

**Final Report of the Task Force
To Study Special Education Services and Funding
January 15, 2025**

I. Background

The Task Force to Study Special Education Services and Funding issued a report of its findings on June 3, 2024, which is attached as Appendix A. That report contains detailed information on the formation, membership and mission of the Task Force. Pursuant to statute, the Task Force is obliged to issue a report of recommendations by January 1, 2025. This document is that report.

The Task Force operated by consensus. Each of the recommendations contained in this document is the result of development by a subcommittee and debate, refinement, and adoption by the Task Force as a whole. Operating in this manner resulted in the omission of several recommendations which were of considerable interest to certain Task Force members, but which failed to garner the approval of the Task Force as a whole. Members of the Task Force and others will surely bring other recommendations to the Legislature.

The Task Force had three tri-chairs: Fran Rabinowitz, the Executive Director of the Connecticut Association of Public School Superintendents (CAPSS); Andrew A. Feinstein, the Legislative Chair of Special Education Equity for Kids of Connecticut (SEEK); and Michelle Laubin, a partner at Berchem Moses, P.C., and attorney for the Connecticut Council of Administrators of Special Education (ConnCASE). The Task Force established three subcommittees: Finance, chaired by Patrice McCarthy, Executive Director and General Counsel of the Connecticut Association of Boards of Education (CABE); Eligibility, chaired by Aimee Turner, Assistant Superintendent for Special Education, Wallingford Public Schools, and President of the Connecticut Council of Administrators of Special Education (ConnCASE); and Services, chaired by Alicia Bowman, Associate Executive Director, Connecticut Association of Schools (CAS).

Four major issues dominated the discussions of the Task Force. First, special education in Connecticut schools is currently being undermined by a severe staff shortage, not just among certified special education teachers, but also among paraeducators, transportation personnel and related service personnel, with speech and language pathologists and school psychologists being in shortest supply. In many cases, needed services, mandated under a student's IEP, cannot be appropriately delivered due to lack of staff.

Second, school districts lack the resources to effectively meet their special education needs. In 2020-2021, the latest year published, in Connecticut, 35.5% of total K-12 spending came from the state. This was far lower than the national average of 45.8%. (https://nces.ed.gov/programs/digest/d23/tables/dt23_235.20.asp, retrieved on January 14, 2025). The only funding for special education specifically in Connecticut is excess cost grant spending, which is currently being rapidly eroded by the current funding model, with estimates published for the 2024-2025 school year placing district reimbursement at less than 65% of excess costs above a very high threshold amount. Federal grants to cover the costs of special education

services, which were originally promised to cover 40% of the costs of such services, currently cover only about 4% of special education costs in Connecticut.

Third, because Connecticut heavily relies upon local property taxes to fund education, far less is spent on student's education in lower wealth cities and towns than is spent in wealthier towns. There are higher percentages of students of color, multilingual learners, and students in poverty located in lower wealth communities. This inequity in funding further exacerbates the opportunity gap and reduces access to educational resources by students in high needs categories.

Fourth, special education is specially designed instruction that is individualized for a student based on the student's needs to permit each student to succeed in the general education curriculum to the greatest extent possible. One would expect that effective special education programming would, over time, reduce the opportunity gap between students with disabilities and those without disabilities. As former superintendent Nathan Levinson wrote, "Achievement of students with disabilities is low, the achievement gap is high, and despite heroic efforts by schools and teachers, the gap isn't closing."

(<https://www.washingtonpost.com/education/2018/09/26/special-ed-needs-change-vermont-shows-how/>, retrieved January 14, 2025).

The recommendations of the Task Force are directed at ameliorating these four concerns: staff shortages, funding, inequity, and effectiveness.

