

**Texas Council of Administrators of Special Education**

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**2007 REPORT ON**

**SPECIAL EDUCATION IN TEXAS**

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## EXECUTIVE SUMMARY

This report examines statewide accountability and PEIMS data as well as survey data from district and campus level administrators from six focus districts to provide information about the status and needs of special education in Texas. Areas of focus include students served, identification and assessment processes, staffing needs, programs and services, resources, and student achievement. Key findings are:

- The special education population in Texas mirrors national trends in terms of percentages of identified students (roughly 11 percent of Texas students are identified statewide while slightly under 14 percent of students are identified nationally). Learning disabled students account for the largest percentage of students, though autism is the fastest growing disability category on a percentage basis both in Texas and nationwide;
- The scope of special education programming reflects the diversity of the student population served. Roughly 510,000 Texas students were served through special education last year, and services provided varied substantially depending on the needs of each student;
- Conducting initial assessments to determine eligibility for special education services require a significant component of special education resources (five focus districts spent an estimated \$5.3 million on assessing special education students and this came to roughly \$325 per student enrolled in special education);
- Conducting Admissions Review and Dismissal (ARD) meetings also requires significant resources. Six focus districts reported a total of 37,000 ARD meetings for 2005-06—roughly twice each districts total special education enrollment. If this trend holds statewide, an estimated 1.02 million ARD meetings were held last year;
- Finding an adequate supply of staff is one of the major challenges reported by focus districts. This is particularly problematic with regards to attracting content area specialists or bilingual staff. Additional resources are also needed to provide needed training for both special and regular education staff;

- School districts expenditures exceed state and federal revenue generated for special education programming leaving districts to supplement with general education funds and local tax revenue;
- In addition to overall funding, special education transportation is a particular need, with revenues generating roughly half what districts must spend to meet students' special transportation needs;
- In spite of challenges, student performance for identified students is improving. Each year, more students are taking and passing state assessments in all subject areas tested.
- In order for the state of Texas to truly know the needs of students, parents and districts, a comprehensive statewide study of special education in Texas is necessary. Such a study should include input from stakeholders all across Texas.

# SPECIAL EDUCATION IN TEXAS

## **Abstract**

*Special Education programs provide a wide range of services to a diverse population of students with identified special needs. Meeting those needs requires a range of tools from appropriate diagnostic staff to proper instructional techniques to supplemental services sufficient to allow students to participate fully in the educational process. This study draws on statewide data and survey responses from 6 target districts to provide an overview of special education services in Texas, highlighting the program successes as well as identifying challenges that may impede further success.*

## **Background**

The federal law guaranteeing a free and appropriate education to students with disabilities, Public Law 94-142, was passed in 1975. More recently in 1997, the law was reauthorized and renamed as the Individuals with Disabilities Education Act (IDEA). The revision contained a multitude of new provisions related to the way special education students are served including requirements for the development of Individualized Education Programs (IEPs) and the requirement to more fully serve students in the Least Restrictive Environment. It also addressed appropriate evaluation procedures and requirements related to the decision-making process for special education students. In 2004, special education provisions at the federal level were further amended through the 2004 reauthorization of IDEA and the passage of The No Child Left Behind Act (NCLB). The Texas Education Agency is in the process of developing additional rules to comply with new assessments and service requirements contained in this most recent update.

This report is intended to provide up-to-date information regarding many facets of special education services in Texas, including the population served, services offered, staffing needs, performance outcomes, and resource requirements. It will draw on statewide data from the Texas Education Agency Public Education Information Management System (PEIMS) database over a multi-year time-period and responses to surveys of selected special education directors and campus principals from six focus districts.

Focus districts were chosen in order to produce a sample of districts that is representative of the state in terms of size, demographics, and geographic location. District special education directors were asked a series of questions related to staffing, services offered, assessment, the ARD process, and finances. Table 1 below provides information related to the districts selected as well as the state as a whole.

**Table 1. Focus District Data Elements**

	TOTAL ENROLLMENT	SPECIAL EDUCATION ENROLLMENT	REGION
Harlingen ISD	17,636	1,638	1
Humble ISD	29,706	2,887	4
Jacksonville ISD	4,898	589	7
Llano ISD	1,895	305	13
Northside ISD	78,711	10,638	20
Socorro ISD	36,842	3,731	19
State Total	4,521,043	509,816	

To collect data, we provided questionnaires to special education directors and asked them to describe programming requirements for the 2005-06 school year. Items reflected topic areas related to assessment, staffing, program support, and resources. In addition to examining data from the district special education directors, selected campus principals from the districts were asked to respond to the following prompt:

*Please use the space below to describe the three most significant challenges that your campus faces in trying to meet the needs of special education students.*

Open ended responses were coded according to the area of concern and these responses were used in conjunction with available quantitative data to provide a clearer illustration of what is occurring at the campus level and highlight the needs of special education programs.

