

N.J. School Boards Association to Issue Results of Year-Long Special Education Study

Report Calls for Major Shift in Organization and Instruction

SOUTH BRUNSWICK, April 10, 2014—The New Jersey School Boards Association will release the final report of its Special Education Task Force here tonight. The task force spent over a year studying ways public schools could control costs while preserving the quality of special education programs and services.

Titled “Special Education: A Service, Not a Place,” the report calls for statewide efforts to reduce special education classification of children through the consistent use of early intervention strategies, or “multi-tiered frameworks of support.” According to the report, these efforts focus on students’ needs at an early age in general education classrooms. They have proved to be effective in reducing the number of students later classified as requiring special education services.

“Frequency of classification” and “severity of classification” are major trends affecting special education costs since 2007, according to a survey of New Jersey school superintendents and special education directors issued by the task force last summer. The responses reflect state-issued data. For example, during the four school years between 2008 and 2012, the number of students receiving special education services increased 4.9 percent, while the total public school enrollment decreased by 1 percent.

In all, the task force report makes 20 recommendations that address early intervention, literacy, shared services, changes in state and federal aid, alternative funding, and training of educators and school board members.

The report will be discussed tonight at an event for local school board members, sponsored by NJSBA at the Crossroads South Middle School in South Brunswick Township, starting at 7 p.m.

Dr. Gerald J. Vernotica, associate professor at Montclair State University and a former New Jersey assistant commissioner of education, chaired the task force. He led the group of nine local school board members and administrators through the project, which included study of trends in special education programming, funding, and effective practices; consultation with more than 25 special education experts and advocates and state and federal officials; and the administration of surveys to New Jersey school districts and other states’ education agencies and school boards associations.

Improve Outcomes, Reduce Costs The NJSBA Special Education Task Force was appointed by NJSBA President John Bulina in January 2013. It is an initiative of the organization’s executive director, Dr. Lawrence S. Feinsod, who began his career in public education as a special education teacher.

“Our goal is to reduce special education costs to school districts without diminishing the quality of needed services,” he explained. “I am an untiring advocate for children with special needs. However, during my years as a school district superintendent and board member, I have watched special education cost increases far outpace those for general education.”

Feinsod continued, “Not only has this trend reduced the resources available for other school programs, it has too often divided school communities into two opposing camps: special education and general education. That’s not a healthy situation for any of our students.”

Changing the Perception The task force report also calls for a change in the perception of special education.

“Public education should not be viewed as two separate systems—general education and special education—but rather as one continuum of instruction, programs, interventions, and services that respond to individual student needs,” said Dr. Vernotica, the task force chairman.

“In other words, it is part of the range of services public schools provide to children, not a separate place to put them,” he said, referring to the report’s title, “Special Education: A Service, Not a Place.”

Recommendations The recommendations of the NJSBA Special Education Task Force include the following:

- Early intervention – The state should develop a multi-tiered system of supports, including programs such as Response to Intervention, Intervention and Referral Services and Positive Behavioral Supports, to identify students with learning needs at an early stage and implement strategies. The process should include ongoing assessment and evaluation. Such early intervention in the general education classroom would improve student outcomes and enable schools to avoid over-classifying children as requiring special education, according to the task force. Additionally, the task force found that by controlling classification through educationally sound strategies, schools could reduce costs.
- Shared services – While many school districts share some special education services, such as transportation, the task force recommends that the New Jersey Department of Education and local school districts explore a voluntary Regionalized Special Education Model/Shared Services Model for special education and related services. For example, regional or county-level child study teams could evaluate students and then turn over the findings to the local school district for implementation. Such a strategy could free up resources locally for classroom-level programs, according to the task force.

Another shared services model cited by the task force would involve regional consortia to complete the filing process for federal funding under the Special Education Medicaid Initiative (SEMI). Currently, some

districts opt not to file for reimbursement because the potential benefit is outweighed by the cumbersome filing process. As a result, the state does not receive all of the SEMI funding to which it is entitled. A July 2013 report by the State Auditor indicates that New Jersey state government and school districts could receive an additional \$10 million in federal funding through full participation in SEMI.

- **Funding** – The report recommends restructuring state special education aid to support programs that improve student outcomes; ensuring adequate Extraordinary Special Education Cost Aid, which helps fund out-of-district placement for severely disabled pupils; and providing flexibility in the use of federal special education funding so that it could be applied to supplemental literacy and math programs in inclusive settings. The task force cited research showing that when reading improves, classification rates drop.

In addition, the report calls for improved auditing processes at the state and local levels to ensure consistent and accurate coding of special education expenditures. The goal, according to the task force, is more accurate expenditure data for special education than is now available. Inconsistent data collection could result in the loss of reimbursement for services, according to the task force.

- **Training** – In its recommendations on training, the task force addressed teacher preparation programs, professional development for child study teams and other professionals, and programming for board of education members. The state's teacher preparation programs should focus on the inclusive classroom with training in adapting curriculum, instruction and assessment to meet the needs of all learners. Additionally, child study teams and other educators should receive targeted training on the development and implementation of individual education programs (IEPs) and federal special education requirements. School board member training should address the legal, financial and programmatic aspects of special education, with the goal of improving outcomes.

According to the task force, such training would reduce IEP-related conflicts, develop a culture of trust and cooperation among school districts, parents and students, and meet the needs of all students in an inclusive setting.

- **Due process** – In addition, the task force called for amendment of a 2007 law that places the burden of proof in disputes over individual special education programs on the school district, rather than on the party bringing the complaint. In the task force's survey, more than 38 percent of respondents cited the need for legislative and regulatory change in the special education adjudication process, with the current placement of the burden of proof on school districts most frequently cited.

History of Funding Approximately 202,000, or 15.5 percent, of New Jersey students received special education services in 2012-2013. As far back as 1911, state aid was established to cover special

education costs that exceed those for general education. Over time, the percentage of special education funded by state aid has dropped, and since 2001, special education expenditures have increased faster than state funding.

Federal aid reflects a similar trend. When it enacted the Individuals with Disabilities Education Act in 1975, the federal government promised to cover 40 percent of the cost of implementing required special education services. Federal funding now actually covers less than one-tenth of special education services.

While inconsistencies in data reporting make it difficult to quantify the costs, a previous study by NJSBA, completed in 2007, placed special education expenditures in New Jersey at \$3.3 billion, with 57 percent of that amount paid through local property taxes.

Task Force Membership The study, released today, was funded through a grant from the Educational Leadership Foundation of New Jersey, the non-profit arm of NJSBA. The entire report may be accessed at www.njsba.org/specialeducation2014.

Members of the NJSBA Special Education Task Force include:

Dr. Gerald Vernotica, chairman, Associate Professor, Montclair State University
Lynne E. Crawford, South Orange-Maplewood Board of Education (Essex)
Sheli Dansky, River Edge BOE (Bergen)
Carol Grossi, Superintendent, Hanover Park Regional School District (Morris)
Dr. Leon B. Kaplan, Lawrence Township BOE (Mercer)
Michael Lee, Tabernacle BOE (Burlington)
Irene LeFebvre, Boonton Town BOE (Morris)
Charles T. Miller, East Amwell BOE (Hunterdon)
Valerie Wilson, School Business Administrator, Newark School District (Essex)
John Bulina, *ex officio*, President, New Jersey School Boards Association

The New Jersey School Boards Association is a federation of 584 local boards of education, and includes 81 charter school associate members. NJSBA provides training, advocacy and support to advance public education and promote the achievement of all students through effective governance.

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