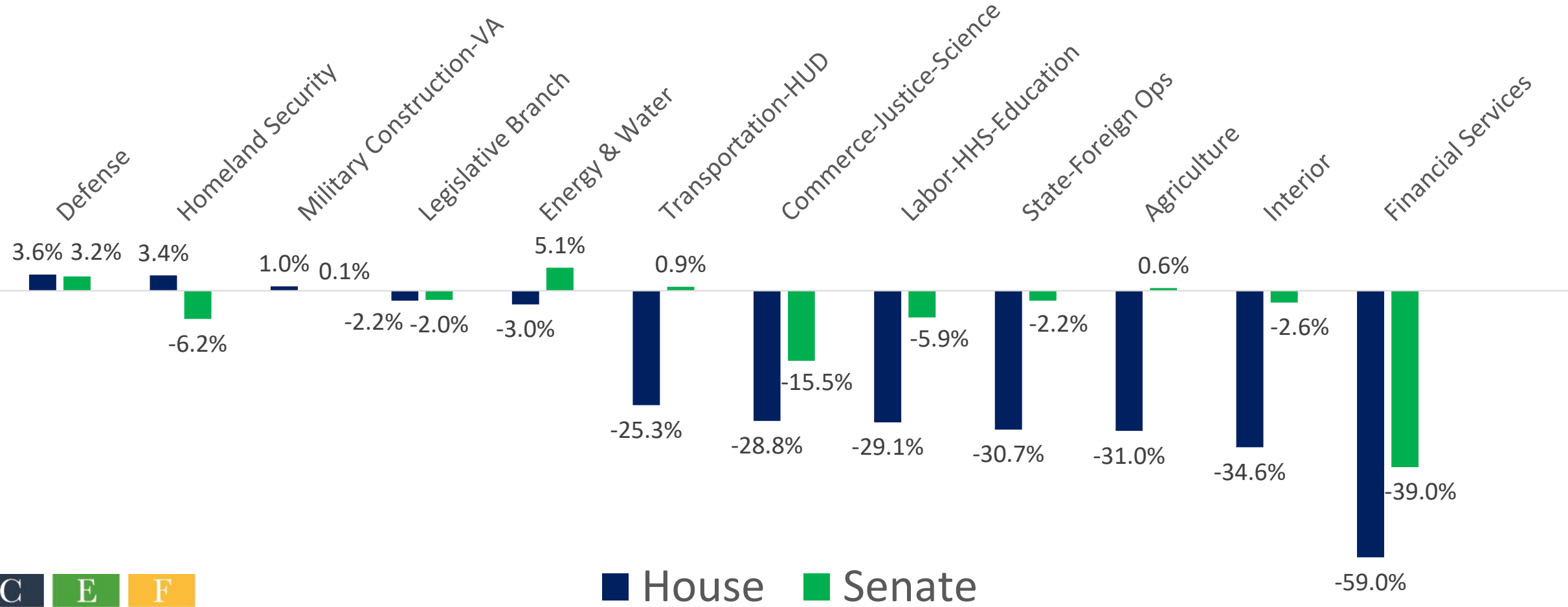
Now here's the REAL story....

Fiscal Responsibility Act – the “debt deal!”

- House: Cutting below funding caps for NDD allowed in the Act.
 - Labor-HHS-Education: Decreased by 29% (\$60.3 billion).
- Senate: Using caps and supplementing with other funds agreed to in unofficial side deal.
 - Labor-HHS-Education: Decrease of 6% (\$12.2 billion).
- Haven't seen programmatic funding levels, so don't know full impact.
- **Bottom line:** With spending caps between FY 2013-2021, education funding was cut and below starting point for many years.

House and Senate Appropriations Committees Plan Different Changes for FY 2024 Government Funding Bills

Percent Change from Current Funding Level



Levels reflect new discretionary budget authority vs FY 2023 funding



Myrna R. Mandlawitz



Sasha Pudelski



Peter Zamora

Our Appropriations “Asks”

- IDEA, Part B State Grants: No less than \$16.2 billion
- IDEA, Part C: \$932 million
- IDEA, Preschool (Sec. 619): \$503 million
- IDEA, Part D Personnel Preparation: \$300 million
- School-Based Health Professionals: \$1 billion
- National Center for Special Education Research: \$70 million
- Jacob K. Javits Gifted & Talented Grants: \$32 million

REMEMBER: Despite the politics, FOCUS on the “NEED!”



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Questions?



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How to Hug a Porcupine

*Building Relationships with Lawmakers and
Why It's Important*

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Bradford Fitch

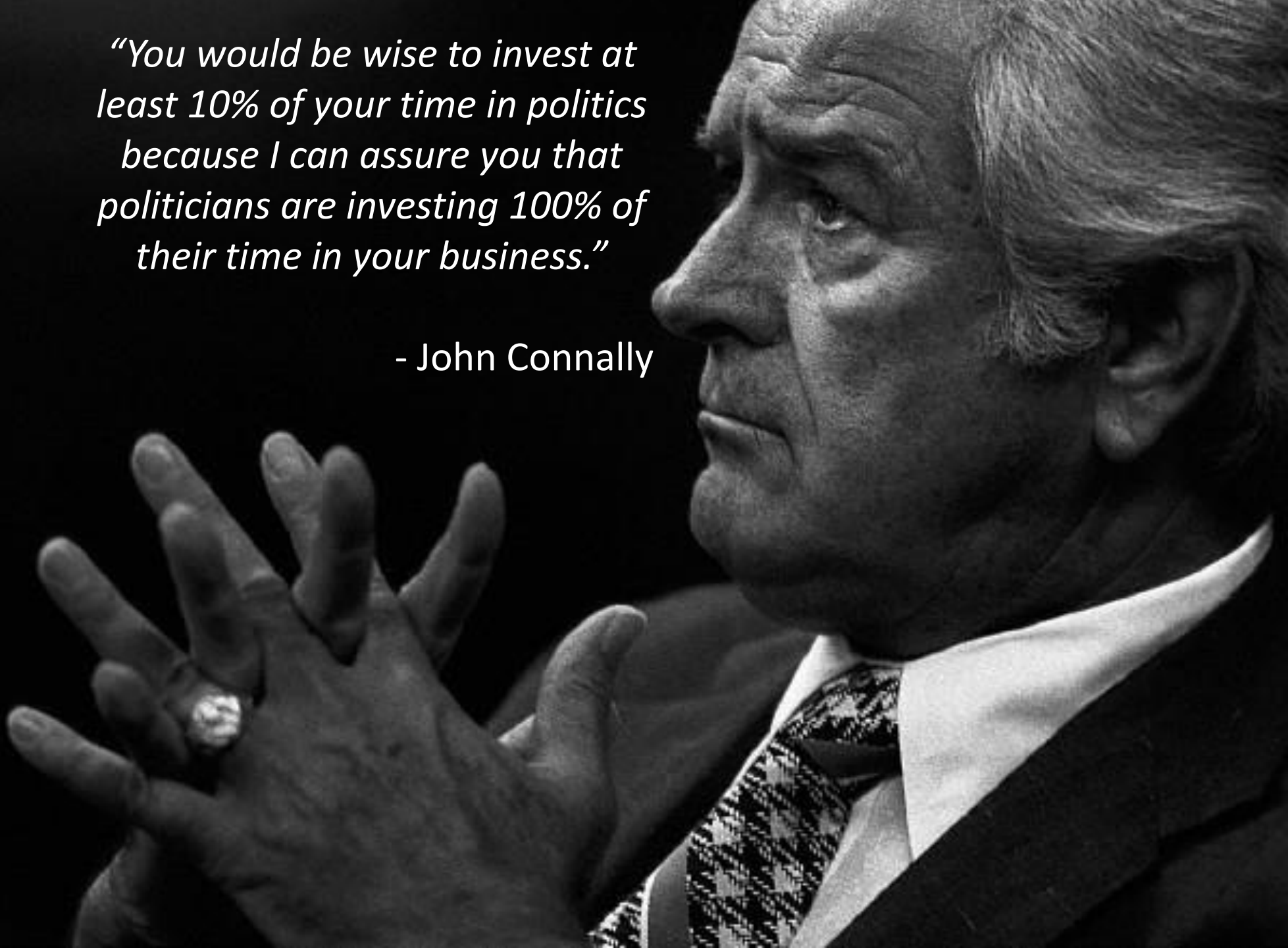
How to Hug a Porcupine

*Building Relationships with Lawmakers and
Why It's Important*



“You would be wise to invest at least 10% of your time in politics because I can assure you that politicians are investing 100% of their time in your business.”

- John Connally





A Bill of Rights

Article I

an
of grievance

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

a redress

by law.

Article IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger: nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty,

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Article VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Article X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.



Agenda/Learning Outcomes

- Congressional environment
- Advocacy tools to build relationships with lawmakers
- Tips for meeting with Members and staff

Congressional Environment

“Most members of Congress care about what their constituents think?”

