



## MISSOURI COUNCIL OF ADMINISTRATORS OF SPECIAL EDUCATION

3550 Amazonas Drive  
Jefferson City, MO 65019  
[www.mo-case.org](http://www.mo-case.org)

Diane Cordry Golden, Ph.D.  
Policy Coordinator  
[diane.mocase@gmail.com](mailto:diane.mocase@gmail.com)  
816/616-7668

### 2018 Legislative Platform

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

#### **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 of 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 framework of IDEA, Section 504/ADA and other existing educational laws should be used to ensure appropriate services are provided to all children, including those with disabilities or functional limitations.

MO-CASE supports legislation and policies that promote understanding of all disabilities and provides a framework for delivery of quality and targeted educational services to all students through a multi-tiered system of supports. MO-CASE also supports allocation of sufficient resources to implement such a system. The ever-expanding expectations for schools to provide educational, social, health, mental health and other services for students with and without disabilities must be supported with appropriate resources (see Funding and Resources priority).

#### **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. Special education procedural safeguards must clearly be the responsibility of ONE school district. Missouri districts vary greatly in size, resources and the degree to which they provide specialized programs for students with complex disabilities. This will likely result in some districts being overwhelmed with enrollment requests from students with high need disabilities who want to access specialized services with no additional resources provided to deliver those services.

#### **Vouchers**

MO-CASE opposes vouchers specifically designed to support students with disabilities attending private programs unless such private programs are required to comply with the provisions of IDEA and provide appropriate special education and related services. Currently private programs are not required to provide any kind of specialized instruction for students with disabilities. There are no requirements for private schools to hire teachers with special education qualifications. Private schools can refuse to enroll students based on their type or severity of disability. In other states vouchers have been used to establish new segregated special education programs without any assurance of quality service delivery in the least restrictive environment. Students with disabilities should not lose their legal protection to appropriate special education and related services when utilizing a publicly supported voucher to pay for an education program.

#### **Teacher Evaluation and Tenure**

MO-CASE is concerned any about federal or state legislative or policy proposals that would revise teacher evaluation systems to utilize student performance on standardized academic achievement assessments as a major component along with conditioning tenure or other benefits on such evaluations. MO-CASE supports effective personnel development for evaluators to ensure application of quality personnel evaluation systems that are appropriate for special educators.

## **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.

## **Accountability and Disproportionality**

MO-CASE supports appropriate accountability for all schools and students. We support including students with disabilities in the general education curriculum and assessments to the maximum extent possible and appropriate. However, we have concerns about establishing unreasonable accountability standards for students with disabilities given the wide variation in IDEA eligibility determinations and overall incidence rate between districts and states. MO-CASE has significant concerns about the concept of disproportionality under IDEA given recent research that is contrary to the foundational rationale. MO-CASE supports further research and careful policy deliberation before punitive actions are applied to a district because of disproportionality.

## **Special Education Procedures**

MO-CASE opposes laws or policies that expand or conflict with IDEA provisions. Over the last 40 years, IDEA has been reauthorized and amended multiple times and has been litigated extensively. All of the legal decisions and legislative changes have created a special education system that carefully balances the rights of parents and schools and keeps the education of students with disabilities as its core focus. Any statute or rule that creates new special education rights or procedures beyond those of the IDEA is unnecessary, will increase paperwork in a system that is already drowning in burdensome paperwork, and will divert resources away from services to students with disabilities to paperwork compliance.

## **Mandatory Retention**

MO-CASE opposes legislation that would mandate student retention especially when based on arbitrary factors such as standardized test scores. Research indicates that retention does not result in positive achievement or adjustment outcomes and some research demonstrates negative outcomes like increased drop-out rate for students who have been retained. Missouri schools should make retention decisions based on local policies coupled with individual student considerations including multiple 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, both those who are IDEA eligible and/or Section 504/ADA eligible.

## **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 all children and communities. In this environment, early childhood special education services would be integrated to create an inclusive and efficient early learning system. We also strongly support mandatory early childhood special education (ECSE) services for all eligible Missouri three and four-year-old children 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 working collaboratively with all stakeholders to review current policies, procedures and practices to ensure ECSE programs are cost-effective.

## **Funding and Resources**

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. Similarly, Missouri should fully fund specialized resources (e.g. High Need Fund) to support districts providing special education and related services for students with disabilities.

MO-CASE supports access to quality and comprehensive mental health services needed to support student success in school. There is a growing unmet need for school mental health services to meet the social, emotional and behavioral needs of students that are critical to positive learning outcomes and a safe school environment. MO-CASE supports innovative and collaborative initiatives designed to increase access to specialized school mental health services from qualified providers.