



Fairfax County Special Education PTA
P.O. Box 3473
Merrifield, VA 22116
president@fairfaxcountysepta.org

Rationale for Special Education Funding, Services and Training Resolution

This resolution addresses the systemic underfunding and understaffing of special education programs and services at the local, state and federal level, which perpetuates the achievement gap between students with disabilities and their non-disabled peers. It also addresses the requirement to properly identify and support the needs of students with disabilities across all settings through increased professional development, access to curricula, and development of standardized tests and universal screeners that can accurately measure the capabilities of students with disabilities.

This resolution calls on the U.S. Congress to fully fund the Individuals with Disabilities Education Act (IDEA) for the first time in the law's history. Full funding of IDEA will give districts enhanced ability to hire staff, such as related service providers, in ratios that will significantly benefit both the identification of and services for students with disabilities, while also increasing staff performance and retention. These benefits, along with access to appropriately challenging and inclusive curricula, have been shown to decrease the achievement gap for students with disabilities when implemented with fidelity.

Fairfax County Special Education PTA needs to take the following actions to support the educational needs of the more than 29,000 students with disabilities across the county. The achievement gap for students with disabilities has persisted for decades and the federally promised funding for special education has never materialized. With COVID-19 impacting the ability of students to be physically present in school buildings, many students with disabilities are losing access to the services and supports they require to make appropriate progress. The steps outlined in this resolution will help to address these concerns and decrease the achievement gap for students with disabilities across the county.

Special Education Funding, Services, and Training

Whereas the Individuals with Disabilities Education Act (IDEA), originally passed in 1975 under the title “Education for All Handicapped Children Act” and amended in 1997 and 2004, pledged to school districts nationwide that the federal government would provide 40% of the extra cost of special education; that pledge has gone perpetually unfulfilled, as the federal government currently provides funding for less than 15% of the extra cost of special education; the ability of local school districts to provide appropriate services to the nearly 7 million children who qualify for special education services across the country is dependent on IDEA funding; and

Whereas the extra cost of special education includes services provided by occupational (OT) and physical therapists (PT), speech-language pathologists (SLP), assistive technology specialists (AT), paraprofessionals, school counselors, social workers and psychologists; the ability of these related service providers (RSP) to provide appropriate services to their students is heavily dependent on both their caseload and their workload; there are nationwide staffing shortages across RSP disciplines; and

Whereas the percentage of students enrolled nationwide in public school receiving special education services has increased from 8.3% in 1976 to 13.7% in 2017-2018; the largest increase in identification is within the eligibility categories of Autism, Developmental Delay, Other Health Impairment (OHI), and Specific Learning Disabilities (SLD); there are marginalized and under-supported populations within the disability community that are routinely underidentified and/or are not provided appropriate supports and services; and

Whereas the achievement gap between students with and without disabilities demonstrates that students with disabilities do not have consistent access to curricula and services that result in more than a *de minimis* education; the 2017 Supreme Court case *Endrew F. v. Douglas County School District* decision states that “every child should have the chance to meet challenging objectives”; standardized tests that measure achievement are often inaccurate measures of the capabilities of students with disabilities;

Whereas Universal Design for Learning (UDL) Guidelines are a tool used in the implementation of Universal Design for Learning, a framework to improve and optimize teaching and learning for all people that is evidence-based on scientific insights into how humans learn and addresses systemic barriers that result in inequitable learning opportunities and outcomes; UDL is included in the 2016 Every Student Succeeds Act (ESSA) and the 2018 (re-authorization of the Perkins Act) Strengthening Career and Technical Education for the 21st Century Act;

Therefore, be it

Resolved, That Fairfax County SEPTA urges the United States Congress to pass legislation to provide full federal funding of the Individuals with Disabilities in Education Act in order to support students with disabilities' ability to reach their full potential and become an independent member of society; and be it further,

Resolved, That Fairfax County SEPTA acknowledges the important role that related service providers have in providing a free and appropriate public education (FAPE) for students with disabilities and strongly urges funding for staffing levels determined by a workload analysis approach to support the identification of and service quality for students with disabilities, along with improved staff retention; and be it further,

Resolved, That Fairfax County SEPTA urges Fairfax County Public Schools to provide annual training for all teachers in UDL Guidelines to provide multiple means of Engagement, Representation, and Action and Expression such that the needs of all students are recognized, including marginalized and under-supported populations within the disability community such as but not limited to those with complex communication needs, sensory integration disorder, twice-exceptionality, visual impairment, etc; to refer these students to the Local Screening Committee (LSC); to provide annual training for all members of the special education team in the assessment and identification of the range of disabilities in students; and to advocate that teacher certification programs include mandatory curricula addressing strategies for meaningful inclusion and instruction of special education students through the use of UDL Guidelines; and be it further,

Resolved, That Fairfax County SEPTA encourages all local units and community members to participate in their state-mandated Special Education Advisory Committee (SEAC), the Advisory Committee for Students with Disabilities (ACSD), and to advocate for fidelity of implementation in all special education services and programs.