### **The Texas Special Education Population**

Statewide, 11 percent of students enrolled in Texas public school districts during 2005-06 were identified as having disabilities and eligible for special education services. This number was down by less than 1 percentage point from 1997-98 when 12 percent of the state's total enrollment was identified as special education eligible. It is also slightly lower than the most recent national data available—in 2003-04, 13.7 percent of all enrolled students were identified nationally.<sup>1</sup>

Special education programs and services mirror the population of students served in that they reflect a diverse population with widely varying needs. While some students are identified for services based on instructional-related issues (for learning disabilities or other cognitive impairments, for example) others have medical needs that must be addressed, and still others are provided assistance with emotional needs. Federal and state law requires that special

<sup>1</sup> NCES Common Core of Data.

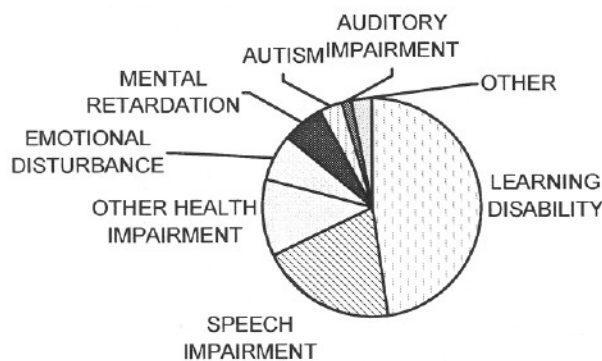
education must be tailored to meet the unique needs of individual students, from academic goals to programming needs to adaptations in the general education classroom.

The most common disability among students served in Texas special education programs is learning disability—in 2005-06, more than 240,000 children were identified as children with learning disabilities, and this is almost half (48 percent) of the 510,000 students identified for special education services. Speech impairment (20 percent), other health impairment (12 percent), and emotional disturbance (7 percent) are the next most significant disabilities in terms of numbers of identified students.

The fastest growing disability category on a percentage basis, by far, is autism. The number of children with autism increased 290 percent between 1997-98 and 2005-06, but this category still comprises only 3 percent of the total special education population. This growth is not out-of-line with national trends: between 1997-98 and 2003-04 (the most recent year for which NCES data are available), the number of students identified with autism increased by 245 percent—from 54,000 to 186,000 nationwide.<sup>2</sup> Educators and researchers are evaluating available data to determine reasons for this dramatic growth.

Chart 1 provides a breakdown of the proportion of students served by special education programs in Texas according to their primary disability.

**Chart 1. 2005-06 Students Identified for Special Education Services Statewide by Disability Type**



Source: Texas Education Agency PEIMS database.

<sup>2</sup> See NCES *Children 3 through 21 years old served in federally supported programs for the disabled 1976-77 through 2003-04* (available online at [www.nces.ed.gov](http://www.nces.ed.gov)).

## Special Education Identification

Students are identified for participation in special education through a process outlined in Chapter 89 of the Texas Administrative Code. A student that is experiencing difficulty in the classroom should first be provided support services available to all students (tutorial, remedial, and compensatory education services, for example) and those that continue to experience difficulty may be referred for a “full and individual initial evaluation” (TAC 89.1011). The referral may originate from a number of individuals familiar with the student’s needs such as a general education teacher, a counselor, or a parent.

During the assessment process, school districts collect information from parents, teachers, and others with knowledge related to the student’s needs, review any existing evaluation data and conduct further evaluations as needed, prepare an evaluation report, and explain the results of the assessment to the child’s parents.<sup>3</sup> Initial assessments typically involve one-on-one interaction between an assessment professional and the student, and the results are then used in making placement and service decisions.

Survey respondents indicated that focus districts administered a total of 3,453 initial assessments in 2005-06—this came to roughly 2 percent of districts’ total enrollment. On average, 68 percent of these initial assessments resulted in qualification for special education (see Table 2). Providing necessary assessments is a major component in the special education process.

**Table 2. Initial Assessments for Focus Districts: 2005-06 School Year**

	TOTAL ENROLLMENT	INITIAL ASSESSMENTS	INITIAL ASSESSMENTS TO TOTAL ENROLLMENT	DNQ	% QUALIFIED
Focus Districts	169,688	3,453	2%	1,098	68%

In addition to conducting initial assessments, assessment staff also conduct annual reevaluations, sometimes using existing testing data and sometimes using a more in depth full formal evaluation. Respondents from focus districts indicated that a number of different kinds of district personnel are likely to conduct special education-related assessments, but most often, it appears to be Licensed Specialists in School Psychology (LSSPs), educational diagnosticians, and to a lesser extent, speech therapists performing this function.