(Rasmussen National Survey)

11%



*“Congress cares what
constituents think.”*
- Public Opinion



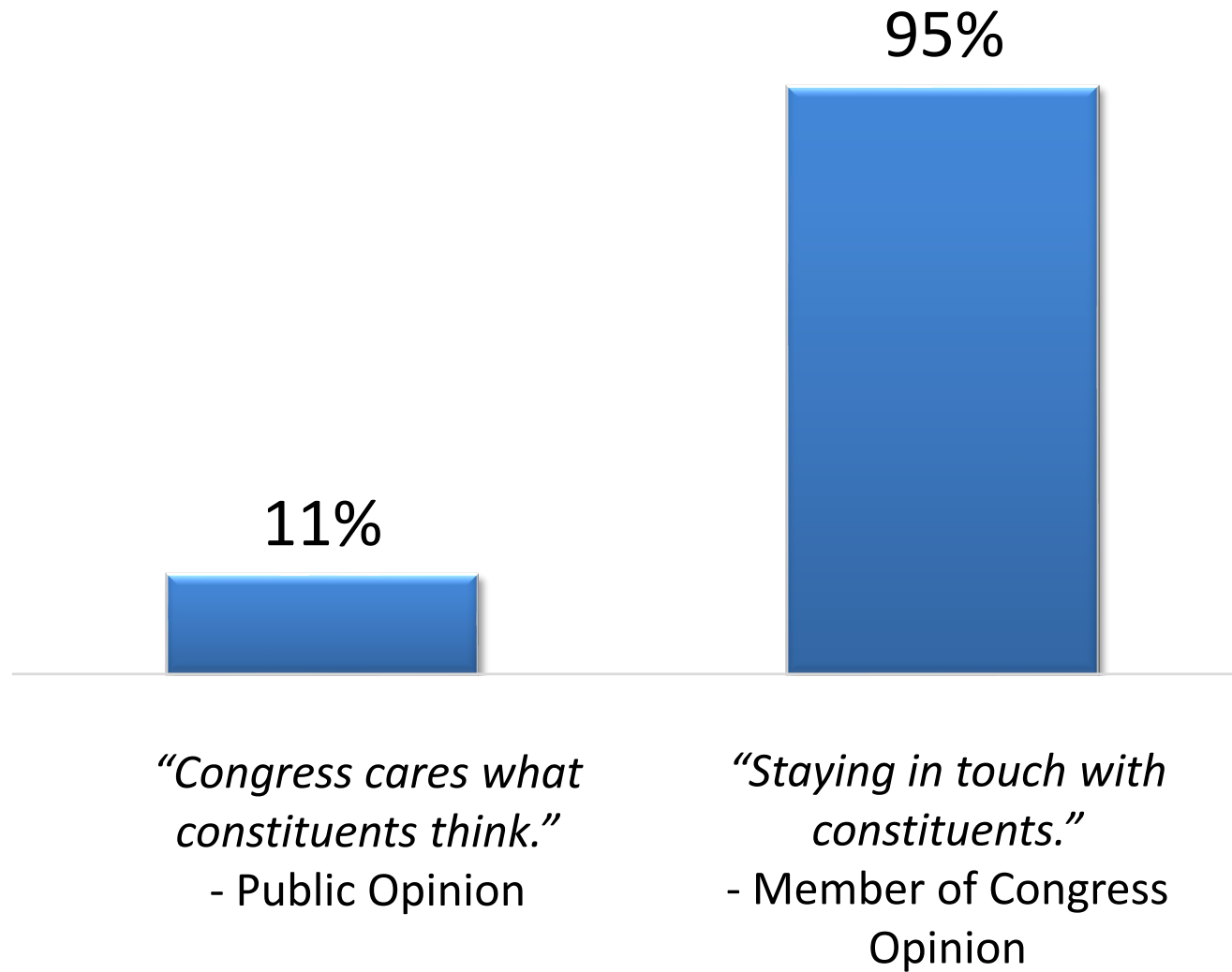
HOUSE  *of* CARDS

“Most members of Congress care about what their constituents think?”

(Rasmussen National Survey)

“Please rate how important these job aspects are for your effectiveness as a Representative”

(Congressional Management Foundation Survey of U.S. House of Representatives Members)



11%

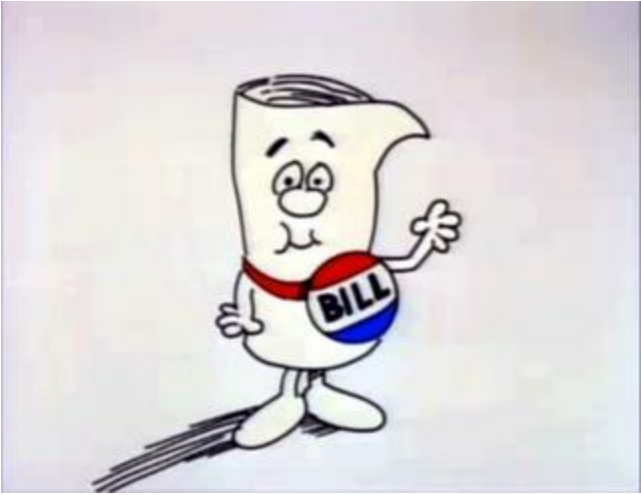
95%

“Congress cares what constituents think.”
- Public Opinion

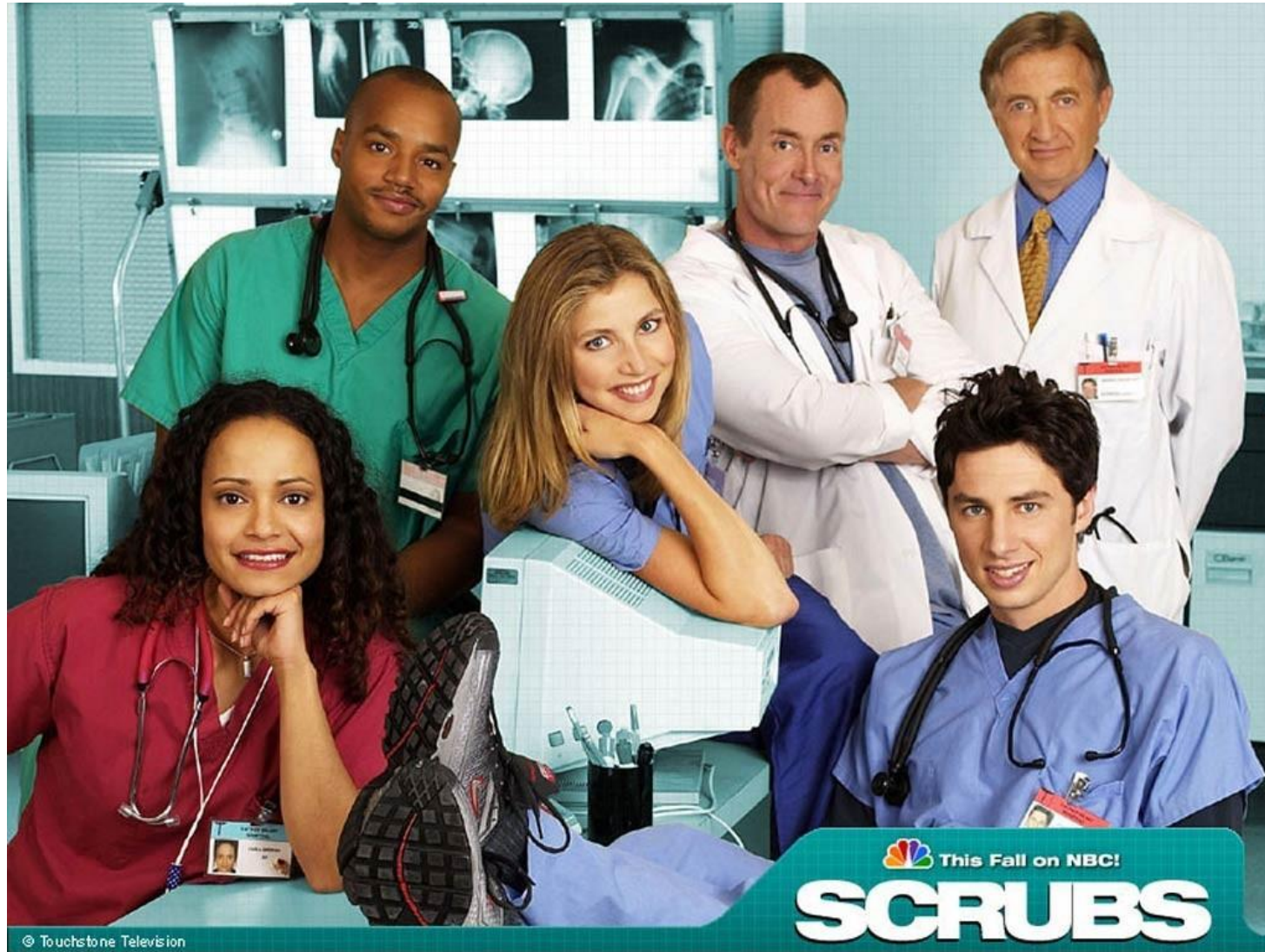
“Staying in touch with constituents.”
- Member of Congress Opinion



