

Special Needs Subcommittee

SPECIAL EDUCATION, GIFTED EDUCATION AND ENGLISH LANGUAGE LEARNER RECOMMENDATIONS

These recommendations are made by the subcommittee to the School Funding Advisory Council for its consideration and as such are not final. The Council will decide whether to accept, reject or modify these recommendations for its report due Dec. 1, 2010.

Charge

In preparing its recommendations due Dec. 1, 2010, the council's report shall include the adequacy of the model's financing for special education, gifted education services and services for limited English proficient students. This analysis shall consider, for each area, current educational need, current educational practices, and best practices.

Members

- Robyn Essman, Columbus City Schools (chair)
- Dayvenia Chesney, Miami Valley Child Development Centers
- State Rep. Randy Gardner
- David Huelsman, parent, Oakstone Community School
- Jan Kennedy, Cincinnati Archdiocese
- James McClure, Mentor City Schools
- Ann Sheldon, Ohio Association for Gifted Children
- Dr. Jan Osborn, Putnam County Educational Service Center
- Thomas Babb, Constellation Schools
- Dr. Roger Saurer, Copley-Fairlawn City Schools

Special Education Recommendations

Special Needs Subcommittee

History/Overview

- Individuals with Disabilities Act (IDEA) of 2004
 - free, appropriate public education (FAPE)
- 2006 Operating Standards for Ohio's Groups Serving Children with Disabilities, which contains ratios last updated in 1982
- Prior to FY99, the funding mechanism for special education was based on a reimbursement unit system
- In FY99, the state of Ohio adopted a per-pupil funding model based on categorical special education weights multiplied by a per-pupil amount and state share percentage
- Starting in FY10, Ohio adopted the EBM, which funds special education teachers and aides through an instructional based model assuming a 1:20 teacher to student ratio

Process

- Tom Lather, Associate Director in the Office of Exceptional Children, presented a history of Special Education in the state of Ohio.
- Presentation by Dr. Jan Osborn, Superintendent of Putnam County Educational Service Center, members of the Ohio Coalition for the Education of Children with Disabilities (OCECD) and special education advocates.
- Following the review of relevant data, research and presentations, subcommittee members made recommendations to Ohio's EBM that would allow it to more effectively and adequately provide for special education students.

Recommendation 1

Recommendation: Beginning in FY2012-2013, the subcommittee recommends funding special education weights at 100% and applying the 2006 weights to a valid per-pupil basis.

Rationale: HB 1 currently funds special education weights at 90%, which does not adequately provide for the full costs identified as necessary for educating special education students. According to the Individuals with Disabilities Act (IDEA) of 2004, states receiving federal funding must provide a free and appropriate public education to special education students. The subcommittee believes supporting the existing system should be done while possible revisions under *Recommendation 2* are considered.

Recommendation 2

Recommendation: Update the 2006 special education weights to reflect current educational needs and continue to update these weights on a biennial basis.

Rationale: The 2006 special education weights were developed by OCECD based on the funding model and per-pupil amount at the time. In order to reflect current educational needs, the subcommittee recommends a collaborative study conducted by ODE, OCECD and special education professionals and subsequent implementation. This study should incorporate best practices identified by professional organizations in the field of special education. Updating the weights on a biennial basis will allow the weights to more accurately reflect the evolving funding needs of special education students.

Recommendation 3

Recommendation: Remove the 1:20 teacher to student funding ratio.

Rationale: After a thorough review of the research conducted by Odden and Picus, it became evident to subcommittee members that the 1:20 ratio does not match Ohio's system of weighted costs nor accurately reflect Ohio's special education needs. The weights should be applied to a valid per-pupil amount in the way they were designed.

Recommendation 4

Recommendation: Restore the catastrophic cost funding for special education in FY 2012-2013.

Rationale: The catastrophic cost funding is utilized by those districts that serve low-incident, severely high need students. Restoring the funding will allow districts to more adequately meet the needs of these students.

Recommendation 5

Recommendation: Require districts to meet minimum operating standards and transparently identify any expenditure in this area on spending reports.

Rationale: Districts must meet the needs of the identified special education student population and comply with the spending requirements. Identifying expenditures will enable ODE and district communities to hold school districts accountable for the funds they receive.

Recommendation 6

Recommendation: Fund all preschool classroom units.