As indicated in the table below, significant staff resources are devoted to conducting special education assessments. Survey respondents provided information for the 2005-06 school year regarding the percentage of time spent

<sup>3</sup> See The Texas Education Agency *A Guide to the ARD Process* (2002).

by various staff members conducting assessments and the number of full time equivalent staff (FTEs) in various roles that have special education-related assessment responsibilities. These data were combined with staffing data provided through the Texas Education Agency Public Education Information Management System (PEIMS) to estimate and average staff salary cost associated with conducting assessments for special education programs. Focus districts spent an estimated \$5.3 million on staff salaries associated with assessment. Table 3 below provides data related to state average staff salary costs associated with assessment by role. Staff salary data come from the PEIMS staffing data for all funds in 2005-06. In addition to the staff costs below, two districts reported contracting out additional assessment, and these districts spent roughly \$152,000 for this service.

**Table 3. 2005-06 Staff Salary Costs Associated with Assessments for Five of Six Focus Districts**

	FTEs ON ASSESSMENT	AVERAGE SALARY	TOTAL SALARY COST
LSSP	35.9	\$52,111	\$1,375,723
Diagnostician	32.7	\$52,946	\$2,075,248
Speech Therapist	39.4	\$47,789	\$1,892,597

*Source: Focus district survey responses and PEIMS staffing data.*

The next step in the identification process for special education services is a meeting of the admission, review, and dismissal (ARD) committee. This committee is required by federal and state law to meet to establish eligibility, place a child in special education and then meet at least annually to review and adjust services for as long as the student continues to be identified for special education services. In addition, an ARD committee must meet before changes are made to a student's individual education plan (IEP) or at the request of a parent. The following members must be included on the ARD committee:<sup>4</sup>

- the parent of the student;
- at least one regular education teacher of the student (if the student is or may be participating in the regular education environment);
- at least one special education teacher of the student, or special education provider;
- a representative of the school who:
  - is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities;
  - is knowledgeable about the general education curriculum;
  - is knowledgeable about the availability of resources in the school district;

<sup>4</sup> *ibid*



- an individual who can interpret the instructional implications of the evaluation results;
- other individuals, invited by the parents or school, who have any knowledge about the student, including related service providers;
- the student (when appropriate)

Focus districts reported conducting almost 38,000 ARD meetings in 2005-06. Typically, respondents indicated a number of ARD meetings that was roughly twice the total special education population in the school.

**Table 4. Number of ARD Meetings Reported by Focus Districts: 2005-06**

	2005-06 TOTAL ARD MEETINGS	SPECIAL EDUCATION ENROLLMENT
Harlingen ISD	2,350	1,638
Humble ISD	5,380	2,887
Jacksonville ISD	1,039	589
Llano ISD	425	305
Northside ISD	21,000	10,638
Socorro ISD	7,529	3,731
<b>Total</b>	<b>37,723</b>	<b>19,788</b>

In most school districts surveyed, district staff ARD attendees include at least two teachers (a special and regular education teacher), a district representative, and an assessment specialist (such as a diagnostician or LSSP). Survey respondents indicated that the typical ARD takes about 1 hour and 20 minutes (district averages ranged from 40 minutes to 2 hours). However, respondents pointed out that ARD times can vary substantially depending on the complexity of the issues to be discussed, at times spanning multiple days. This process consumes a large amount of staff time that several respondents point out could be spent providing additional services to students.

Although useful in facilitating communication among all individuals responsible for providing services to special education students, campus principals indicated that arranging schedules for these meetings can be a challenge. One campus principal told us:

*Scheduling meetings during the school day requires teachers' time away from the classroom. Substitutes are costly and cannot deliver the same quality of instruction as that of the teacher of record.*

Finding appropriate times for ARD meetings is one challenge for special education providers. They also indicated, however, that they are interested in finding more and better methods of communication among the individuals associated with the provision of special education services. Five respondents

listed communication among their top three concerns, pointing in particular to the desire for time for special and general education teachers to meet together to talk about the needs of individual students. Finding ways to structure common meeting times into the school day could be an effective, but sometimes costly way to foster improved communication among staff members responsible for the education of a student receiving special education services.

### **Programs and Services**

Special Education services vary substantially depending on the needs of the student. Many students are served in the general education setting and offered support services. Others are served in the general education classroom with special education and general education teachers teaming to provide additional individualized instruction. Some receive instruction in a different setting such as a resource room or self-contained special education classroom. Others receive instruction in more costly residential placements. By law, these services must be agreed upon by a student's ARD committee.

Table 5 below describes some of the additional support services provided through special education programs. These are in addition to any instructional arrangements that are provided and are designed to enhance the education of students with disabilities. Students represented in the table below may receive more than one kind of service, and so may be represented in the data more than once.

