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PASA POINTS

The Pennsylvania Association of School Administrators

About PASA

The Pennsylvania Association of School Administrators (PASA) is an organization that is instrumental in developing successful school leadership through advocacy, support, sustainment of high-quality school administrators and a statewide collegial network.

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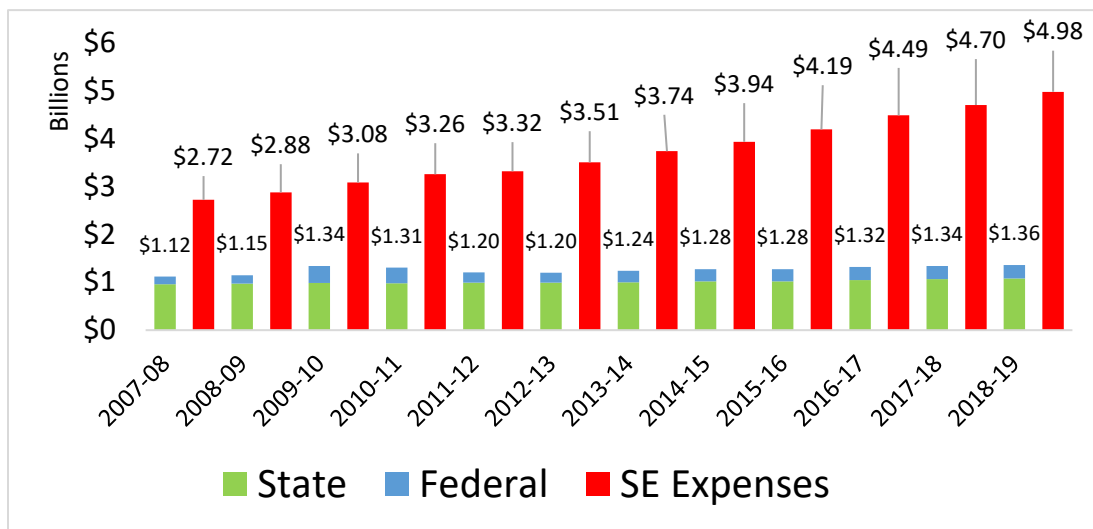
Pennsylvania's Special Education Regulations exceed federal requirements.

In this issue

- Special Education Expenses
- PA's Special Ed. Regulations that Exceed Federal Requirements

Special Education Costs and Requirements

PASA recently submitted testimony to the House Subcommittee on Special Education explaining the high and rapidly escalating cost of providing special education services to students. Unfortunately, school districts use local tax dollars to provide most of the revenue to operate these federally and state mandated programs.



One of the reasons the cost of special education services is high in Pennsylvania is that state regulations exceed federal law. Below is a list of state policies that exceed federal requirements.

- Completion of evaluations and reevaluations of students within 60 calendar days, not 60 school days as permitted by federal law. The shorter timeframe requires schools to employ additional school psychologists and other staff.
- Students with an intellectual disability must be reevaluated every 2 years rather than 3 years as required by federal law.

- Requirements that new teachers of special education hold dual certificates in both special education and the subject area/grade level in which they will work. This requires additional staffing levels.
- Requirements that instructional classroom aides and personal care assistants assigned to work with students with disabilities must hold a two-year college degree or its equivalent. This higher standard for these employees has increased the cost to employ these personnel.
- Requirements that classroom aides be provided at least 20 hours of professional education each year. This should be a local decision based on the needs of district and services required for the students.
- Transition planning for students must begin at age 14. Federal rules require transition planning at age 16.
- Extended school year services and timelines exceed federal requirements.
- State requirements for discipline of students with disabilities through suspension or expulsion exceed federal requirements by treating such actions as changes in placement, which require costly procedural actions.
- Teacher-student caseload maximums increase staffing levels and limit district flexibility.
- The amount of homebound instruction provided to a student with a disability is limited to 30-days, regardless of the circumstances.
- The assessment, plan development, notification and reporting requirements for behavior supports exceed federal requirements.
- When parents request mediation in lieu of filing a complaint, the district must maintain the educational setting for the child.
- The complaint and dispute resolution process continues to impose a considerable burden on school districts in terms of time required by teachers, school psychologists, principals, specialists, and district administrators to prepare for and participate in hearings that otherwise could be focused on serving students throughout the district.
- In addition, legal costs associated with these proceedings can climb very quickly, many times costing a district thousands of dollars. There is very little incentive for parents and their attorney to come to a quick resolution, as the school district is required to cover the legal costs of both the parents and the district. We encourage the committee to consider alternative dispute resolution processes such as mediation to help resolve disputes in a timely, less costly manner.

Creating better alignment between state and federal regulations would offer school entities opportunities to serve their special education population in a more efficient and cost effective manner. PASA encourages the General Assembly to review Pennsylvania's Special Education Regulations to provide regulatory relief to districts without reducing services to identified children.