

Recommendations for Special Education Funding

The Coalition for Special Education Funding Reform is comprised of nine statewide, not-for-profit organizations concerned with special education funding and policy. We formed in 1996, just as CEIFA was being developed, and have continued to monitor issues affecting special education funding and special education policy. We seek a special education funding mechanism that is adequate, efficient, appropriate, transparent, and fully placement-neutral.

The Coalition includes: The Alliance for the Betterment of Citizens with Disabilities (ABCD); The Association for Children of New Jersey (ACNJ); The Arc of New Jersey; ASAH, formerly the Association of Schools and Agencies for the Handicapped; The Coalition for Inclusive Education; New Jersey Protection and Advocacy, Inc. (NJP&A); The New Jersey Center for Outreach and Services for the Autism Community (COSAC); The Education Law Center; and The Statewide Parent Advocacy Network (SPAN).

First and foremost, the Coalition strongly urges the state of New Jersey to conduct a scientifically-validated longitudinal outcomes study to examine the lives of adults who received special education services in New Jersey. We invest millions of dollars in students with disabilities, but objective data on the outcomes of these students in adult life is missing. We need to look at the variables that affect positive outcomes in order to make informed decisions about policy and funding. We note that the U.S. Department of Education's State Performance Plan, mandated by the Individuals with Disabilities Education Act ("IDEA"), requires states to measure the outcomes of special education for youth with disabilities, and we urge that the State's measurements be rigorous and go beyond obtaining outcomes a relatively short time after graduation from high school or aging out of the system.

The Coalition has reviewed the November 15, 2006 Report of the Special Session of the Joint Legislative Committee regarding Public School Funding Reform ("the Report"), as well as proposed legislation which seeks to implement the Report's recommendations. The Coalition urges the Legislature and the Department of Education ("NJDOE") to take the following steps:

State Funding for Special Education

The Coalition believes that the level of special education funding provided to a district for an individual student should be based on each student's needs, not the district's ability to pay. Therefore, we oppose any effort to link special education aid to local district wealth. Such a move would have a negative impact on students with disabilities and would discourage districts with resources from developing quality special education programs. As the Report itself recognizes, "education funding must be student-based, not geographically directed." Recommendation 1, page 64.

The Coalition recommends that the Legislature determine a standardized methodology for defining "actual costs" of special education in all public and private settings, and commission and independent study to **study to determine the actual costs** of providing special education services on a statewide and regional basis.

New Jersey lacks quality data on the actual costs needed to make informed decisions regarding the provision of special education services. **The State’s education formula must provide categorical weights for special education.** The Coalition supports the continuation of the four-tiered weighting system based on the extensiveness of student need, and recommends that **the current system be reviewed and revised to reflect the actual costs of serving students** in each of the four tiers. The Coalition also supports the Legislature mandating NJDOE to increase the transparency of the weighting process.

We support the continuation of ‘extraordinary-costs’ special education aid. We urge the Legislature to fully fund extraordinary aid so that any district experiencing a program cost in excess of \$40,000 can receive additional state funding.

Improved Coordination of Services & Improved Public/Private Collaboration

The Coalition supports greater coordination of special education services available in local districts at a regional level. This effort, however, will require additional resources and expertise in each region. We neither support nor oppose the proposed County Executive Superintendent structure proposed by the Legislature. However, with respect to special education decision-making, all service planning, including placement decisions, must, pursuant to IDEA, be done locally by the IEP team, which includes district staff familiar with the student and the parent. We therefore oppose involvement in IEP decisions by an outside, county administrative body.

We support the maintenance of a state- and district-wide database to track the type and capacity of separate, self-contained programs, both public and private, that solely serve students with disabilities, as well as the number of students enrolled in each such program.

We endorse efforts to facilitate shared special education services within the county or region, including but not limited to direct services (e.g., specialized evaluations, related services such as OT, PT, speech, nursing services, counseling services etc), personnel development and technical assistance. We also support efforts to help districts develop high quality in-district inclusive programs and services, training on inclusive education, positive behavior supports, transition to adult life, and parent professional collaboration. We urge that separate programs with specialized expertise, whether public or private, be considered as a resource for local districts seeking training, consultation and program development services.

We recommend that the Legislature **increase opportunities for schools, both public and private, to share equipment and assistive technology (“AT”).** We support coordinated efforts to disseminate information about existing loan and re-circulation equipment and AT centers, to provide training and technical assistance regarding AT, and to establish an AT “lending library.”

We recommend that the Legislature **create incentives to promote increased collaboration between local school districts and separate, self-contained programs, both public and private, that solely serve students with disabilities so that these programs can be located in local public school buildings in.**

We also strongly urge **coordination and sharing of services across counties**, especially amongst neighboring districts in different counties.

Transportation

We support the coordination and regionalization of pupil transportation services to increase efficiency and reduce costs. NJDOE should examine the benefits of establishing a state academic calendar and mandating the county determination of snow days, as more fully set forth in the 1995 Legislative Task Force recommendations [regarding transportation. In addition, the Coalition supports the recommendation that the cost coefficients be updated to reflect inflation.

Pre-referral Intervention Services

We support initiatives to facilitate effective general education pre-referral intervention services in an effort to reduce inappropriate classification. We urge, however, that protections be put in place to ensure that the appropriate referral of children with disabilities to special education is not delayed. We also urge the Legislature to consider the recommendation of the 1995 Legislative Taskforce to **include a dedicated flat grant to districts based on enrollment, in order to enhance the general education program and provide appropriate pre-referral intervention services**, in addition to a weighted categorical aid system.

Facilities Issues

We support amending the “Educational Facilities Construction and Financing Act” and its implementing regulations so as to require local districts to plan for and provide suitable facilities for students with disabilities. We caution, however, that legislative or policy efforts to advance this purpose not be limited to ensuring adequate special education classroom space, and development of a special education “wing” in a building must be clearly proscribed. Rather, architectural elements of Universal Design must be applied to all new school construction so that students with a full range of physical, behavioral and learning disabilities may be served, to the extent appropriate, in the general education classroom. New school facilities must also include space dedicated for training, program consultation and supervision to ensure the high quality of special education services.

We support efforts that would require NJDOE to verify a need for any and all self-contained special education programs, public or private, the new construction of separate buildings solely for students with disabilities, or the retrofitting of buildings for such purposes.

Budget Controls

We urge that special education costs be placed OUTSIDE any proposed revenue cap. To do otherwise causes animosity between recipients of general education and special education at the local level, and pins unnecessary “blame” on students with disabilities and their families for the cost of special education.

Early Childhood

We support efforts to require full day kindergarten and to provide state aid for high quality preschool programs in A and B districts.