Rationale: Children with learning differences need to be identified at an early age. The state funding of the remaining unfunded preschool classroom units will provide more adequate funding for early intervention strategies.

Notes

- Auxiliary service funds may **not** be used to identify children enrolled in non-public schools. Child find is a district responsibility.
- Cuts to auxiliary services funding for non-public schools can adversely impact special education students in those schools.

Next Steps

- ODE, OCECD and special education professionals will reexamine the 2006 weights and conduct a study to update the weights to reflect current educational needs.
- There is a need to actively recruit special education teachers to the field.

Gifted Education Recommendations

Special Needs Subcommittee

History/Overview

- Cleveland's Major Work Program was the first gifted education program in the country
- The Ohio Association for Gifted Children (OAGC) was founded in 1952 which preceded the National Association for Gifted Children
- Prior to FY10 Ohio funded gifted education through a unit funding mechanism similar to pre-FY99 special education funding, which funded state approved units utilizing a salary schedule grid based on teachers' years of experience and education and other allowances. In addition to the funds provided for operation of approved units, the state also provided "gifted identification funding" through a budget set-aside that provided a modest per-pupil amount to school districts
- School districts are required to identify students based on their gifted category, but not required to meet the individual needs of these students

Process

- Tom Lather, Associate Director in the Office of Exceptional Children presented a history of Gifted Education in the state of Ohio
- Presentation by Ms. Ann Sheldon, Executive Director of the Ohio Association for Gifted Children (OAGC), members of OAGC and gifted education advocates
- Following the review of relevant data, research and presentations, subcommittee members made recommendations to Ohio's EBM that would allow it to more effectively and adequately provide for gifted education funding.

Recommendation 1

Recommendation: Gifted Intervention Specialist (GIS) salary should be inflated to reflect the higher salaries often paid to GISs in practice. The revised calculation was recommended as GIS = Organizational Unit x average instructional salary x 1.15 x phase-in factor x ECF.

Rationale: According to a study conducted by OAGC and validated Dr. Diane Gillespie of Virginia Tech in 1999, (which was revised by OAGC in 2001), the inclusion of the 1.15 multiplier will bring the instructional salary to actual cost of employing a GIS.

Recommendation 2

Recommendation: The Gifted Coordinator component calculation should be revised as follows= average instructional salary x 1.25, and the component should be calculated on a sliding scale of organizational units per district instead of ADM, expanding the formula to read: Organizational Unit Step Formula x average instructional salary x 1.25.

Rationale: According to a study conducted by OAGC and validated by Dr. Diane Gillespie of Virginia Tech in 1999, (which was revised by OAGC in 2001), the inclusion of the 1.25 multiplier will bring the instructional salary to actual cost of employing a Gifted Coordinator. Further, this formula decreases the overall number of coordinator units from 701 (in Ohio's current EBM formula) to 610.

Recommendation 3

Recommendation: A transition to a statewide mandate to serve gifted students should be done in a phased-in manner, aligned with the phase-in of the EBM.

Rationale: Considering the significant changes being made to gifted funding, the subcommittee recommends a phase-in to allow districts time to put in place the necessary services and structures.

Recommendation 4

Recommendation: Increase the identification component from \$5 to \$15 and apply the ECF to account school districts demographic differences. The formula would read: $ADM \times \$15 \times ECF$.

Rationale: Pursuant to a study conducted by OAGC and validated by Dr. Diane Gillespie of Virginia Tech in 1999, (which was revised by OAGC in 2001), the subcommittee members recommend an increase in the identification component.

Recommendation 5

Recommendation: A “Triggered Gifted Guarantee” should be implemented, guaranteeing that no district would fall below the previous year’s state funding for gifted education beginning with FY09 funding (including the FY09 gifted supplemental identification funding).

Rationale: This recommendation responds to concerns that some districts that are not on transitional guarantee lose gifted funding in FY10 & FY11 relative to FY09. This guarantee is similar to a maintenance of efforts provision (the district would not be funded below the previous year’s level).

Recommendation 6

Recommendation: Gifted funding should continue to flow to ESCs during the transition with the expectation that the funding will be used for licensed gifted specialists.

Rationale: ESCs serve the gifted education needs of students of certain school districts. Without the continuation of funding to these educational entities, certain districts may not have access to gifted education services. In order to provide adequate and quality gifted instruction to all students, funding must continue to flow to ESCs.