**Table 5. Number of Students Receiving Various Support Services Statewide: 2005-06**

SUPPORT SERVICE	NUMBER OF STUDENTS SERVED
Audiological Services	3,084
Counseling Services	26,620
Medical Services	804
Occupational Therapy	33,299
Orientation and Mobility Training	1,839
Physical Therapy	14,427
Psychological Therapy	7,342
Recreational Therapy	92
School Health Services	9,240
Social Work Services	1,074
Transportation Services	58,843
Assistive Technology Services	43,415
Interpreting Services	1,941

*Source: TEA PEIMS database 2005-06, some students may be receiving more than one service—others may only receive instructional services and modifications without these support services*

## **Staff**

In 2005-06, more than 31,000 teachers provided services to special education students. Finding an adequate supply of staff has been one of the major challenges facing special education in Texas. Several campus principals noted this as one of their top three concerns; one pointed out that having moved to a requirement that special education teachers must be certified in subject matter content as well as special education has created market conditions that "*make it virtually impossible to fill open Special Education positions.*"

Five of the six special education directors that participated in the survey reported using stipends in order to increase the pool of applicants for special education positions. On average, special education stipends in the five districts were \$1,333 for elementary teachers to \$1,467 for secondary school teachers. The one district that did not report providing stipends in 2005-06 also indicated no vacancies at the beginning of the 2005-06 school year. Other focus districts were having more difficulty filling positions: the percent of total special education positions that districts were unable to fill by the beginning of the 2005-06 school year ranged from less than one percent to just over 7 percent of total special education staff.

## **Revenue and Expenditures**

School districts receive revenue for special education services from multiple sources: through federal programs for special education support, the state aid system, and additional local tax revenue dedicated to the program. Federal revenue for special education programs is deposited into special funds designated for expenditure on special education-related services. In 2004-05, roughly 19 percent of all special education-related expenditures came from federal funds.

In the Texas state aid system known as the foundation school program (FSP), special education revenue is generated through the calculation of weighted average daily attendance (WADA). In most instances, each student participating in a special education program is assigned a weight based on the instructional arrangement through which he or she receives services (see TEC 42.151) for a standard percentage of time associated with those services. Except for children served in a mainstream (regular classroom) setting, the proportional amount of time associated with special education services is then excluded from the calculation of the cost of the general education program. For example, a student receiving only speech services receives a weight of 5.0, but only for the time allocated to speech services. For speech therapy, this amount of time is established as 20 percent of an hour (15 minutes out of a six hour day, or roughly 4 percent of the student's total time in school). Thus, roughly 4 percent of the student's time is funded at the higher level established by the speech weight, and the balance is funded at the lower general education level. The funding weights and time allocation for special education are listed in the table below, and the

actual funding level for each student is determined by the interaction of the funding weight and the percentage of time allocated to each instructional arrangement (the multiplier).

**Table 6. Funding Adjustments for Various Special Education Instructional Arrangements**

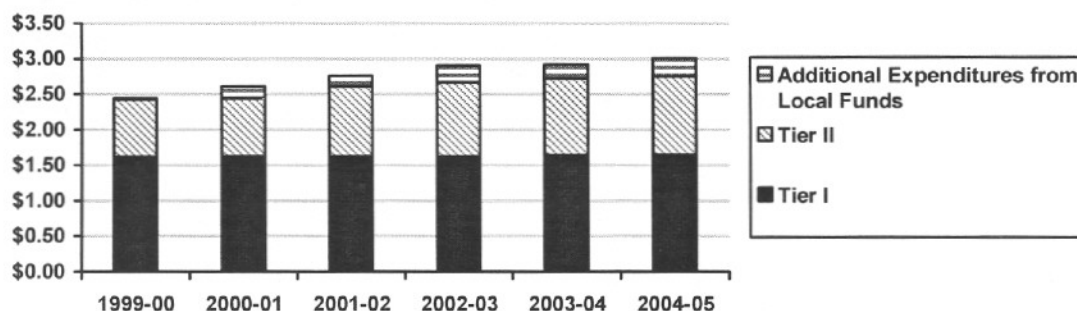
INSTRUCTIONAL ARRANGEMENT	WEIGHT	MULTIPLIER
Homebound	5.0	1.0
Hospital class	3.0	4.5
Speech therapy	5.0	0.25
Resource room	3.0	2.859
Self-contained, mild and moderate, regular campus	3.0	2.859
Self-contained, severe, regular campus	3.0	2.859
Off home campus	2.7	4.25
Vocational Adjustment	2.3	5.5
Residential Care and Treatment	4.0	5.5
State School	2.8	5.5

Districts earn state revenue for special education programs through the interaction of local tax revenue and the foundation school program. The foundation school program consists of a two-tiered structure. Tier I is the basic program, and all districts taxing at a minimum of \$0.86 per \$100 of property valuation are entitled to a base amount of revenue per student in weighted average daily attendance. A state and local share of this allotment are determined based on the amount of local revenue that each district is able to generate given \$0.86 of tax effort. The more property wealth in the district the higher the local share and, conversely, the lower the state support. In addition to this base level of support, districts can elect to tax themselves at a higher level to supplement this basic program. Districts receive Tier II state matching support through a program that guarantees each school district a particular level of revenue for each additional penny of tax effort per student in weighted average daily attendance. Here again, the more property wealth in the district, the higher the local share of funding for the program.