II. Finance Recommendations

1. The Education Cost Sharing (ECS) formula should be modified to include a 50% weight based on the number of eligible special education students in the district. This is consistent with the recommendation made by the panel convened by the Connecticut Conference of Municipalities (CCM) to address the 119,000 disconnected youth in Connecticut, as documented by the report commissioned by the Dalio Education Foundation. The Task Force also supports the CCM recommendation to adjust the foundation amount of the ECS formula to account for inflation since 2012. The CCM recommendation goes further to increase the existing weights for economically disadvantaged students, students living in concentrated poverty, and multilingual learners. Mindful of the mandate on this Task Force to address only special education related issues, the Task Force takes no position on the balance of the CCM recommendation.

The Task Force is acutely aware of the serious funding shortfall to support special education throughout the state, and particularly in lower income districts. This shortfall is manifest in severe shortages of special education teachers, paraeducators, related service personnel and transportation staff. While the Task Force seeks a substantial increase in funding for special education, the Task Force steered away from recommending funding limited to special education services, except as otherwise noted below. Because funding dollars are fungible, targeting money to special education would surely lead to displacement of other funds and a limited net gain. Rather, increasing ECS funding will provide local officials with the flexibility to meet the special education needs of the community in the ways that work best for the local community.

The Education Cost Sharing formula is constructed to direct the most money to the neediest school districts. Increasing ECS funding will serve to reduce the inequity that currently exists. It will also operate to increase the state's share of education funding.

2. The Excess Cost Grant statutory language should be amended to delete the term "within available appropriations," and eliminate the tiered reimbursement system. The Excess Cost Grant is a form of catastrophic insurance under which the state reimburses local municipalities for costs associated with a special education placement, currently, that exceeds 4.5 times the average per pupil cost in the district. For the past dozen years, the amount appropriated has been less than the total amount claimed by districts, resulting in an across-the-board per capita reduction in reimbursements. Further, in 2022, the Legislature created a tiered system whereby poorer districts would receive a higher proportion of the money claimed. The Task Force proposes elimination of the tiered system and that all municipalities be reimbursed for the full amount of their excess special education costs once the threshold expenditure is met. For the fiscal year 2024, the appropriated amount was \$181 million, while the total cost filed by districts was \$261 million. In recent days, school districts have learned that the shortfall for the 2024-2025 school year is even greater, and hence, reimbursements will be an even smaller percentage of the excess costs incurred by the district. Current estimates indicate that most districts will be reimbursed less than 65% of their excess costs above the threshold of 4.5 times per pupil expenditure.

Further, the Task Force recommends that the threshold for reimbursement be set at 3 times the average per pupil expenditure for in-district programs, and be retained at 4.5 times the average per pupil expenditure for out of district placements. According to federal figures from the 2020-2021 school year, Connecticut leads the nation in the percentage of special education students placed out of district. Since that time, the percentage of special education students outplaced has dropped from 6.8% to 5.9%, according to CSDE figures. Nevertheless, the cost of such placements has increased markedly. The federal figures need to be put in context. Students placed in neighboring districts or at a RESC (Regional Education Services Center) programs within districts are considered out of district placements. Connecticut has numerous small districts, while most states have fewer larger districts that are capable of establishing specialized programs within the district. Still, the Task Force believes that the state should pursue policies to ensure that more students are educated with their peers within their local public school district. Setting a lower threshold for excess cost reimbursement for in-district programs creates an incentive to build appropriate programs within districts.

3. The IDEA includes a mandate to educate students in the least restrictive environment appropriate to meet their needs. Certain students with acute physical, behavioral, or educational needs, are placed at Approved Private Special Education Programs (APSEPs) because individual school districts lack the resources to develop programs to educate students within the school district. To further reduce the need for outplacements and permit the education of students with disabilities in the least restrictive environment, the Task Force makes two recommendations: the creation of a \$20 million pilot grant

program to provide annual incentive grants to districts for the operational costs of new therapeutic programs and a 15% increase in state reimbursement for school construction to build needed facilities for such programs. The pilot program should be designed to encourage smaller districts to band together to create specialized programs to meet the needs of students now outplaced.

