



MISSOURI COUNCIL OF ADMINISTRATORS OF SPECIAL EDUCATION

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2015 Legislative Platform

MO-CASE is committed to working in collaboration with other educational stakeholders and elected officials to further the following legislative priorities.

District Transfers/Open Enrollment

MO-CASE opposes transfers and open enrollment especially when the complex issues related to delivery of special education are not addressed. The current transfer situation in St. Louis County is extremely difficult when special education students transfer. There is no clarity on how districts sending and receiving students will comply with IDEA procedural requirements, who is responsible for due process, and how the tuition rate for a special education student can be adjusted from regular tuition. Similar concerns apply to open enrollment and vouchers used to attend a non-resident public school. If students are allowed to move between districts, some schools will be inundated with students with disabilities who require highly specialized services with no additional resources to deliver those services.

Vouchers

MO-CASE opposes vouchers to send students with disabilities to private programs. Private programs are not required to provide FAPE; they can hire teachers without any special education qualifications; they are not prohibited from restricting enrollment based on type and severity of disability; and they are not required to educate students in the least restrictive environment. Vouchers could encourage the establishment of new segregated programs without any assurance of quality services.

Charter Schools

MO-CASE supports increased charter school accountability to ensure equitable enrollment of students with disabilities and delivery of special education services in compliance with IDEA and the State Plan.

Mandatory Retention

MO-CASE opposes legislation that would mandate student retention especially when based on arbitrary factors such as one standardized test score. Missouri schools should have the authority to make retention decisions based on local policies coupled with a variety of individual student considerations including multiple student achievement measurements, the potential positive and negative impact of retention for an individual student and other relevant factors. These individual student considerations are especially important for students with disabilities including those who are IDEA eligible and also those who are 504/ADA eligible.

Legislation Targeting Specific Disability Groups

MO-CASE in general opposes legislation that singles out discreet disabilities for differentiated treatment within the educational system. IDEA and Section 504 provide a comprehensive framework for identification of students who have disabilities and require a full range of special education and related services to meet individual student needs regardless disability type. Additional mandates for specific disability groups will create legal confusion and increase expenses with no guarantee of improving services for children with disabilities. The legal entitlements of IDEA and Section 504 should be used to ensure appropriate services are provided to children with all types of disabilities.

MO-CASE supports legislation that promotes understanding of specific disabilities and provides quality recommendations for improving services to children with those disabilities. MO-CASE supports expanding information dissemination, providing quality professional development, and supporting schools deliver research validated interventions focused on a specific disability or functional limitation.

Differentiated Compensation/Teacher Evaluation and Tenure

MO-CASE is concerned about federal and state legislative and policy proposals that would revise teacher evaluation systems, teacher tenure, and establish differentiated compensation (pay for performance) especially when student academic achievement as measured by a standardized assessment is a major component. MO-CASE supports effective personnel development for evaluators to ensure appropriate application of new personnel evaluation systems.

MO-CASE believes that teacher evaluation, tenure and compensation may be based in part on student growth, but not as a majority portion so that other factors become inconsequential. Student growth cannot be measured solely by one standardized assessment in limited core academic subject areas. Student growth includes social and emotional development in addition to academics. Assessment of student growth must be broader than just academics and must include mechanisms that allow students to demonstrate growth even when they are served by educators and student support personnel (e.g. school psychologists, speech-language pathologists, etc.) who teach/serve students in grade levels and subject/developmental areas that do not typically have standardized assessments.

In addition, the determination/expectation of growth must be appropriate for the student. Many students with disabilities have slower growth trajectories and some take alternative assessments which must be factored into a system. Some students with disabilities have goals not addressed by large scale achievement assessments, e.g. development/maintenance of motor function, self-care, independent living, and speech/language skills. Pay for performance for special education teachers and related service providers requires different student growth measures to be appropriate.

Corporal Punishment

MO-CASE supports legislation prohibiting the use of corporal punishment for all students rather than prohibiting such use only for students with disabilities. MO-CASE is concerned about establishing a "double standard", one for students with disabilities and one for those without.

Early Childhood Education

MO-CASE supports state policy initiatives that move Missouri toward universally accessible preschool for all children. Substantial research data indicate that quality, aligned and universally accessible preschool services benefit children and communities. In this environment, early childhood special education services would be integrated to create an inclusive and efficient early learning system.

MO-CASE strongly supports mandatory early childhood special education (ECSE) services for all eligible Missouri three and four year olds with disabilities. ECSE improves the developmental trajectory for many children, reduces the impact of disabilities, and reduces the long term cost of special education. MO-CASE is committed to ensuring cost effective ECSE programs across the state.

Seclusion/Restraint

MO-CASE supports federal legislation that reasonably limits the use of seclusion, restraint and aversive interventions. We also believe that it is important to balance restrictions on the use of interventions with the need to ensure the safety of other students and the student with a disability along with a family's desire for a student with significantly challenging behaviors to receive their education in a neighborhood school. We oppose any extensive new reporting requirements associated with seclusion/restraint legislation as such would impose an undue data burden on local schools and state education agencies. We also believe that existing public state agencies can and should assume responsibility for investigation and enforcement of any federal legislation passed.

Special Education Funding

MO-CASE strongly supports increasing federal and state funding to adequately support the significant special education requirements imposed on schools. We realize that federal, state and local budgets are struggling to meet demands. However, the federal government should meet their promise of financial support or should review and revise requirements to align with the level of support provided.