HOUSE  of CARDS

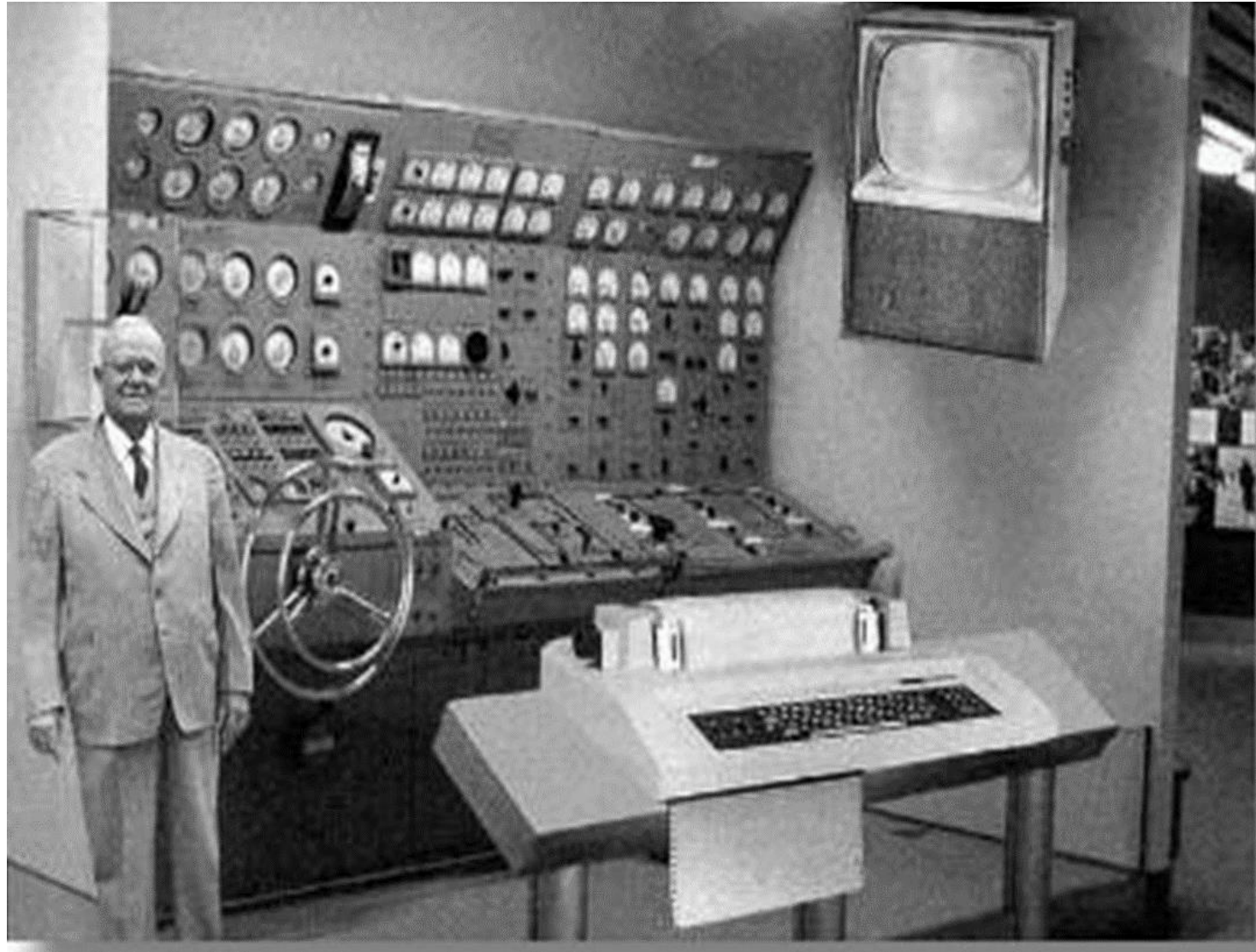






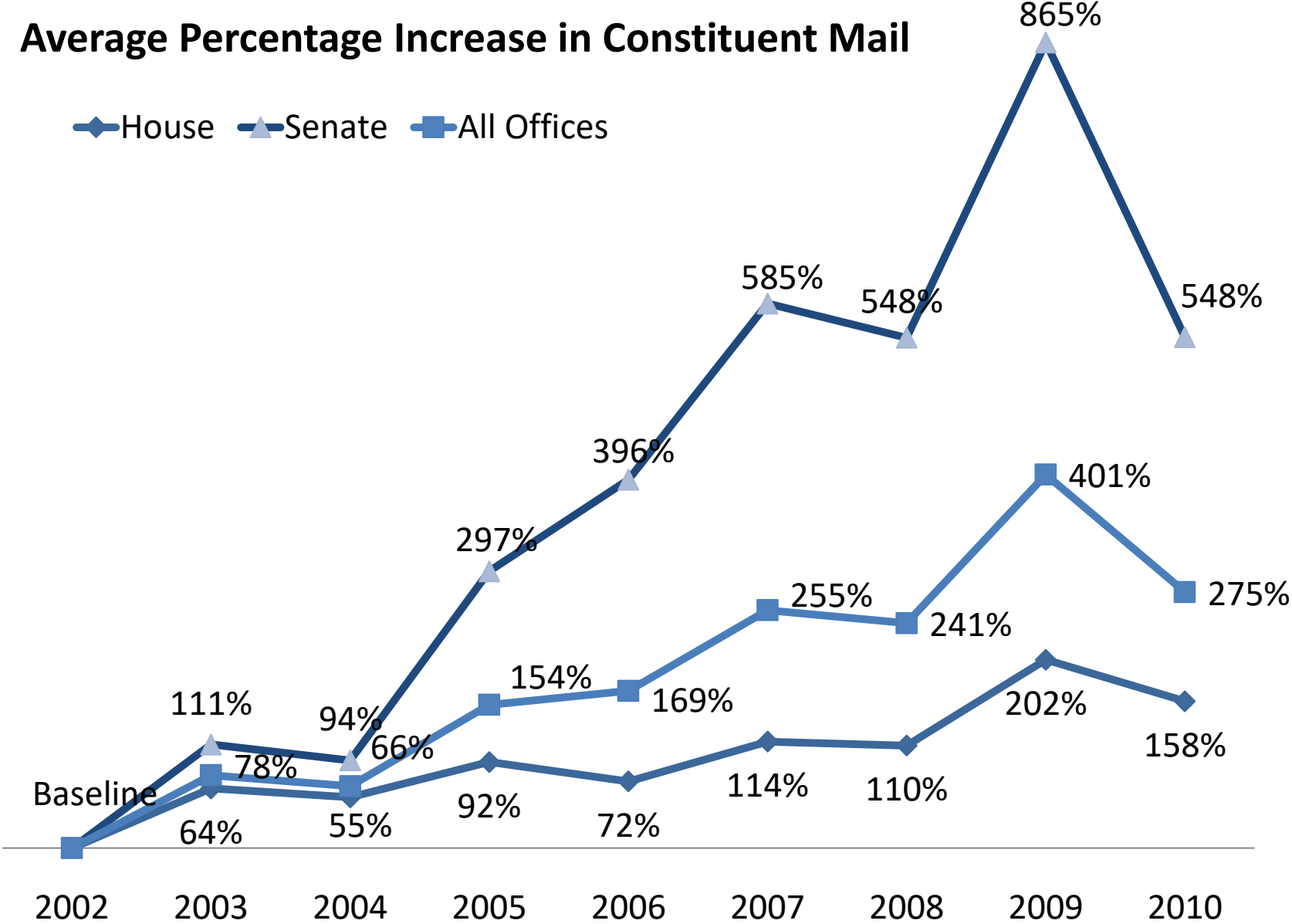
© Touchstone Television

This Fall on NBC!
SCRUBS

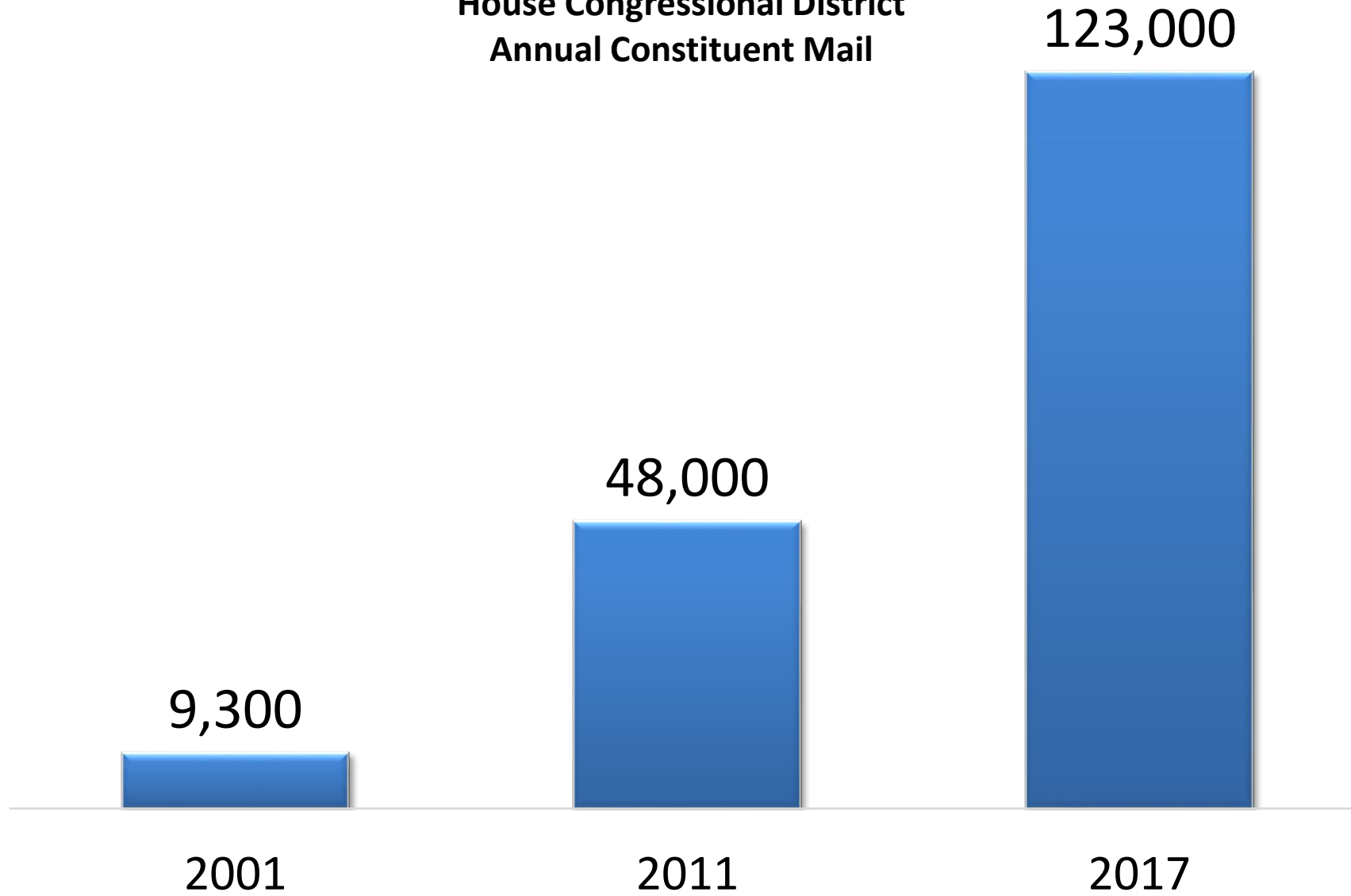


Average Percentage Increase in Constituent Mail

◆ House ▲ Senate ■ All Offices



**House Congressional District
Annual Constituent Mail**

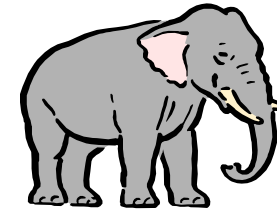


“I have told paid lobbyists for years that any lobbyist worth his salt will concentrate on getting my constituents to tell me what they think...not what he thinks. He better spend his time getting them to write me because that’s what I listen to.”

- Republican Senator

Who & What Does Congress Listen To?