4. Representatives of school districts, APSEPs and the Connecticut State Department of Education (CSDE) should assemble a voluntary working group to develop a model contract for placement of students at APSEPs. Such a contract could expedite the placement process and establish shared expectations for what should be contained in such agreements. The Task Force does not see the need for a mandatory contract in that many districts have established relationships and well-developed contracts already in place.
5. The tuition charges of APSEPs and of RESCs have grown sharply over the last few years. RESCs are public organizations, created by legislation, that are subject to many of the rules and regulations of a governmental entity. APSEPs are privately owned, some by not-for-profit corporations and some by for-profit corporations. Recently, a number of private equity firms have purchased APSEPs in Connecticut, leading to concerns about profit taking at the expense of students. The rapidly increasing costs of tuition, both at APSEPs and at RESCs, is causing stress on school district budgets. Local school districts lack the staff, time, and expertise to determine whether tuition increases are reasonable. Some states have general rate approval systems, but the Task Force is concerned that the cost of establishing and operating such a system, if required to review and approve every routine rate increase, might well exceed any savings. Instead, the Task Force recommends that, in any case in which the year over year increase in tuition costs for the same level of services to the same student substantially exceeds the Consumer Price Index, the State Department of Education be required to investigate whether the increase is reasonable. The current *Principles, Procedures, and Standards for the Approval of Private Special Education Programs*, adopted by the State Board of Education in February 2021, requires, “A private facility shall maintain an accurate accounting system including an annual audit report prepared by a certified public accountant and shall provide, on request, to the contracting local school districts and to the CSDE, fiscal information on the operation of the school on such forms as the CSDE may require.” This requirement means that the State Department of Education already has access to the information it needs to make the determination of reasonableness.

The Task Force further recommends that CSDE collate and make available to districts information on the tuition rates for each APSEP and each RESC program.

III. Eligibility Recommendations

1. Federal law provides that children between initial eligibility at age 3 and age 9 can be identified as eligible for special education services under a Developmental Delay category, permitting a later identification of a specific disability. Under current Connecticut law, however, the Developmental Delay classification can only be used until age 5. C.G.S. §10-76a(5)(c). The Task Force finds the age 5 cut-off to be too restrictive.

The Task Force, therefore, recommends that the Developmental Delay label can be used up until the child's 8th birthday. The Task Force emphasizes, however, that each eligible student should be evaluated and designated under the proper specific disability category before age 8, if the evaluative material clearly indicates a specific disability.

2. The Connecticut State Department of Education needs to update all eligibility guidelines and tools promptly and establish a three-year schedule to review and, if necessary, update such guidelines and tools on a continuing basis. Further, CSDE needs to provide training in the application and interpretation of all updated eligibility guidelines. To the extent that such training is provided through the use of videos or written material, such training should be made available to parents and guardians. Further, eligibility guidelines and training should have special emphasis on cultural competency and should include training on distinguishing between English language acquisition and language delay.
3. CSDE should monitor and audit restraint and seclusion incident reports to ensure that the laws regarding restraint and seclusion are being complied with and the reporting of incidents is accurate and consistent across all settings where students are placed, including public schools, charter schools, RESCs, and APSEPs.
4. CSDE should revise and republish guidelines concerning Multitiered Systems of Support (MTSS), Response to Intervention, and Scientific Research-Based Interventions (SRBI) to include current research and best practices including the training and certification of the staff overseeing and implementing the instruction. Legislation should be passed to ensure that every school has a robust MTSS/RTI/SRBI process in place and that CSDE is given the responsibility and the tools to ensure that this mandate is complied with.
5. The Task Force recognizes that the task of reconciling the process of identification of gifted and talented students, which is neither required nor permitted under the IDEA, and the process of identification of students with disabilities under State and federal law, has been difficult if not impossible to accomplish, for both districts and the CSDE. For this reason, legislation should be passed to decouple the current requirements related to the identification of gifted and talented students from the special education identification process. The legislation should task CSDE with designing and promulgating a standard eligibility process for gifted and talented students in such a way as to provide opportunities for identification of students of diverse backgrounds (i.e. minorities, low-income, multi-lingual) as gifted and talented. What services are provided to gifted and talented students would remain under the discretion of each school district.

