



The New Jersey Coalition for Special Education Funding Reform

Brenda Considine

Comments before the Assembly Budget Committee

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Good evening. My name is Brenda Considine. I am the coordinator of the New Jersey Coalition for Special Education Funding Reform.

I would like to thank this committee, and in particular, Chairman Greenwald and Vice-Chairman Schaer, for their leadership and commitment to students with disabilities.

Our coalition formed in 1996, and is comprised of 10 major statewide organizations concerned with special education funding and policy. We are non-profit organizations advocating for children with disabilities and families. Collectively, we represent an active and broadly representative network of tens of thousands of parents and advocates for students with disabilities.

In the past, we have gone on record with an unlikely fiscally message:

We have said repeatedly: "It is not a matter of more money; it is a matter of smarter money."

We could not have envisioned the day when Trenton would cut state support for special education to some districts to zero, and reduce overall state effort by more than \$300M.

While the Coalition and its members recognize the dire budget situation, and support the state's need to cut spending, this education budget hits students with disabilities particularly hard. Nearly half of the cuts to education – 47% - come from the State's commitment to support special education.

According to the Office of Legislative Services' Special Education Categorical Aid will be cut by over \$300 million, and Extraordinary Special Education Aid will be reduced by almost 15% -- or approximately \$27 million -- from what the School Funding Reform Act (SFRA) and the FY '10 Appropriations Act mandated. These cuts, coupled with the reduction in federal American Recovery and Reinvestment Act (ARRA) monies, will have a direct and palpable impact on students with disabilities.

If approved, these cuts put our State at grave risk of being in violation of federal law. A reduction from the prior year in the amount of money budgeted for special education will place school districts in violation of the "maintenance of effort" provisions IDEA. The State stands to lose its federal special education dollars that are contingent upon state compliance with special

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education law. Cutting back on the special education budget will, therefore, not only shortchange students, but also will result in a loss of money to the State.

Tomorrow, voters in New Jersey will consider local school district budgets that include steep cuts in special education; increases in class size, reductions of hundreds of classroom aides and support services. These cuts harm kids.

We do not believe that this is the goal of the Christie administration or this legislature.

The Coalition has long held that state policy must be informed by objective data in areas such as funding, costs and best practice.

We know there are other ways to save money:

First and foremost, the Coalition strongly urges New Jersey to conduct a scientifically validated, longitudinal outcomes study to examine the lives of adults who, as students, received special education services. We invest millions of dollars in educating students with disabilities, but objective data on these students in adult life is absent. We need to identify variables that affect positive outcomes in order to make informed decisions about education policy and funding.

Second, we urge New Jersey to conduct an independent study of the full actual cost of special education. New Jersey lacks the objective data on the actual excess costs of special education services to make informed decisions. Data available from NJDOE show a highly irregular set of public school tuition rates for self-contained special education programs – and no objective cost data whatsoever are available on the full excess costs of inclusive programs and services.

Current education policy in New Jersey favors public regional programs, which have not been shown to be the most cost-effective, or shown to produce the best outcomes for students. Further, public school tuition rates cannot be compared to private school rates, which reflect all costs, e.g., pension, retirement benefits, debt service, and facilities. Public school tuition excludes these costs because they are paid by state tax dollars, not local tax dollars.

Third, the Coalition urges an immediate moratorium on the construction of any new public school building to be used primarily by students with disabilities. Enough taxpayer dollars have been spent building separate publicly funded buildings. Future dollars are better spent by improving or expanding local school capacity to serve students with disabilities.

Fourth, public/private partnerships should be directly and explicitly encouraged to help bring highly specialized educational services into all settings, and to help bring quality, community-based transition services to students.

Fifth, the Legislature should require the DOE to coordinate and regionalize pupil transportation. Transportation is one of the most expensive components of special education, and limiting the duplication of transportation services within districts will result in great special education cost savings.

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Sixth, the Legislature should increase opportunities for districts to share equipment and assistive technology.

Seventh, the Legislature should require the DOE to facilitate effective general education pre-referral intervention. When children are provided with early educational interventions, the need for extensive special education services is often reduced.

New Jersey should continue to provide funds to districts serving students with highly specialized, intensive special education needs through an 'extraordinary services' special education aid supplement. The funding formula should be revisited so that aid is generated based on the services in a student's IEP – not the cost of the placement. This aid must be transportable across placements, so that districts working to return students who are in self-contained settings and who receive intensive services do not risk losing state aid.

We have and will continue to urge a funding study. Without data, we are guessing with billions of taxpayer dollars, and, more importantly, with the educational lives of millions of New Jersey school children.

Thank you,

Brenda Considine