



Texas AFT

A Union of Professionals

www.texasaft.org

3000 S. IH-35
Suite 175
Austin, TX 78704

(512) 448-0130
(800) 222-3827
f: (512)448-0678

TESTIMONY TO THE SENATE EDUCATION COMMITTEE REGARDING SPECIAL EDUCATION SERVICES

June 16, 2010

Patty Quinzi, Texas AFT Legislative Counsel

We share with you a deep concern for the welfare of students with autism and other Texas students in special education programs. The members of Texas AFT, both teachers and paraprofessionals, tell us that they want more and better training in how best to serve special education students, especially students with autism spectrum disorders.

In its February 2010 Texas State Plan for Individuals with Autism Spectrum Disorders, the Texas Council on Autism and Pervasive Development Disorders defines as a primary state goal the provision of effective, comprehensive, and individualized services to meet the needs of Texans ages 6-22 with ASD. With recent developments in special education research and delivery of services, Texas AFT feels that the legislature should give top priority to ensuring ongoing, effective training to those educators who instruct and provide services to students with special needs.

During the 81st legislative sessions, some progress was made toward better meeting the needs of children with special needs including autism spectrum disorders, but much is left to be done.

Sen. Van de Putte's SB 451, which was co-authored by Senators West and Zaffirini, is a significant development, requiring school districts to provide appropriate training for educators who work outside the area of special education and do not possess the knowledge and skills necessary to implement the individualized education program developed for a student who is to receive instruction from the educator. These educators are increasingly called upon to provide crucial services for special education students. Now, more than ever, this training is essential to the progress of students with autism spectrum disorders.

Sen. Gallegos along with Rep. Thompson sponsored HB 1574, which establishes an autism spectrum disorders resource center to coordinate resources for individuals with autism and other pervasive developmental disorders and their families. For years, the resource center had only been a recommendation of the State Autism Council. It now functions to provide training, technical assistance, and support for educators who serve students with autism.

In the upcoming session, Texas AFT expects to support again a proactive package of bills to improve services for students with disabilities in public schools. Such improvements include :

- providing for training, assistance, and resources needed by teachers and paraprofessionals serving students with disabilities;

- providing transition and employment services for students with disabilities;
- providing quality standards for school personnel serving students with disabilities;
- codifying access for school districts to funding for students with disabilities whose needs trigger extraordinary costs; and
- providing for optional dispute resolution in special education disputes relating to special-education due-process hearings.

These measures for the benefit of all students with disabilities also would help to reach the goals of the State Autism Council, which has recommended as its paramount priority research-based, up-to-date training for all school personnel involved in providing services to students with autism spectrum disorders.

Intervention Services

The 2004 reauthorization of the Individuals with Disabilities Education Act (IDEA) allows state educational agencies to consider a student's responsiveness to intervention (or RtI) as one component of specific learning disability determination. This alternative is being actively promoted by the U.S. Department of Education and allows schools to use up to 15 percent of available IDEA funding for these services. The premise is that traditional methods have mistakenly identified many students as individuals with disabilities, without first determining whether their learning difficulties could have been overcome through interventions in the regular classroom. The switch to RtI has broad implications, extending far beyond the customary sphere of special education for students with disabilities. It holds the promise of more individually tailored instruction for many more students in the regular classroom. In addition, this approach can ensure early identification and appropriate interventions for those students who have an autism spectrum disorder.

AFT has been very active in the implementation of RtI at the federal and state levels. As part of our ongoing participation, we serve on the Texas Response to Intervention Coordination Council with TEA staff and other education associations. A consistent refrain we hear among experts and practitioners in the field is the need for relevant, ongoing, job-embedded professional development for teachers as well as paraprofessionals. For an RtI component to be successful in addressing current challenges, personnel need to be properly trained to ensure proper delivery of services. Our members strongly believe that if schools adopt new initiatives in name only, without providing the training that is essential for proper delivery, then students cannot advance to their potential. At our last convention, our members resolved to support the creation of professional development programs that include instruction on RtI for all school staff, a standardized process for all districts in the use of RtI, and the support for locals that provide assistance in accomplishing this goal.

Texas AFT urges the legislature to increase significantly the funding provided for intervention services and intervention training for all school staff.

Reauthorization of ESEA

While this committee continues to work on special education services here in Texas, we strongly urge committee members to do what you can on the federal level to help revise some key provisions of the Elementary and Secondary Education Act that are seriously flawed with regard to special education students, including:

- the Adequate Yearly Progress' (AYP) formula that is neither research-based nor scientifically reliable and valid—for example the testing of special education students—and consequently misidentifies schools as “in need of improvement” and results in the inappropriate application of sanctions; and
- the narrow set of school improvement interventions that are not research-based and may be punitive rather than helpful to schools and the children they serve; and
- the unrealistic certification requirements for “highly qualified teachers” particularly in regard to special education and middle school teachers, and the exemptions for charter school teachers and supplemental service providers; and
- the failure to provide the resources to help paraprofessionals meet the law’s requirements.

The federal government also has consistently failed to live up to its commitment to fund ESEA adequately--just as it has with the Individuals with Disabilities Education Act (IDEA). The Texas congressional delegation should be encouraged to work to correct ESEA's flaws and to ensure that ESEA and IDEA are appropriately funded to accomplish their important goals, especially with regard to special education services.