IV. Services Recommendations

1. Multiple steps need to be taken to broaden the pathways to certification for special educators and paraeducators, including the removal of some of the existing barriers. Among these steps are:
 - There is a pressing need to enhance the profession of special educators and related service providers. Oftentimes, the workload of the special educator is

beyond what is able to be reasonably accomplished by one person, no matter how prepared, skilled, and knowledgeable that person is. Enhancing the public respect for special education personnel is part of a larger task of restoring the education profession to the level of public esteem it once had. The Task Force believes Connecticut needs a new Enhancement Act, paralleling and updating the 1986 enactment (P.A. 86-1). The 1986 enactment moved, over a three-year period, to a minimum teacher salary of \$20,000. \$20,000 in 1986 dollars is worth \$56,129 in 2024. The increased salary in 1986 was funded through grants from the state.

- The state should fund pathways to certification, including tuition payments for special education certification, as upfront payments made directly to institutions of higher education, rather than reimbursements. Currently, these pathways are funded on a district-by-district basis. Having the state fund these programs would ensure equity by enabling more aspiring teachers to access the benefits of the program directly through institutions of higher education rather than relying on a program associated with a particular district. Moreover, the state could use the service requirements that are part of these funded pathways to ensure that newly certified personnel are assigned to the districts with the greatest need.
 - Require CSDE to review the standards for paraeducator eligibility for employment, including the state paraeducator assessment. Paraeducators perform a variety of different roles within schools. It makes sense to have differing standards for different roles.
 - Paraeducators are the backbone of the special education system. Inadequate pay encourages some would-be candidates to opt for better paying, less stressful jobs in the economy. Special education teachers have told the Task Force how difficult their jobs are with a shortage of paraeducators, which exacerbates the special education teacher shortage by encouraging special education teachers to drop out of the workforce or to take alternative positions in less stressful jobs. A lack of funding for healthcare benefits was also identified as a contributing factor to the paraeducator shortage, however, the Task Force recognizes that offering healthcare benefits to paraeducators is outside the capability of many districts in the State to accomplish at this time, even with the increases in ECS and other funding recommended in this Report. The Task Force recommends further study of this issue to identify cost-effective solutions that will provide a living wage.
 - In conjunction with the recently established Connecticut Educator Preparation and Certification Board, redefine, update, make more relevant the preparation and certification requirements of special educators to mitigate the shortage of certified special educators.
2. Increase state funding of the Connecticut Parent Advocacy Center (CPAC) and the Parent Training Information Center to permit CPAC to publicize its services, to respond to more parent requests for information and support, and to work with schools

to foster stronger partnerships with parents.

3. Special educators have voiced considerable concern about caseloads and workloads. This issue has been exacerbated by the shortage of special educators and paraeducators, resulting in higher caseloads and in special education teachers having to assume duties that would normally be performed by paraeducators. Therefore, the Legislature should task CSDE with researching the feasibility of establishing statewide standards for caseload and workload of special educators. As part of this effort, CSDE should research and publicize best practices and guidance for districts in establishing and maintaining reasonable caseloads and workload. Further, the Task Force recommends that clerical tasks are separated from educator workloads and that districts provide clerical workers for administrative tasks, including the necessary training to ensure effective operating in this role (scheduling PPT meetings, coordinating transportation, etc.).
4. CSDE's program of professional learning and mandated training for paraeducators should be expanded and tracked statewide through on-line modules, in order to reduce the present inefficiencies introduced when paraeducators are required to duplicate training when they move from one school district to another. The Legislature should task CSDE with exploring options for micro credentialing and badging of paraprofessionals as a way to support the advancement of best practice and career advancement.
5. CSDE should establish a collaborative to examine the potential role of Generative AI in special education. Such a collaborative should track the development of educational uses of Artificial Intelligence and assess its impact on students, families, and educators.

V. Conclusion

The Task Force recognizes that the system of special education in Connecticut is in need of improvement. The recommendations in this report will help but will not solve the problem. The Task Force is clear that the time is ripe for Connecticut to make a renewed and strengthened commitment to public education, and especially to students with disabilities.