Next Steps

- Community schools are largely excluded from the funding and accountability measures of state-funded gifted education. If community schools begin to receive gifted funding through the EBM, consideration needs to be given to the accountability associated with that funding.

English Language Learner (ELL) Recommendations

Special Needs Subcommittee

History/Overview

- Increase in the ELL student population nationwide from 1.6 million in 1986 to 9.9 million in 1998 (International Reading Association, 2001)
- Between 1998 and 2008, the ELL population had grown at a faster rate nationally than the general school population, 60 percent versus 3 percent respectively (USDE, 2008)
- Ohio has experienced comparable growth: From 1999 to 2009, ELL students increased by 111 percent to 36,600 students
- Title VI of the 1964 Civil Rights Act
- Lau v. Nichols (1974)
- Castañada v. Pickard (1981)
- Title III of No Child Left Behind (NCLB) (2004)
- In FY 2006, Ohio began its first systematic funding system for ELL students through Poverty Based Assistance (PBA), funding ten school districts
- Between FY 2006 and FY 2009, the number of school districts funded through PBA increased to eleven

Process

- Dr. Dan Fleck, Educational Employee Consultant in the Office of Curriculum and Instruction, presented the history of ELL education in the state of Ohio and the federal influences on funding.
- Presentation by Dr. Roger Saurer, Superintendent of Copley-Fairlawn City Schools, an inservice Teacher of English to Speakers of Other Languages (TESOL) certified teacher and ODE staff person, Dr. Dan Fleck.
- Following the review of relevant data, research and presentations, subcommittee members made recommendations to Ohio's EBM that would allow it to more effectively and adequately provide for ELL students.

Recommendation 1

Recommendation: A cost-study survey should be administered by the Special Needs subcommittee and the Ohio ESL Advisory Committee in order to gather data reflecting actual ELL program expenditures by resource needs made by districts to meet the Lau standards.

Rationale: The results of these surveys can be used to develop a resource-based funding mechanism necessary to comply with Lau standards in every school district.

Recommendation 1 (continued)

Based on Title VI and the Lau v. Nichols court ruling, it became obligatory that U.S. public schools serve ELL students in the following ways:

- Identify and assess all students whose home/native language is not English;
- Provide supplemental language support services for students identified as “limited English proficient;” services must be theoretically sound and based on good practice;
- Provide qualified staff and equitable resources to implement the district’s program for LEP students; and
- Monitor and evaluate the program on an ongoing basis – and modify program if necessary.

Recommendation 2

Recommendation: Prior to the completion of the cost-study survey, ELL students should continue to be funded as they are through Ohio's EBM. Further, let it be specified that they be taught by highly qualified teachers, professionals and paraprofessionals who support the students' acquisition of English and achievement of Ohio's academic content standard.

Rationale: The Special Needs subcommittee does not currently have sufficient data to recommend changes to the EBM; however, there is a significant body of research which states the importance of having highly qualified staff in the classroom.

Recommendation 3

Recommendation: *The subcommittee recommends that language regarding the use of auxiliary services funds be adjusted so that these funds could also be used for funding of services to ELL students.*

Rationale: Considering the individualized instruction required for ELL education, funding needs to fluctuate based on trends in populations in schools. For this reason, it is important to have additional, accessible funds for any extraordinary costs associated with meeting the needs of the ELL population.

Recommendation 4

Recommendation: *Districts should transparently identify expenditures made in this area to comply with state and federal standards.*

Rationale: Per federal law, school districts will continue to be required to adhere to policies outlined in Title VI of the 1964 Civil Rights Act, the 1974 court case ruling, *Lau v. Nichols* and Title III of No Child Left Behind. These laws help to protect the basic educational rights of ELL students.

Next Steps

- Follow through on data collection for the cost-study survey and use this data to calculate weights for ELL categories which could be multiplied by a per-pupil amount.

Notes

- Presentations, research and relevant data utilized during subcommittee meetings can be found on the official ODE SFAC website: <http://sfac.education.ohio.gov> and <http://groups.google.com/group/sfacdocshare>
- The subcommittee would like to continue to meet in the coming year to further its inquiry into these complex issues and to monitor the recommendations made by the School Funding Advisory Council.

Questions and Discussion