State and local revenue for special education typically goes into a school district's general fund, but state law requires districts to spend a particular portion of state and local revenue (specifically, 85 percent of a district's Tier I allotment) on special education programs. As indicated by Chart 2 below, for most districts, the Tier I allotment comes far short of meeting special education costs. In most cases, revenue generated by the special education weight in Tier II plus additional local revenue are tapped in order to provide for the needs of special education students. This leaves districts no revenue to provide for the indirect costs associated with the special education program such as the provision and upkeep of the school building, the cost of materials, and the provision of a

host of other services available to all students ranging from the use of the school library to basic educational record keeping.

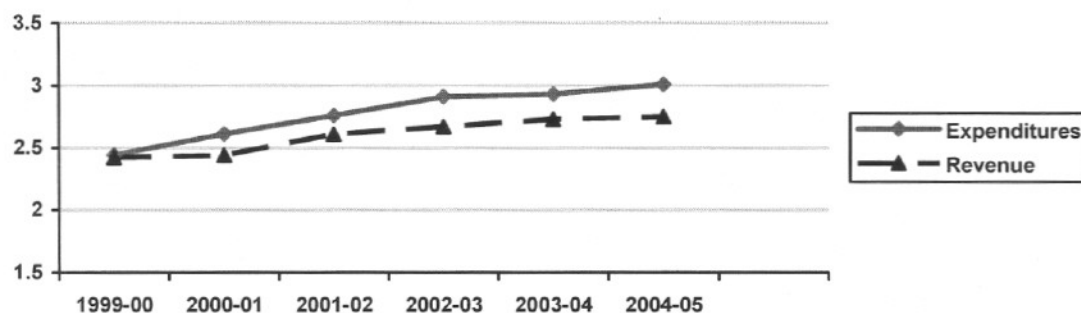
**Chart 2. Statewide Special Education Related Revenue in Tier I and II and Additional Local Supplementation**



Source: TEA PEIMS database. Amounts reported in billions of dollars. Excludes operating costs associated with transportation and transportation allotment.

Most districts appear to be supplementing special education programs beyond what federal funds and the foundation school program can provide though the weighted structure in Tier I and II. Although revenue and expenditures for special education roughly balanced in 1999-00, by 2004-05, school districts were supplementing revenue generated through the special education weight by roughly \$256 million statewide. Chart 3 below indicates the difference between revenue generated by the special education weight in both Tiers I and II and expenditures allocated to special education, exclusive of operating costs related to transportation. Indirect costs that contribute to the special education program but are unallocated to a particular program are excluded.

**Chart 3. Special Education State and Local Revenue in Tiers I and II Compared to Special Education Expenditures from State and Local Funds**



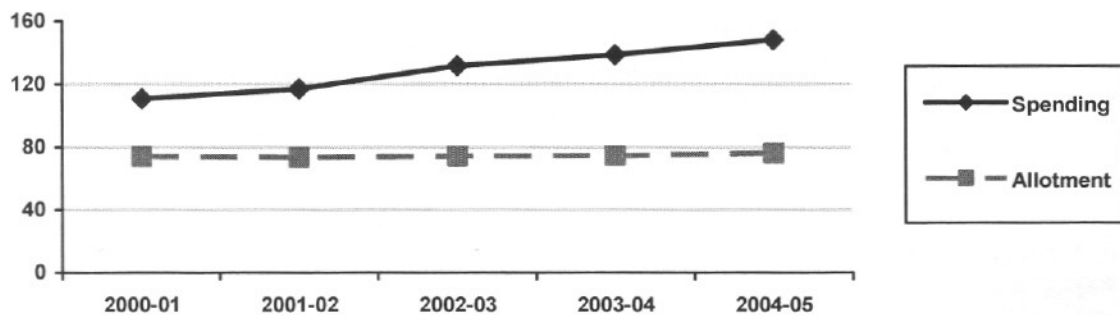
Source: Texas Education Agency PEIMS database. Amounts Reported in billions of dollars. Excludes transportation allotment and operating expenditures related to transportation.

## Transportation

In 2005-06, roughly 59,000 students received specialized transportation services through the special education program. These services include a number of provisions designed to meet the unique individual needs of students with disabilities such as busses fitted with specialized equipment, shortened routes, and personnel with particular medical skills (nurses or individuals with CPR training, for example) and attendants to assist and support students with functional necessities.

Between 2000-01 and 2005-06, the transportation allotment for special education increased by 3 percent statewide while special education transportation expenditures increased 34 percent. In 2004-05, Texas school districts spent \$148 million from state and local sources on special education transportation operating costs while receiving a state transportation allotment reimbursement of \$76 million. Since the state transportation allotment has remained flat (the transportation formula has not changed since 1984), the gap between what districts must actually spend and what they receive has grown as costs have increased.