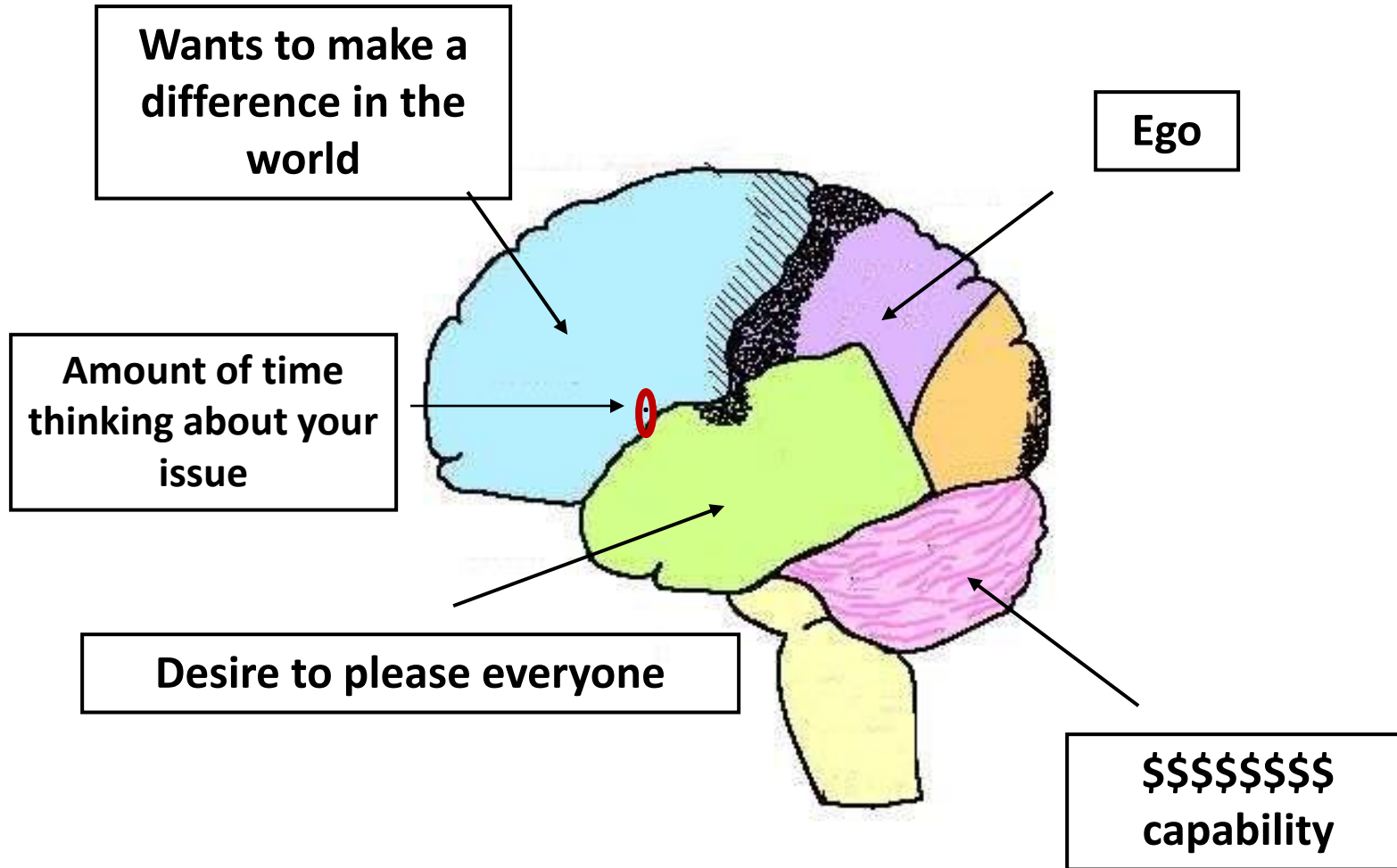
- Expert Constituents
- Passionate Constituents
- Angry Constituents
- Influential Constituents
- Conscience



“The most effective way to influence a lawmaker is for a constituent to talk to a legislator about how the policy will affect the person or a particular group.”

- House Democrat

Your Member of Congress' Brain



Advocacy Tools to Build Relationships with Lawmakers

The Washington Post

Q: How has lobbying changed during your time at NFIB?

A: “The grassroots back home — putting a real face on complicated issues. Real people on Main Street saying, “I’m Betty’s Flowers, this is why this is important to me.” That’s even more important now.”



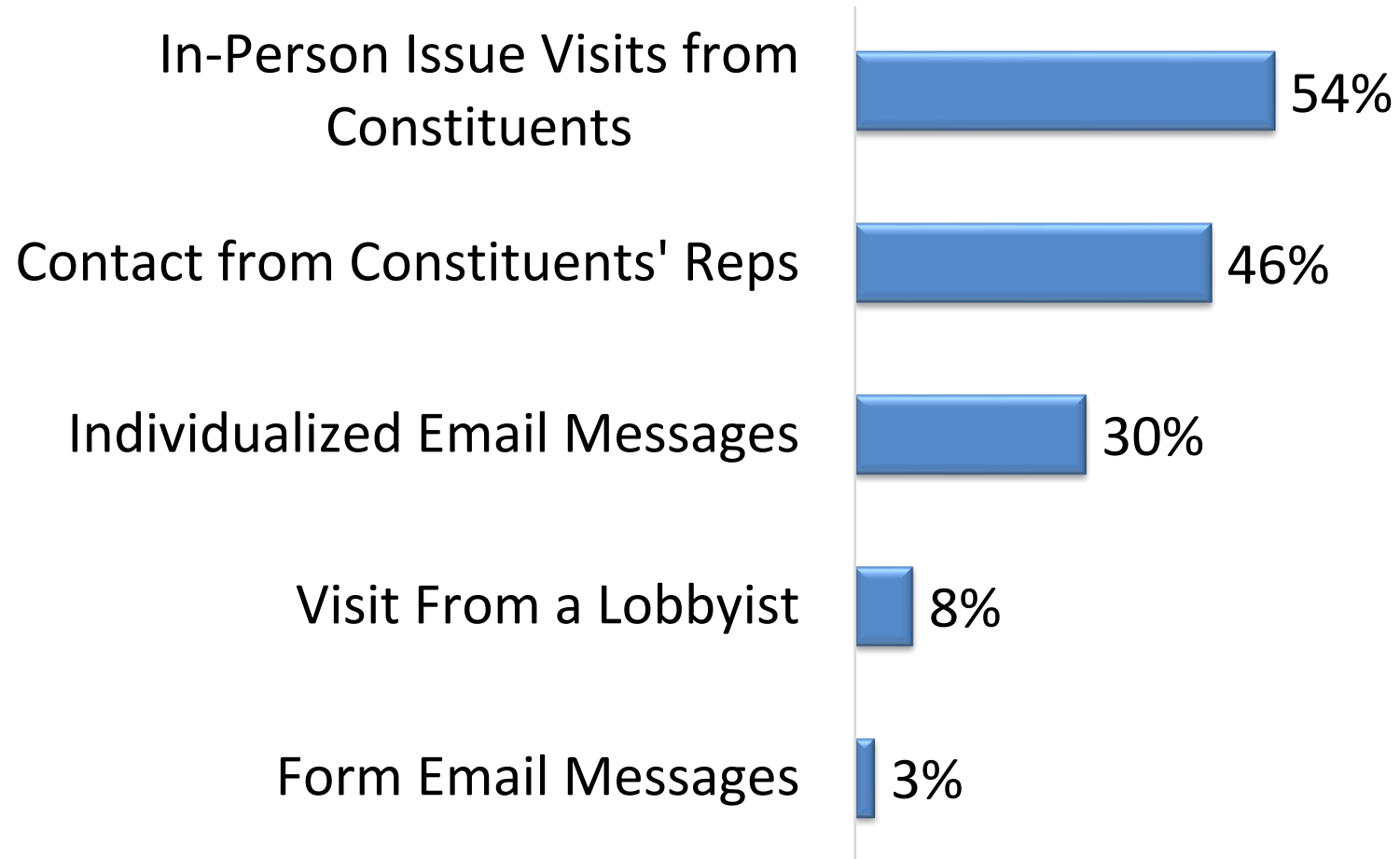
Dan Danner
1998-2016



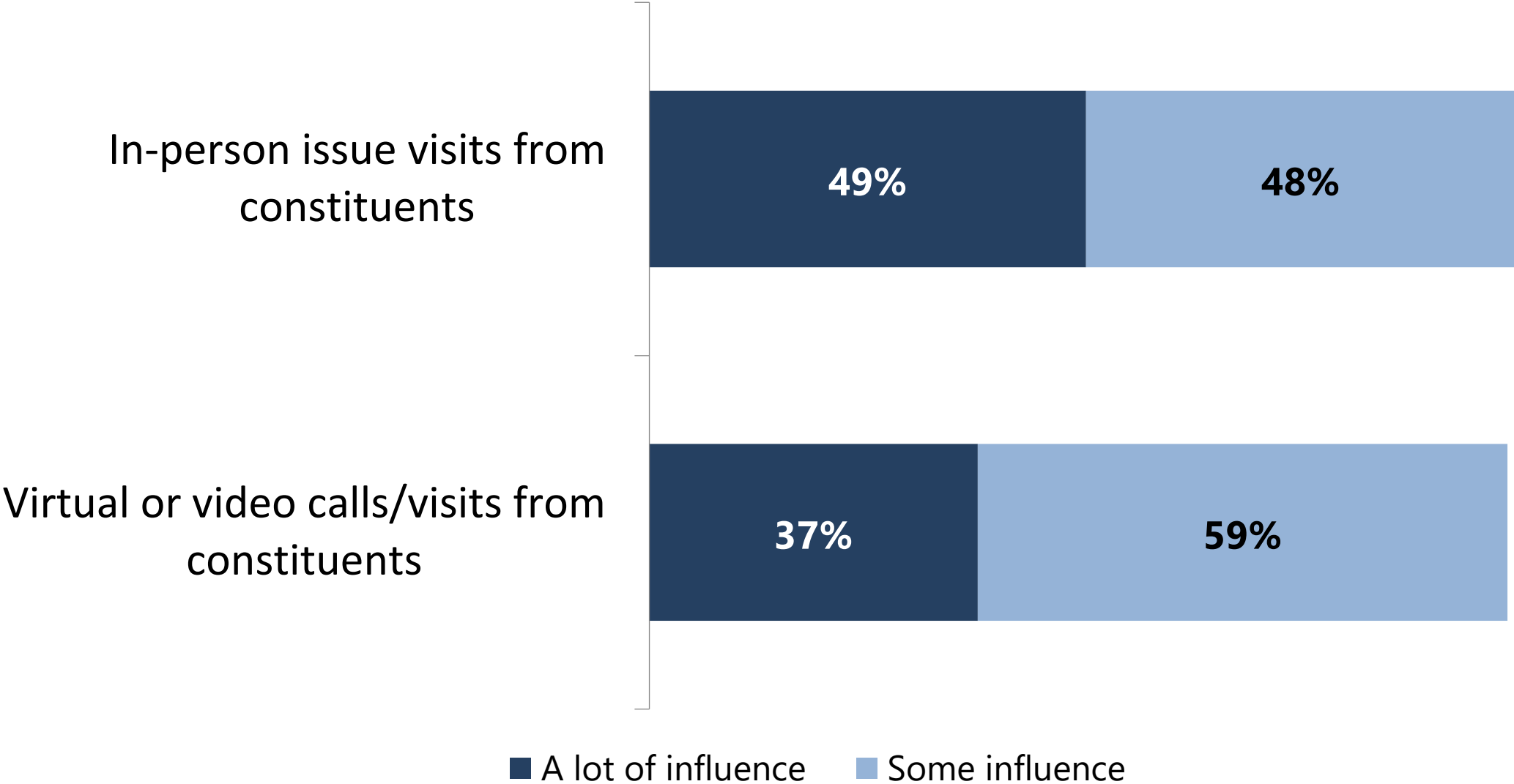
Congressional Staff Survey

If your Member/Senator has not already arrived at a firm decision on an issue, how much influence might the following advocacy strategies directed to the Washington office have on his/her decision?