Resolved, That Fairfax County SEPTA encourages all stakeholders in the educational system to presume the competence of students with disabilities by supporting and providing access to appropriately challenging curricula for all students; to include classroom instruction about disability history and people with disabilities within existing inclusive curricula; to support and advocate for school systems to implement professional development to train all teachers (general education, special education, and specialists such as music/art/physical education,etc.) in supporting the needs of their special education students - whether those needs be related to fine/gross motor skills, communication, assistive technology, twice-exceptionality, etc; to support the development of standardized tests and universal screeners that are normed to include students with disabilities who access these assessments using the accommodations deemed necessary by their Individualized Education Plan (IEP) teams.

FACTS SUMMARY

Each whereas statement of fact, should be substantiated by three different resources that are each no more than 6 years old.

<p>Whereas 1</p>	<p>IDEA was first implemented in 1975 and has never been fully funded. This negatively impacts almost 7 million children who receive special education services.</p>	<p>R1 R2 R3</p>
<p>Whereas 2</p>	<p>Related Service providers are overtaxed with their caseloads, which results in staffing shortages and prevents appropriate services from being delivered. A workload approach would be more effective in schools.</p>	<p>R3 R4 R5</p>
<p>Whereas 3</p>	<p>The percentage of students enrolled in public school that are identified as needing special education services has increased dramatically since IDEA was implemented - with specific increases in the identification of students with specific learning disabilities, autism, and twice exceptional students.</p>	<p>R6 R7 R8</p>
<p>Whereas 4</p>	<p>The achievement gap for students with disabilities demonstrates that access to appropriate curricula and services to provide more than a de minimis education, as required by the 2017 Supreme Court Case Endrew F. vs. Douglas County School District. Standardized tests are inaccurate measures of the abilities of students with disabilities.</p>	<p>R9 R10 R11</p>
<p>Whereas 5</p>	<p>Universal Design for Learning is a framework to improve and optimize teaching and learning for all people that is evidence-based on scientific insights into how humans learn and addresses systemic barriers that result in inequitable learning opportunities and outcome. UDL is included in ESSA and Strengthening Career and Technical Education for the 21st Century Act;</p>	<p>R12 R13 R14 R15</p>

REFERENCES

- R1** Washington.edu. 2019. *What Is The Individuals With Disabilities Education Act?* | *DO-IT*. [online] Available at: <<https://www.washington.edu/doit/what-individuals-disabilities-education-act>> [Accessed 10 November 2020].
- R2** NCLD. 2018. *IDEA Full Funding: Why Should Congress Invest In Special Education?* - *NCLD*. [online] Available at: <<https://nclid.org/news/policy-and-advocacy/idea-full-funding-why-should-congress-invest-in-special-education>> [Accessed 10 November 2020].
- R3** Blad, E., 2020. *Why The Feds Still Fall Short On Special Education Funding*. [online] Education Week. Available at: <<https://www.edweek.org/ew/articles/2020/01/15/why-the-feds-still-fall-short-on.html?r=1198413565>> [Accessed 10 November 2020].
- R4** Asha.org. 2020. *Caseload And Workload*. [online] Available at: <https://www.asha.org/practice-portal/professional-issues/caseload-and-workload/#collapse_0> [Accessed 10 November 2020].
- R5** Garfinkel, OTD, OTR/L, M. and Seruya, PhD, OTR/L, F., 2017. *The Workload Toolbox: Practical Tools To Help You Build A Case For And Maintain A Workload Model In Your School-Based Practice*. Available at: <https://www.garfinkelseruya.com/uploads/1/1/6/0/116006919/garfinkel-seruya_workload_ppt_final.pptx> [Accessed 10 November 2020]
- R6** Schaeffer, K., 2020. *As Schools Shift To Online Learning Amid Pandemic, Here'S What We Know About Disabled Students In The U.S.* [online] Pew Research Center. Available at: <<https://www.pewresearch.org/fact-tank/2020/04/23/as-schools-shift-to-online-learning-amid-pandemic-here-hat-we-know-about-disabled-students-in-the-u-s/>> [Accessed 11 November 2020].
- R7** Nces.ed.gov. 2020. *Fast Facts: Students With Disabilities (64)*. [online] Available at: <[https://nces.ed.gov/fastfacts/display.asp?id=64#:~:text=Much%20of%20this%20overall%20increase,%E2%9C%9305%20\(5.7%20percent\).](https://nces.ed.gov/fastfacts/display.asp?id=64#:~:text=Much%20of%20this%20overall%20increase,%E2%9C%9305%20(5.7%20percent).>)> [Accessed 11 November 2020].