**Chart 4. 1996-97 through 2004-05 Transportation Spending versus Allotment**



Source: PEIMS actual financial data and financial management data provided by TEA. Reported in millions of dollars—Spending represents state and local operating expenditures only

Our focus districts told us that transporting special education students requires a number of additional services, including monitors, CPR training, nurses, cameras, shortened routes, staff development for bus drivers, and retrofitted buses. Since the state is providing less than half of the cost of these services through the transportation allotment, local communities must supplement when the services are required.

**Table 7. Number of Focus Districts Providing Various Transportation Modifications**

<b>ADDITIONAL TRANSPORTATION SERVICE</b>	<b>NUMBER PROVIDING</b>
Monitors	6 of 6
CPR training	5 of 6
Nurses	2 of 6
Cameras	4 of 6
Shortened routes	5 of 6
Staff development	4 of 6
Retrofitted busses	2 of 6

*Source: Focus district survey data*

### **Student Performance**

Special Education has seen numerous changes to the system for measuring student progress at both the federal and state levels. In 1997, the incorporation of special education students into the state testing program was mandated at the federal level. To assist with the implementation of this requirement, the Texas legislature passed a requirement that special education students participate in the state accountability system (TEC 39.023).

Special Education students may participate in either the Texas Assessment of Knowledge and Skills (TAKS), which is the general state testing program, the State Developed Alternative Assessment (SDAA or now SDAA II), or another locally developed assessment. The SDAA II is designed to assess the same curriculum standards as the TAKS, but with special education modifications built in (i.e. fewer test items, larger print, shorter reading passages, etc).<sup>5</sup> In addition, student ARD committees can select the instructional level at which a student should be assessed, so a special education student enrolled in the 4<sup>th</sup> grade but receiving instruction at the 3<sup>rd</sup> grade level could be assessed at the 3<sup>rd</sup> grade instructional level.

NCLB began requiring significantly larger percentages of students to be assessed under the traditional state testing program (for Texas, the TAKS) in the 2005-06 school year. This change is reflected in state assessment data as a significantly higher proportion of special education students were taking the TAKS by 2005-06 than in 2002-03 or 2003-04. No more than 2 percent of all students can be exempt under NCLB rules.

Assessment issues were one of the most often cited issues raised by campus principals. This is almost certainly a function of the significant changes recently

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<sup>5</sup> TEA SDAA II Information Booklet available online at [www.tea.state.tx.us/student.assessment/resources/guides/sdaa/read/intro.pdf](http://www.tea.state.tx.us/student.assessment/resources/guides/sdaa/read/intro.pdf)

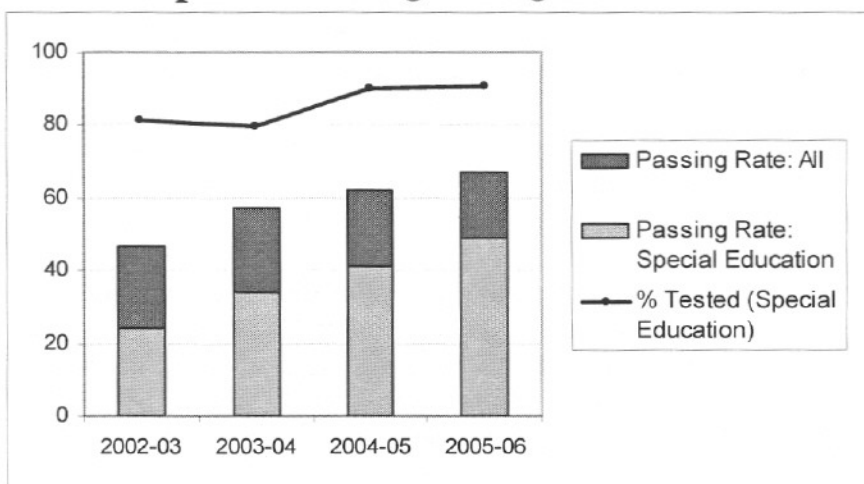
made to state and federal requirements for assessing special education students. One campus principal noted:

*One of the three most significant challenges facing our special education students is state testing and NCLB. We as a district are doing our best to keep up with the ever changing state and federal [requirements]. At times the testing and expectations can be overwhelming.*

While the data indicate that progress is being made, comments from campus principals suggest that this progress has been accompanied by a degree of frustration at the local level. As new assessment strategies are contemplated by the legislature, careful planning is required to be certain that any new assessment program takes the needs of special education students into account on the front end. Policy-makers should also be thoughtful about the extent to which new assessment and accountability standards align with NCLB requirements.

The four most recent years of testing data (all under TAKS) indicate that although more progress is needed, both the percentage of special education students taking the general test as well as the percentage of students passing all sections of the test has increased during the four year time period.