“A Lot” of Influence



Virtual vs. In-Person

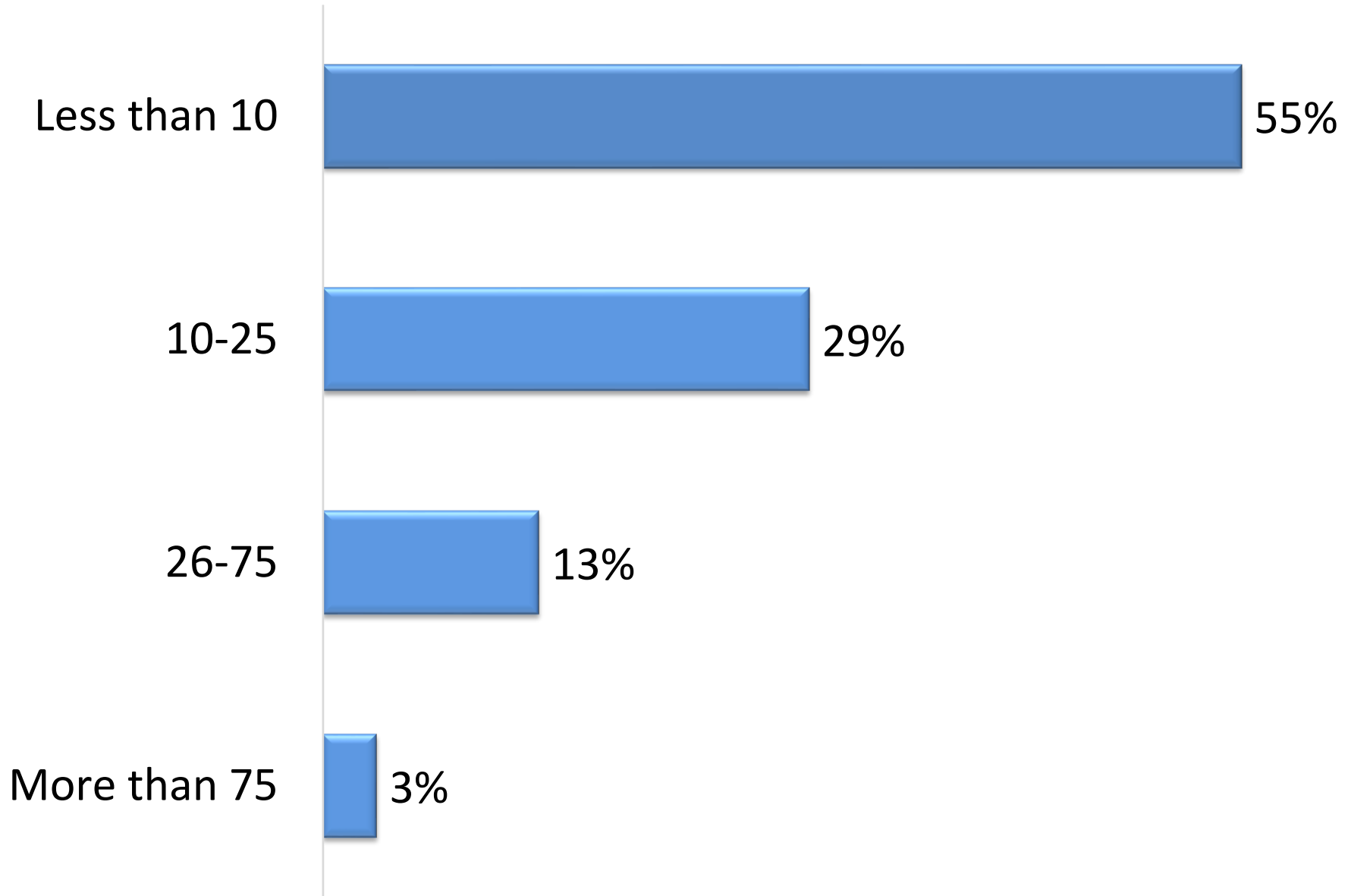


“Our Member is excited to continue video conferencing for outreach, regardless of the pandemic.”

– House Chief of Staff

Congressional Staff Survey

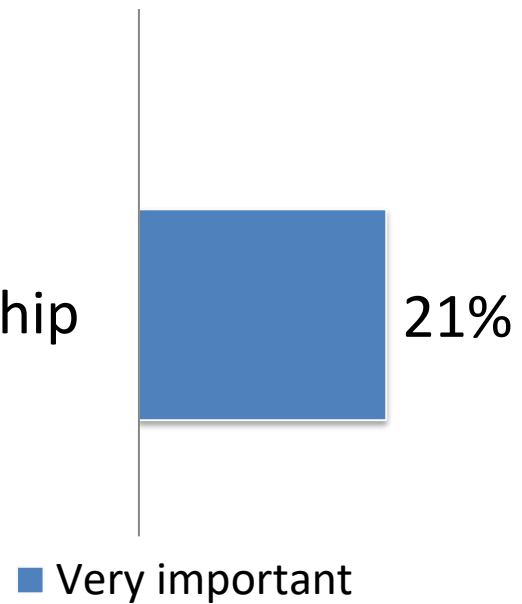
If your Member has not arrived at a firm decision on an issue, approximately how many email messages from people who represent many constituents (e.g., organization leader, elected official, business owner) does it take for your office to consider taking the action requested?



Congressional Staff Survey

When making a recommendation to your boss on a vote or co-sponsorship, how important are the following in your decision-making process?

Position of our congressional leadership

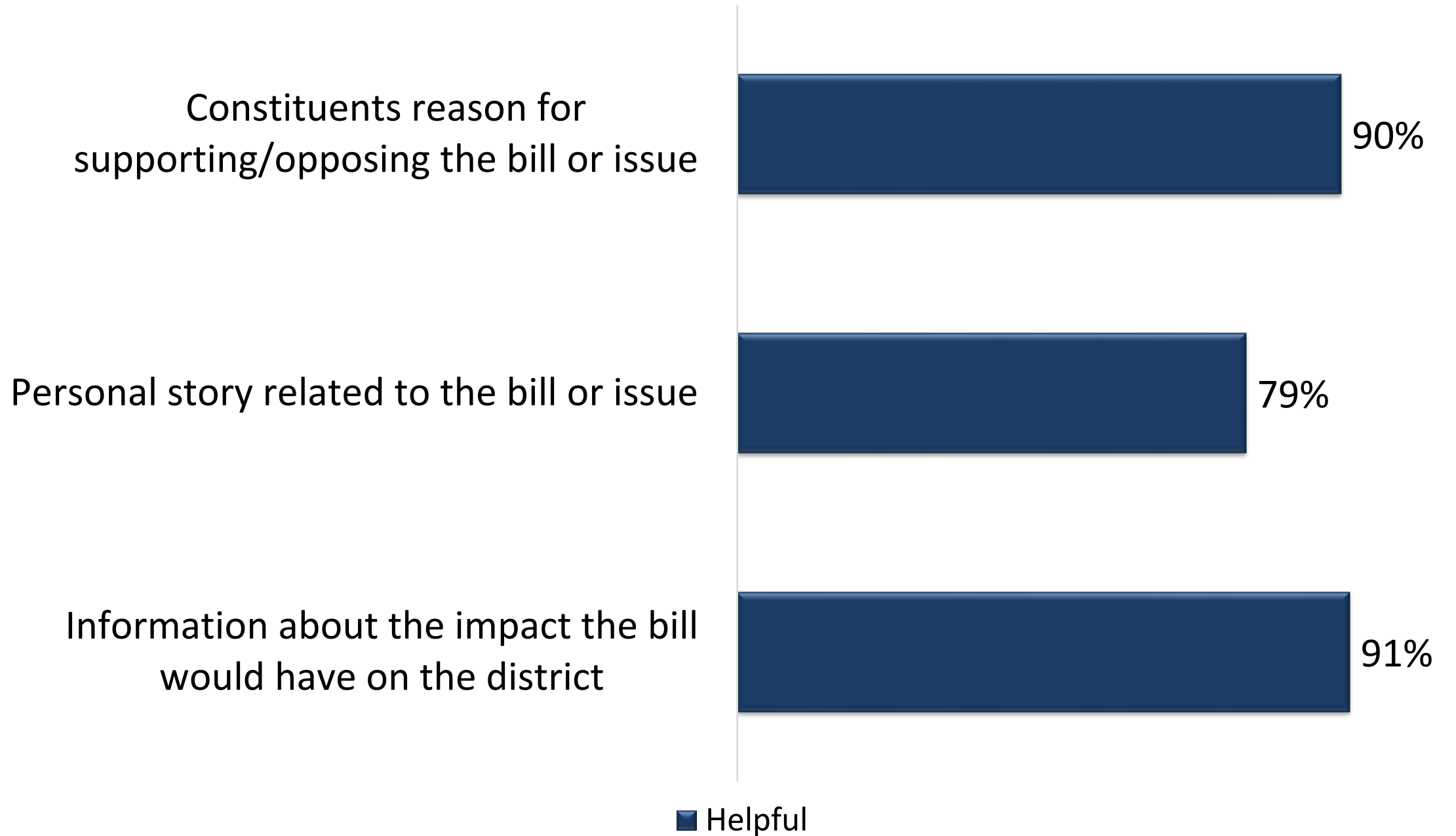


“My boss rarely acts if there isn't an impact on his district. Show me a connection as to how your issue directly affects our constituents.”

