



## 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

### 2014 Legislative Platform

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

#### **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 is strongly opposed to further cuts, withholdings or automatic sequestration reduction in federal IDEA funding. Missouri special education has been significantly impacted by the sequestration cuts. As an example, Missouri's largest special education district (St. Louis County) is incurring a reduction of \$1.7 million in IDEA funding which will be replaced with an increase in local taxes. Even with the local tax increase, caseloads will be higher and all program expansions have been indefinitely postponed. In addition to federal funding reductions, the threat of state cuts also looms over schools. If state taxes are cut, schools that rely heavily on state funding will face a disproportionate reduction which will negatively impact all educational services. State budget cuts layered on top of federal funding reductions will significantly harm special education programs across Missouri.

#### **Differentiated Compensation/Teacher Evaluation and Tenure**

MO-CASE is concerned about both 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 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 exclusively or so heavily that other factors become inconsequential. Student growth cannot be measured solely by one standardized assessment in limited core subject areas.

Assessment of student growth 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 areas that are not subject to 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 any system. Some students with disabilities have goals that are not addressed by large scale achievement assessments such as the development or maintenance of motor skills, speech/language skills, self-care and independent living skills. Pay for performance for special education teachers and related service providers will require different measures of student growth to be appropriate and effective.

### **District Transfers/Open Enrollment**

MO-CASE opposes district transfer or open enrollment state policy that does not comprehensively address the complex set of issues related to delivery of special education services including how districts sending and receiving students will comply with IDEA procedural requirements, make decisions regarding accepting or rejecting students with disabilities, provide transportation, and utilize various special education funding streams. With Missouri's lack of intermediate units and heavy reliance on local funding for public education, it will be extremely difficult to address special education issues without creating significant hardships for some districts who will find themselves inundated with students with disabilities.

### **Corporal Punishment**

MO-CASE supports state legislation that would prohibit the use of corporal punishment for all students rather than prohibiting such use only for students with disabilities. Special education administrators are concerned about establishing yet another "double standard" for students, one for those with disabilities and one for those without. If corporal punishment is deemed to be ineffective and inappropriate as a disciplinary tool for students with disabilities, it is ineffective and inappropriate for all students.

### **Mandatory Retention**

MO-CASE opposes state 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 state legislation that singles out discreet disabilities, such as dyslexia, 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 the type of disability. 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 can be used to ensure appropriate services are provided to children with all types of disabilities.

### **Early Childhood Education**

MO-CASE supports state policy initiatives that move Missouri toward quality, aligned and universally accessible preschool for all children including support for the Missouri application for the Early Learning Challenge Grant. Substantial research data in the fields of child development, education, and fiscal policy indicate that quality, aligned and universally accessible preschool services benefit children and communities. In such an environment, early childhood special education services (ECSE) would be integrated to create an inclusive and efficient early learning system.

MO-CASE continues to strongly support mandatory ECSE services for all eligible Missouri children three and four years of age with disabilities. Providing appropriate ECSE services 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 with the early childhood community, school administrators and other stakeholders to ensure cost effective operation of ECSE programs across the state.