**Chart 5. Percentage of Students Passing All Sections of TAKS at the Panel Recommended Standard and the Percentage Not Tested Due to ARD Exemption: 2002-03 – 2005-06**



Source: AEIS Reports, various years



## Conclusions

Texas services for special education students reflect the complexity and diversity of the students served as well as the series of regulations at the state and federal level that govern the program. Educators provide a broad array of services meant to enable students to be successful in the classroom, and assessment data suggests that larger percentages of students are meeting these challenges.

However, more remains to be done. More resources should be devoted to attracting and retaining qualified staff with both instructional and content-related knowledge. Additional resources would also assist educators (both general and special education staff) in attaining training necessary to work more effectively with students who have special needs. Additional resources should also be devoted to providing more time for special and general education staff to meet regarding the unique needs of students placed in special education programs. Meeting the staffing requirements of NCLB will continue to provide a challenge to special education programs in the coming years.

Local communities are supplementing state and federal revenue streams to fund solutions for special education students, but additional state revenue would allow more to be done in these areas. Texas should reexamine its funding structure for providing special education revenue to school districts to ensure that revenue generated are sufficient to meet the cost of providing required services. Additional transportation funding, in particular, would enable school districts to better meet student needs by providing necessary adaptations to ensure the safe transportation, particularly in the face of rising fuel, equipment and personnel costs. The current allotment has not been updated since 1984.

Further, as Texas considers new assessment and accountability provisions, it will be important to consider the ways in which special education populations will be impacted. Careful planning on the front end will be required to ensure that state and federal accountability requirements work well with whatever system is adopted and that special populations have access to valid assessments that accurately measure progress made in a given year.

By creating a system that fosters effective communication between students, teachers, parents, and other providers, effectively monitor student progress while setting challenging and reasonable standards, and provides the resources necessary to adequately serve all students, Texas schools can continue to make, and accelerate the pace of progress for all students identified for special education services.

As stated, in recent years progress has been made in providing a quality education program for students with disabilities in Texas. However, stakeholders must continue their efforts to improve services. It is the belief of the public education special education community that a required next step is for the state

to undertake a comprehensive study/evaluation of special education in Texas. The results of such an effort will ensure that policy-makers fully understand all the dynamics of the program and allocate adequate and appropriate resources to meet current and future legal requirements.

## Texas Special Education Data at a Glance

### Students by Disability Type 1997-98 to 2005-06

	1997-98	2005-06
Orthopedic Impairment	6,184	5,579
Other Health Impairment	31,322	57,763
Auditory Impairment	5,883	6,888
Visual Impairment	3,064	3,766
Deaf/Blind	129	169
Mental Retardation	27,678	30,230
Emotional Disturbance	35,303	35,182
Learning Disability	264,695	240,398
Speech Impairment	90,206	99,182
Autism	4,403	17,205
Developmental Delay	1,044	1,080
Traumatic Brain Injury	723	1,406
Non-Category Early Ed	1,851	3,015

### Students Receiving Various Support Services

	1997-98	2005-06
Audiological Services	2,849	3,084
Counseling Services	22,916	26,620
Medical Service	1,569	804
Occupational Therapy	18,259	33,299
Orientation and Mobility Training	1,022	1,839
Physical Therapy	10,497	14,427
Psychological Therapy	4,281	7,342
Recreational Therapy	395	92
School Health Services	4,717	9,240
Social Work Services	2,297	1,074
Transportation Services	54,020	58,843
Assistive Technology Services	6,451	43,415
Interpreting Services	1,129	1,941

**Total Special Education Expenditures**

	<b>State and Local</b>	<b>Federal</b>	<b>Total</b>
<b>2004-05</b>	\$3.153	\$0.727	\$3.880
<b>2003-04</b>	\$3.069	\$0.642	\$3.711
<b>2002-03</b>	\$3.042	\$0.534	\$3.576
<b>2001-02</b>	\$2.875	\$0.429	\$3.304
<b>2000-01</b>	\$2.720	\$0.336	\$3.056

\*In billions of dollars

**Total Full Time Equivalent Employees and Average Salary for Special Education Staff**

	<b>2000-01</b>		<b>2004-05</b>		<b>2005-06</b>	
	<b>FTE</b>	<b>Average Salary</b>	<b>FTE</b>	<b>Average Salary</b>	<b>FTE</b>	<b>Average Salary</b>
Teacher	27,300	\$37,995	30,307	\$40,713	31,554	\$41,422
Educational Aide	22,171	\$13,836	26,571	\$15,498	27,589	\$15,868
Speech Therapist	3,234	\$41,182	3,555	\$45,181	3,672	\$46,355