—House Legislative Assistant

Congressional Staff Survey

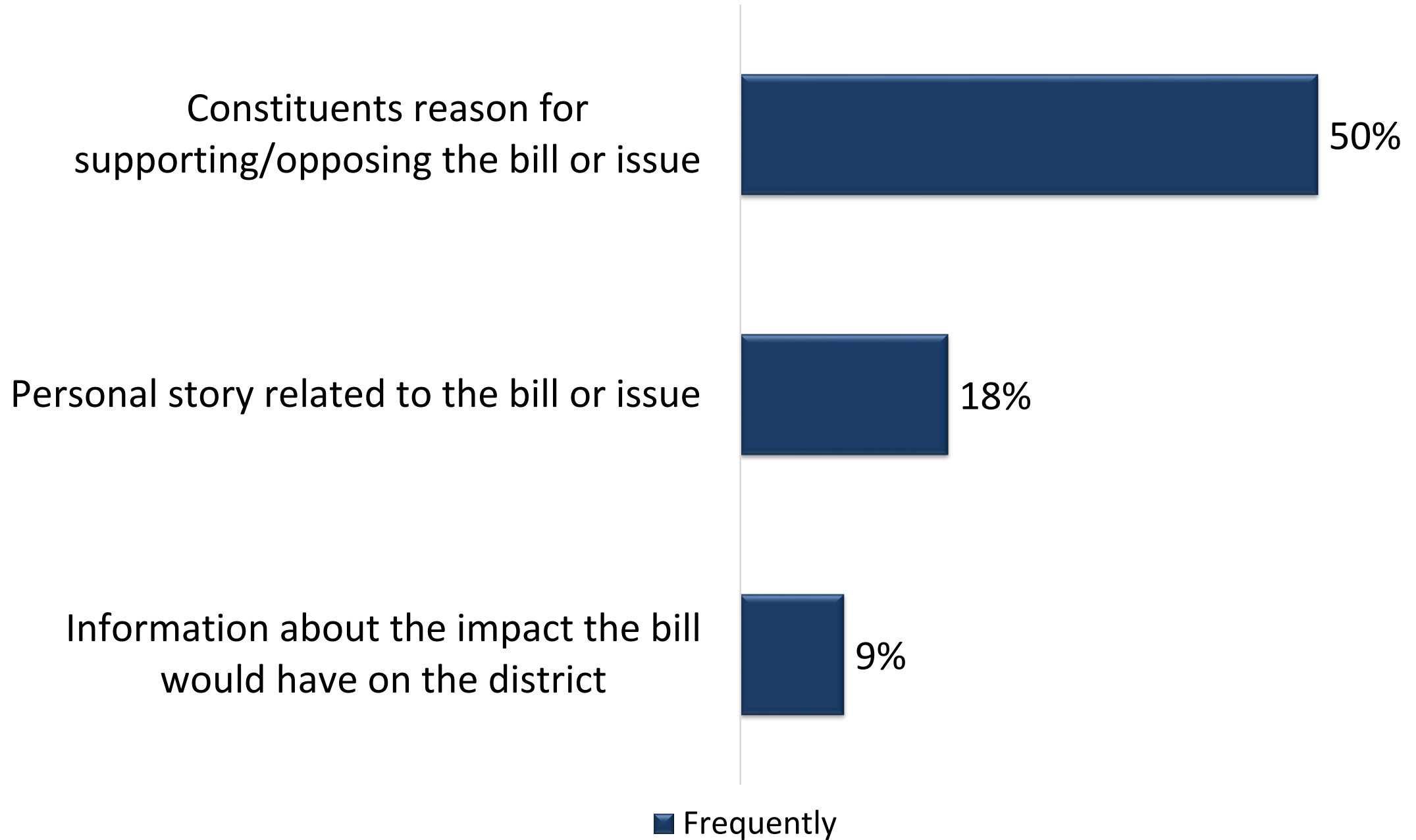
“How helpful is it for messages from constituents include the following?”

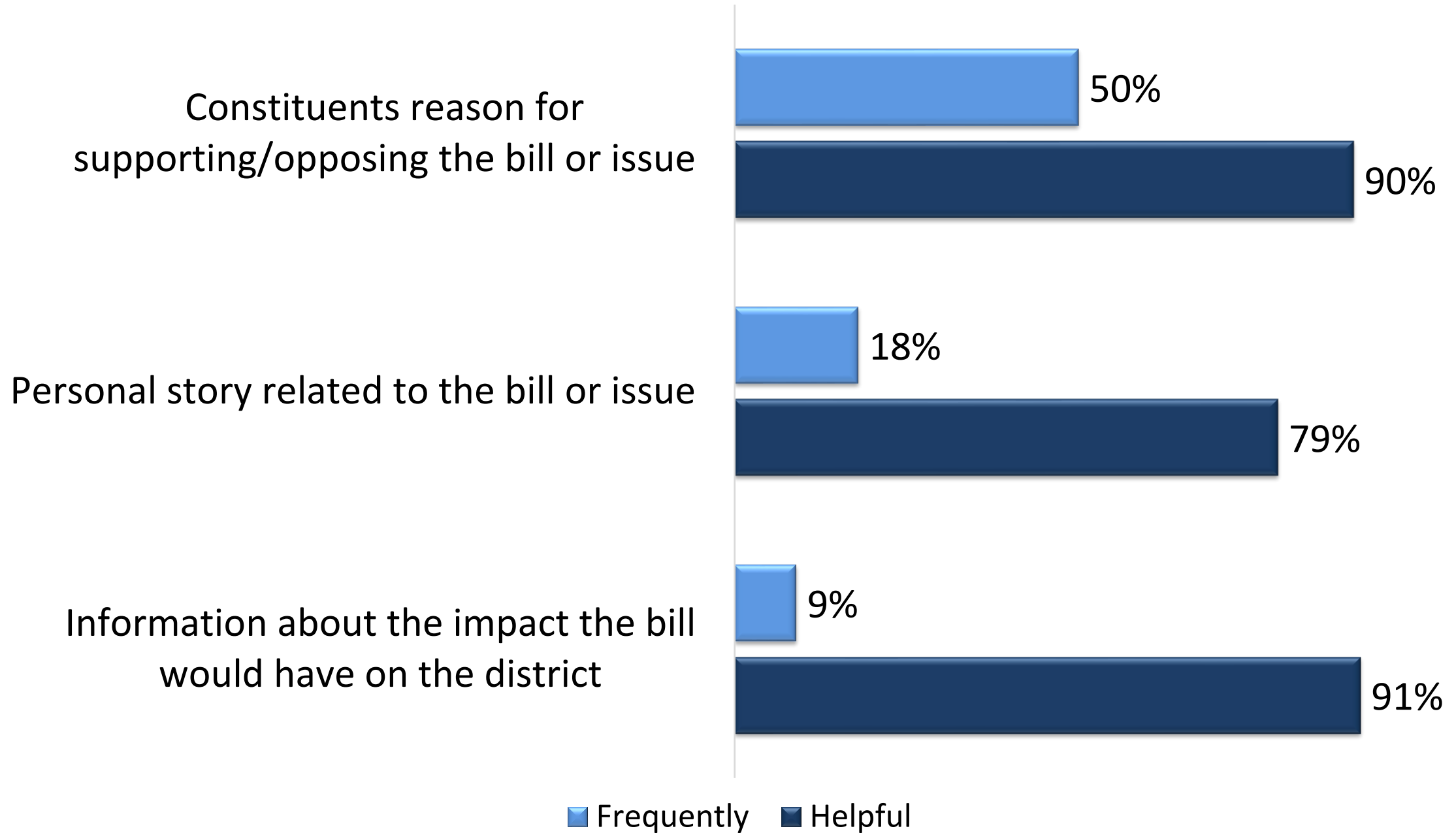


Congressional Staff Survey

“How helpful is it for messages from constituents to include the following?”

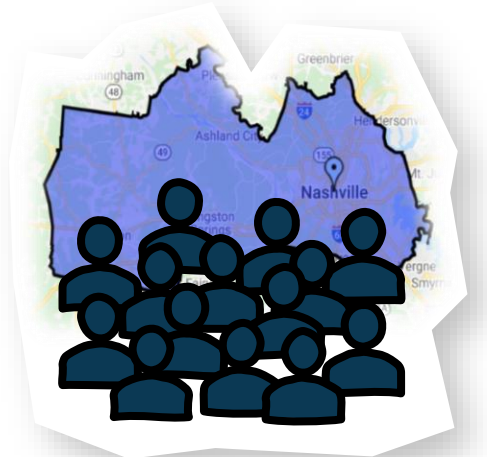
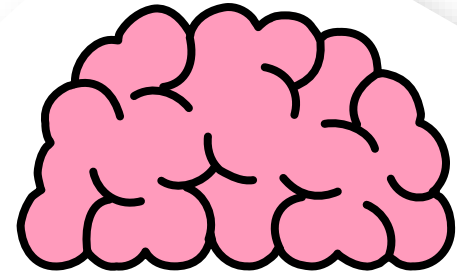
“How frequently do messages from constituents include the following?”





Build the “3 H’s” – Head, Heart, Health

- Head: Reasoning on Issue
- Heart: Emotional Connection
- Health: Impact on District or State



Local Impact

- Total Investment
- Number of Students/Teachers
- Lost Learning
- Multiplier Effects – Impact on Family
- Benefit to the Taxpayer