R8	Arky, B., 2018. <i>Twice-Exceptional Kids: Both Gifted And Challenged</i> . [online] Child Mind Institute. Available < https://childmind.org/article/twice-exceptional-kids-both-gifted-and-challenged/ > [Accessed 11 November 2020].
R9	Levenson, N., 2018. <i>Special Ed Needs To Change. Vermont Shows How..</i> [online] Available at: < https://www.washingtonpost.com/education/2018/09/26/special-ed-needs-change-vermont-shows-how/ > [Accessed 11 November 2020].
R10	Sites.ed.gov. 2017. [online] Available at: < https://sites.ed.gov/idea/files/qa-endrewcase-12-07-2017.pdf > [Accessed 11 November 2020].
R11	Samuels, C., 2016. <i>Why Are Students With Disabilities Failing Standardized Tests?</i> . [online] Education Week - On Special Education. Available at: < http://blogs.edweek.org/edweek/speced/2016/05/students_disabilities_failing_tests.html?cmp=SOC-EDIT-F~:text=Why%20Are%20Students%20with%20Disabilities%20Failing%20Standardized%20Tests%3F,-By%20ristina%20Samuels&text=At%20least%20in%20part%2C%20it's.them%20to%20pass%20these%20tests.&tThat%20compares%20to%2043.9%20percent%20of%20the%20general%20student%20population > [Accessed 11 November 2020].
R12	UDL: <i>The UDL Guidelines</i> . (2020). Retrieved 11 January 2021, from https://udlguidelines.cast.org/
R13	CAST: <i>UDL in Public Policy</i> . (2020). Retrieved 11 January 2021, from https://www.cast.org/impact/udl-public-policy
R14	Lamar, A. (2015). Text - S.1177 - 114th Congress (2015-2016): <i>Every Student Succeeds Act</i> . Retrieved 11 January 2021, from https://www.congress.gov/bill/114th-congress/senate-bill/1177/text
R15	Scott, B. (2017). <i>The Strengthening Career and Technical Education for the 21st Century Act Fact Sheet</i> . Retrieved 11 January 2021, from https://edlabor.house.gov/imo/media/doc/2017-05-04%20CTE%20Bill%20Fact%20Sheet.pdf

ADDITIONAL REFERENCES & SOURCES

§[American Occupational Therapy Association, American Physical Therapy Association, & American Speech-Language-Hearing Association].

(2015, January 24). *Paradigm shift: Workload approach for related service providers*. [Video File.]. Retrieved from

<https://www.youtube.com/watch?v=6UMfm5rSgeU&feature=youtu.be>

§ Asha.org. 2018 State-Issued Guidance for Caseload Chart. 2018. [online] Available at:

<<https://www.asha.org/siteassets/practice-portal/caseloadworkload/state-caseload-chart.pdf>>

[Accessed 10 November 2020].

§ FairTest. (April, 2017). *Standardized Testing and Students with Disabilities*.

<<https://www.fairtest.org/standardized-testing-and-students-disabilities>> [Accessed 11

November 2020].

§ Nagc.org. 2020. *Twice-Exceptional Students | National Association For Gifted Children*.

[online] Available at:

<<https://www.nagc.org/resources-publications/resources-parents/twice-exceptional-students>>

[Accessed 11 November 2020].

§ NCPSSERS. 2020. *Home - NCPSSERS*. [online] Available at:

<<https://specialedshortages.org/>> [Accessed 11 November 2020].

§ NCPSSERS. 2020. *About The Shortage - NCPSSERS*. [online] Available at:

<<https://specialedshortages.org/about-the-shortage/>> [Accessed 10 November 2020].

§ Rosen, P., 2020. *The Challenges Of Twice-Exceptional Kids*. [online] Understood.org.

Available at:

<<https://www.understood.org/en/friends-feelings/empowering-your-child/building-on-strengths/gifted-childrens-challenges-with-learning-and-thinking-differences>> [Accessed 11 November

2020].

§ Samuels, C. (December 23, 2016). "Study: Students With ADHD Not Helped by Common Test Accommodations," *Education Week*.

<http://blogs.edweek.org/edweek/speced/2016/12/test_accommodations_for_adhd.html>

[Accessed 11 November 2020]