SB 1000 Talking Points  
Katy ISD

1. Currently students with an autism spectrum disorder represent 10% of the students with disabilities in KISD.
2. We provide on-going training and technical assistance to campus personnel on meeting the educational needs of students with an autism spectrum disorder.
3. The district employs an Elementary and Secondary Program supervisor who provide direct technical assistance to elementary, junior high and high school campuses on serving students diagnosed with an autism spectrum disorder.
4. The district contracts with two outside autism consultant at a cost of about \$56,250 to supplement the district's technical assistance and staff development
5. The district has developed a comprehensive set of teacher competencies for the teachers who provide instruction to students with an autism spectrum disorders.
6. Beginning with the 2000-01 school year the KISD took a proactive approach and developed specialized autism programs for students with significant features of autism and require specialized programming outside of the typical special education classroom. We currently have early childhood, elementary autism programs and a junior high and high school autism program. These programs are in addition to the other special education programs and services made available to students with an autism diagnosis.
7. The KISD has established Developmental Assessment Teams whose responsibility is to conduct assessments to identify students with an autism spectrum disorder.
8. The district has purchased social skills materials and curriculum and conducted training for teachers and counselors to use the materials in the classroom and has part of counseling groups.
9. The district initiated an after school social skills program for secondary students with high functioning autism and aspergers.
10. The KISD serves as a model for districts in Region IV and other parts of the state who are attempting to develop programs to meet the needs of students with autism in their district.

These services clearly show that Katy ISD is capable and can provide the services needed to successfully educate students with an autism spectrum disorder and that KISD funds do not need to be used to pay for parents to enroll their child in a private school as would be the case if SB 1000 is approved. SB 1000 implies that public schools are not capable of providing the necessary services for the students with an autism spectrum disorder with a free and appropriate public education.

The passage of SB 1000 would very likely result in an increased enrollment of students with autism from outside KISD; therefore causing a financial burden on the taxpayers of the district.

Districts such as KISD who have taken a proactive approach to meet the challenge of developing quality programs and services for students with autism will be penalized by SB 1000 by assuming increased financial and legal liabilities to employ qualified staff and finding room to serve additional students.

KISD is recognized as one of the fastest growing school districts in the state of Texas. To provide a quality education to all students with disabilities presents an ongoing challenge. The passage of SB 1000 would make that challenge even more difficult by the district having to educate students from outside the district's boundaries.

## **S.B. 1000 and SPECIAL EDUCATION VOUCHER ISSUES**

**Presented By**

**The Texas Council of Administrators of Special Education**

- Many school districts have worked diligently to create and develop appropriate educational and support programs for students with ASD living within district boundaries. An almost certain future projection is that these same districts will receive almost all of the students with ASD exercising choice within the public school system. This is an unacceptable burden for district programs and the taxpayers of those districts.
- S.B. 1000 is worded to allow a parent to transfer and enroll their student with ASD to any school they desire, apparently whether or not an appropriate program exists in that school. The potential of additional cost in such a scenario is an unacceptable burden on schools, districts and the local taxpayers in the community.
- S.B. 1000 appears to require parents to opt out of their right to an appropriately developed individualized education plan as required of public schools if they attend a private school under this program.
- Due process rights of students with disabilities enacted over the past thirty plus years are undermined by encouraging eligible students to attend private schools which are not required to comply with the federal laws that apply to public school programs.
- S.B. 1000 encourages students with disabilities to attend private schools where fiscal and instructional accountability standards are not required at the same level as for public schools.
- The provisions of S.B. 1000 do not require private "qualified schools" to provide education in the least restrictive environment, access to the same general education curriculum required of public schools or the hiring of highly qualified or appropriately certified teachers required under federal and state law for public schools.
- Public school districts receiving new students under the provisions of S.B. 1000 assume significant additional financial liabilities for finding and employing the necessary specialized staff, the training of existing staff and for the very real possibility of additional legal due process hearings and court actions. This appears to be an unfair burden, perhaps an unfunded mandate, being placed on selected school districts by the state.
- Honoring a parents request for placement under S.B. 1000 by-passes the required committee placement decision process in federal law.

- According to studies and research public school special education programs in Texas are under-funded. Taking sparse state dollars to fund choice programs will further restrict available funding for existing programs.
- Budgets being considered in both the House of Representatives and Senate in the 80<sup>th</sup> Session of the Texas Legislature do not increase state funding for historically under-funded public school programs. Examples include the transportation allotment which has not been adjusted since 1984, special education programs, accelerated program funding serving low-income students and programs serving students with a primary language other than English.
- It appears that S.B. 1000 is aimed at providing financial support in private schools only to those families with Autistic Spectrum Disorders (ASD) children who can afford to pay the difference between the "so called" Autism Accessibility Program payment and the cost of the private school tuition. The proposed state payment amount appears to be significantly less than the cost of services for these students in many private schools.
- Families living outside of metropolitan/urban areas wishing to access private providers will find it difficult to locate qualified private schools in less populated areas.
- The services for students with disabilities are too critical to not have full accountability by both public and private schools.
- TCASE opposes any legislation that takes scarce public dollars and provides those funds to private schools.