H.R.2784

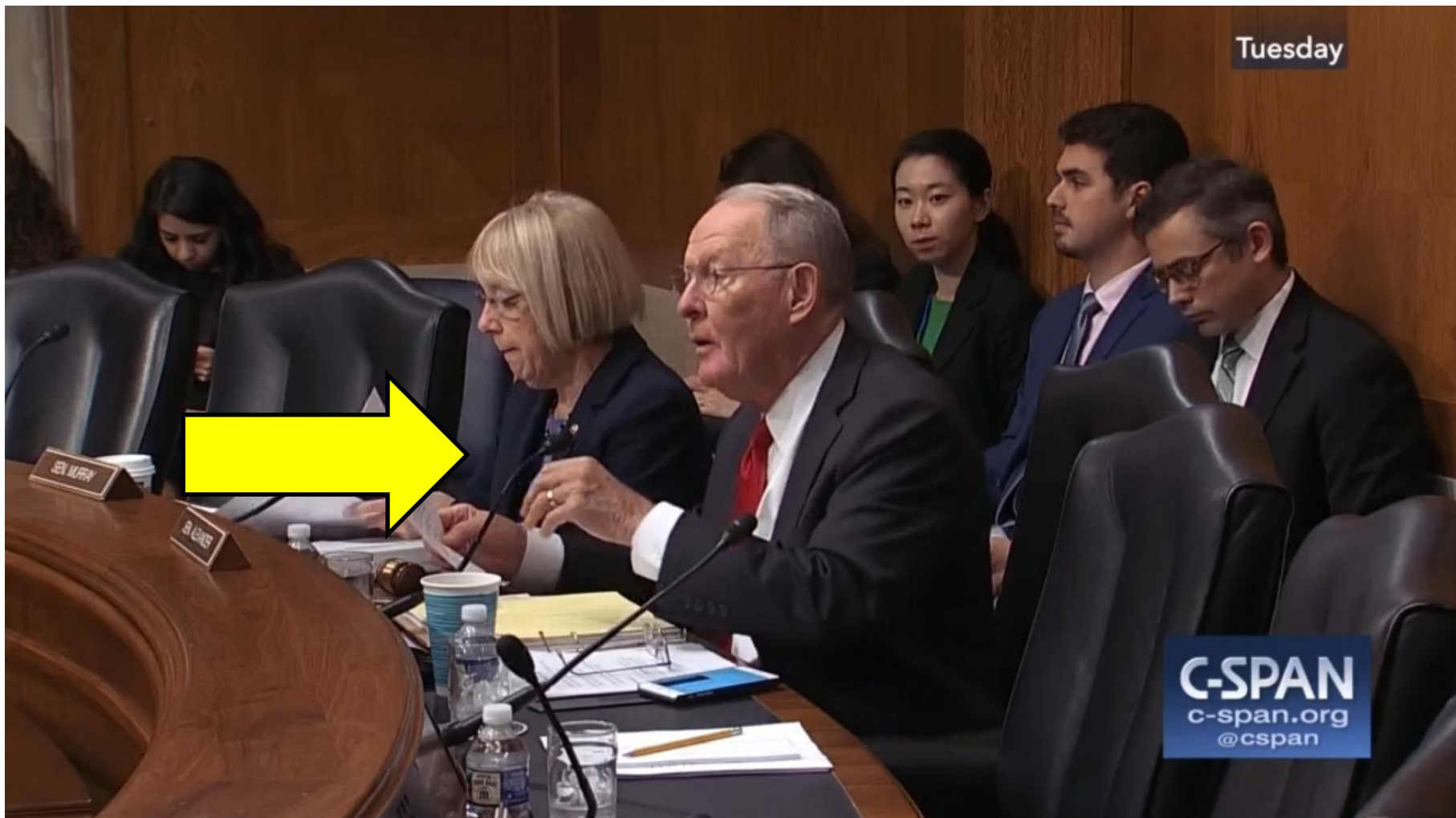
**“No Private Contracts To Be Negotiated
When the Patient Is Buck Naked Act”**

SEC. 3 CERTAIN SITUATIONS WHERE IT IS NOT APPROPRIATE TO NEGOTIATE A PRIVATE CONTRACT

To promote equality in the negotiation of private contracts, the Secretary of the Department of Health and Human Services shall issue regulations prohibiting the discussion or signing of private contracts at any time—

- (a) the patient is buck naked and the doctor is fully clothed (and conversely, to protect the rights of doctors, when the patient is fully clothed and the doctor is naked);
- (b) the patient is wearing one of those short, flimsy little hospital gowns that don't close in the back;
- (c) during any sigmoidoscopic or proctoscopic examination of the gastrointestinal tract or a digital rectal examination of the prostate;

Build Relationships with Staff



Build Relationships with Staff

Average Age of House
Legislative Assistant

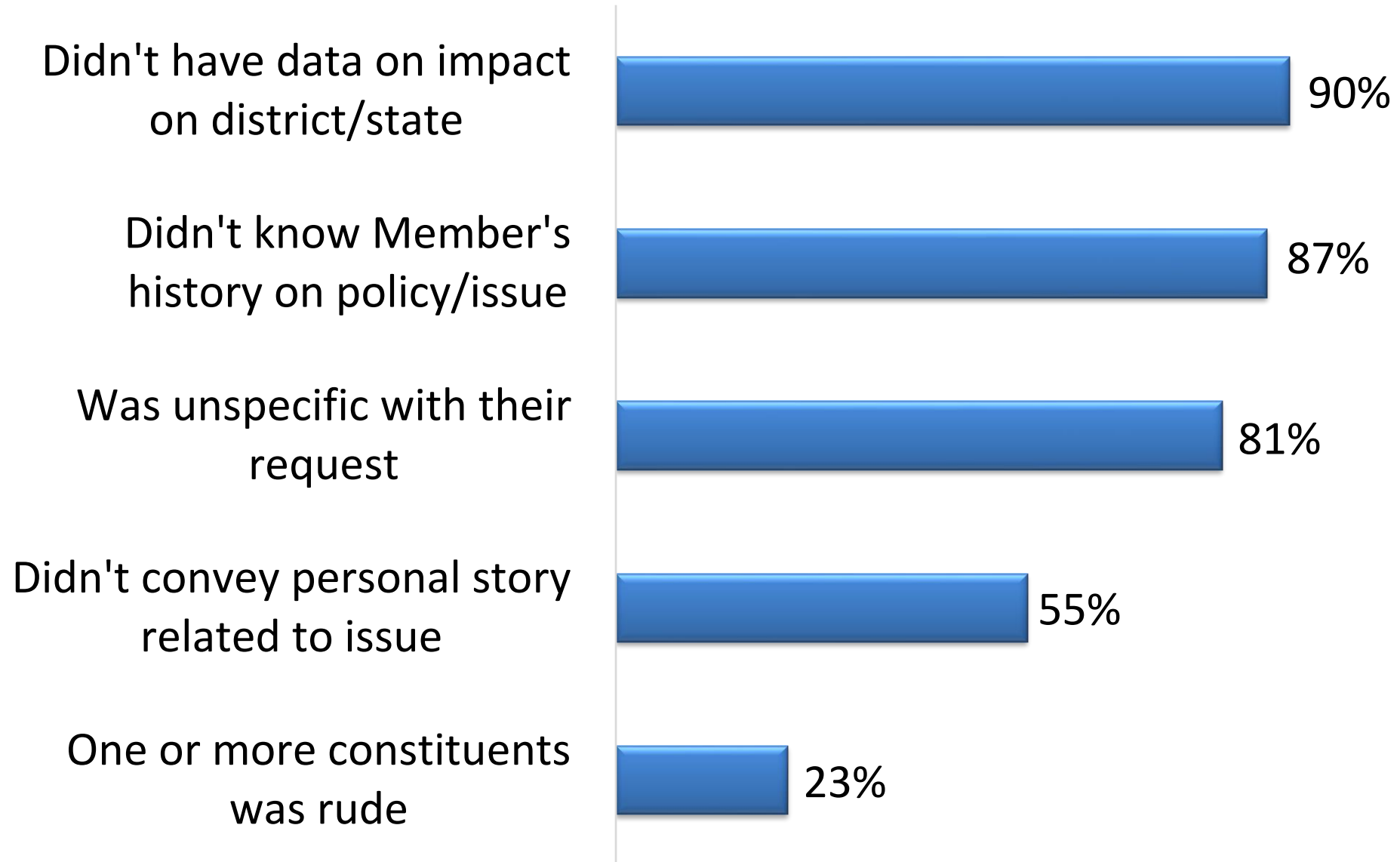
27



Congressional Staff Survey

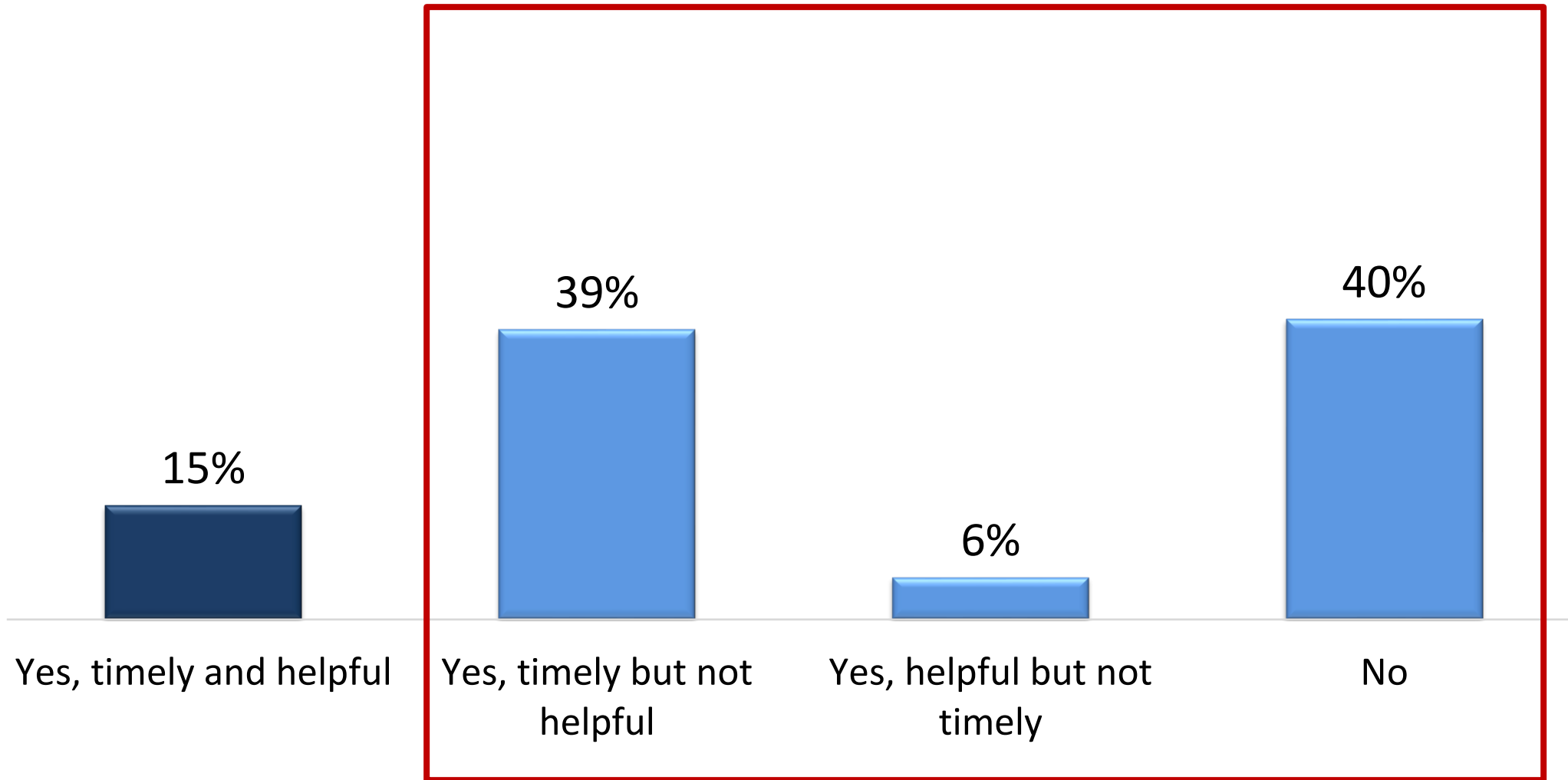
How frequently do you experience the following in constituent meetings?

“Frequently” and “Very Frequently”



Congressional Staff Survey

Do constituents (or their organization) generally follow up with you in a helpful and timely manner?



Congressional Staff Survey

If you are not able to provide a firm answer to their request/ask, how EFFECTIVE are these follow-up activities?

Email from constituents

39%

Email from lobbyist

23%

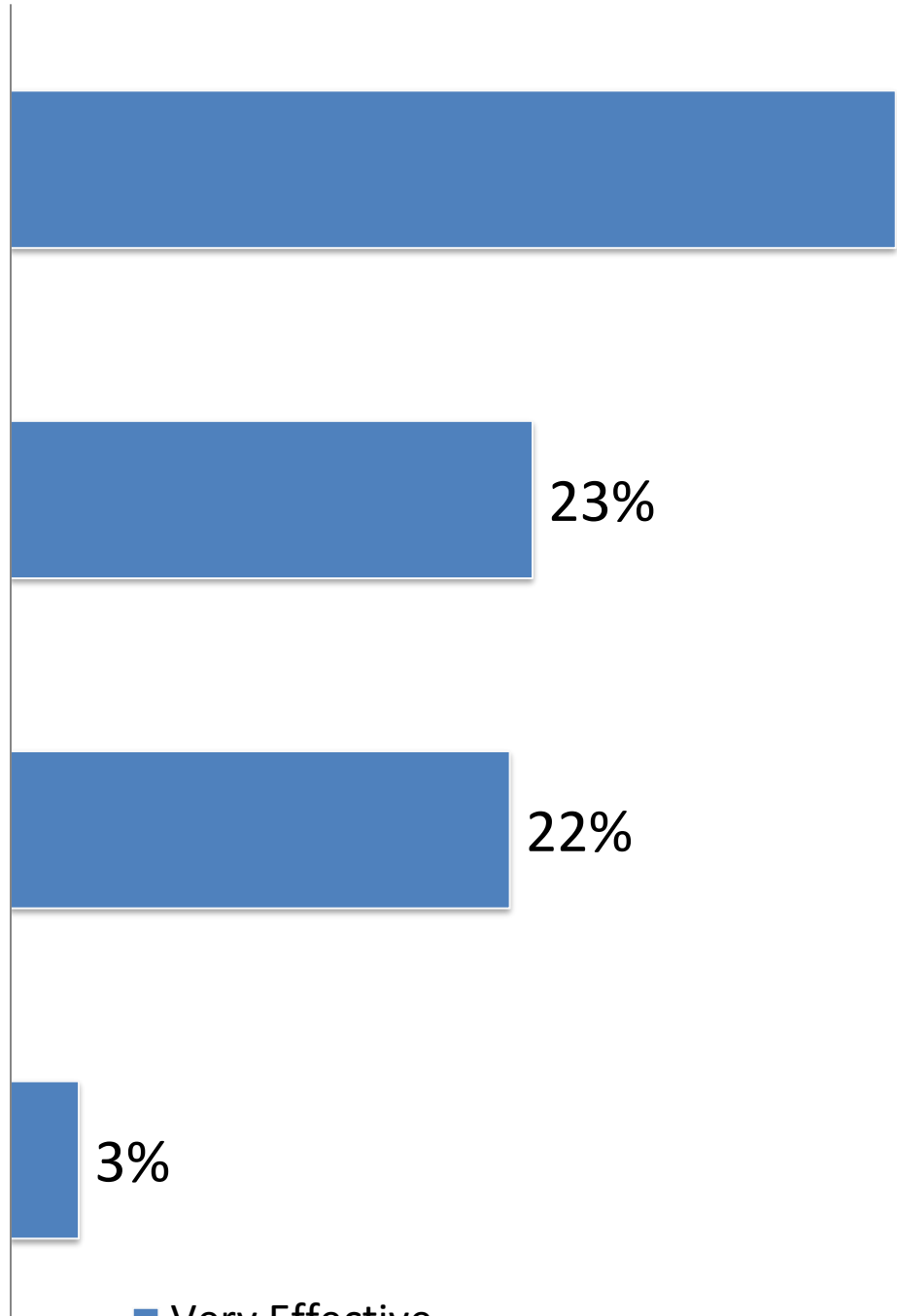
Phone call from
constituents

22%

Phone call from
lobbyist

3%

■ Very Effective



Congressional Staff Survey

If you are not able to provide a firm answer to their request/ask, how FREQUENTLY is follow up conducted by the following?

Email from constituents

8%

Email from lobbyist

24%

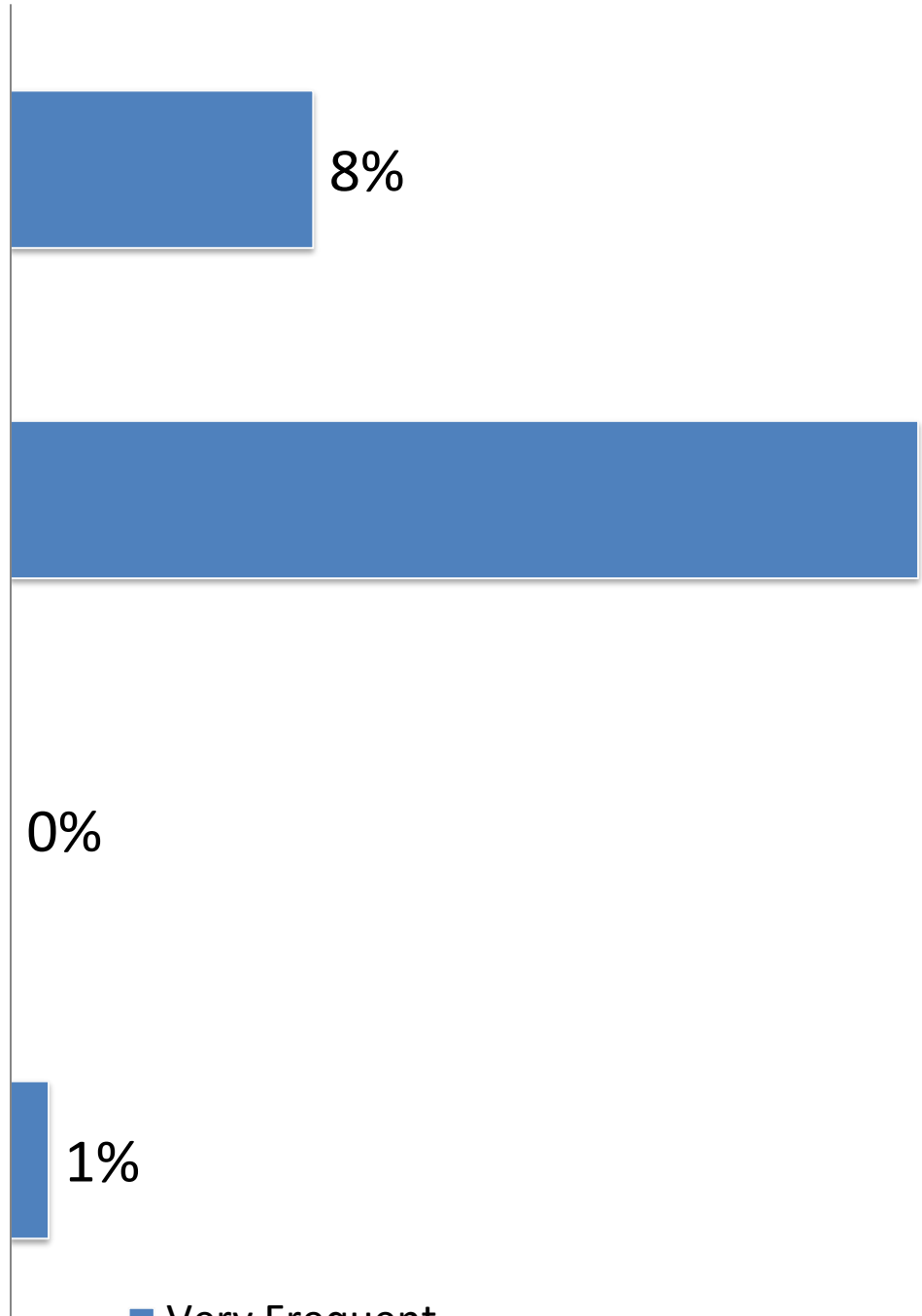
Phone call from
constituents

0%

Phone call from
lobbyist

1%

■ Very Frequent



Email from constituents



Email from lobbyist

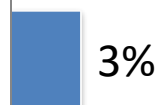
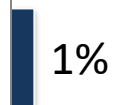


Phone call from
constituents

0%



Phone call from
lobbyist



Very Frequent Very Effective

"If there's an ask to sign on to a bill or to sign onto a letter, especially something with a deadline, and I never hear about it again... I'm wondering how much of a priority it is to the group."

- House Legislative Director

Exercise

Questions to Address

- What are the three most important points that we must get across in this meeting?
- What personal experiences can we convey to illustrate the impact of this issue on our lives?
- What data or research can we present – either national, state, regional or local – which can illustrate the impact of this issue on our lives?
- Specifically, what do we want to get out of this meeting?





“We in America do not have government by the majority. We have government by the majority who participate.”

- Thomas Jefferson

THE PARTNERSHIP FOR
A More Perfect Union



CongressFoundation.org

Special Education Legislative Summit



Wrap-Up/Next Day

Special
Education
Legislative
Summit 
July 9-12, 2023



Angie Jasper, CEC



Kevin Rubenstein, CASE

Wrap Up/Next Day Presentation

Tuesday Hill Visits

- Complimentary hotel shuttle provided to/from the Metro. Running every 15-20 minutes.
- Taxis available at the front of the hotel.

Special Education Legislative Summit

