

**TESTIMONY OF
TIMOTHY S. HOWES
SUPERINTENDENT, EAST WINDSOR PUBLIC SCHOOLS
ON THE PROPOSED BILL, HB-5425 (AAC SPECIAL EDUCATION)**

Speaker Donovan, Majority Leader Merrill, Minority Leader Cafero, and other distinguished members of the House:

I am the Superintendent of Schools in East Windsor, and have held that post since 2007. In the interest of disclosing my professional qualifications, I have held numerous positions in public and private sector finance and accounting. In addition to my experience in education, I hold a Master of Business Administration from Pace University and am a Connecticut certified School Business Manager. I feel that these qualifications allow me to testify with greater accuracy and conviction on the proposed bill HB-5425, An Act Concerning Special Education.

Alone in a sea of unfunded mandates, House Bill 5425 is a bill that benefits school districts, benefits students, and has exceptionally low costs of implementation, tracking and maintenance. As proposed, the Act would change an important budgetary concern that all districts experience at one time or another: The possibility of an unbudgeted and unfunded special-education outplacement liability. When a special education student who is attending a private institution at the recommendation of a Board of Education moves within the state, it becomes the financial responsibility of the Board of Education for the town or region in which the student now resides. It is also the responsibility of that Board to ensure the student's continued placement in an appropriate educational environment, and in most cases, the proper course of action is the continuation of the student's outplacement program.

This has led to a great deal of uncertainty in the budgeting process. In particularly fortuitous years, the special education department may see a significant percentage of its outplaced students move to another district, sometimes freeing hundreds of thousands of dollars midyear. However, an unexpected midyear windfall for one district is an unexpected midyear burden on the receiving district. I would venture to say that every district in the state has been in both positions – net sending and net receiving – at one point in time, and I commend the House for drafting a proposal that will remove one of the most volatile aspects of the budget process for each of Connecticut's 169 municipalities.

To hypothesize, a typical year might see five percent of our outplaced students turn over. From a purely financial perspective, a good year might see five of our outplaced students leave; at an average cost (again hypothetical, as outplacement costs vary widely dependent upon the program and institution) of \$40,000 per student, this would net us a \$200,000 savings-money that can now be diverted to other educational programs, staffing needs and capital improvement. However, should our outplaced population increase by that same number, we would need to redirect \$200,000 to cover tuition costs. In a district with an \$18,000,000 budget, the removal of \$200,000 from other areas of the budget can be devastating to the programs it was originally appropriated to support.

Under HB-5425, the above scenarios could not occur. Should five students move from East Windsor and take up residency elsewhere within the state after April 1, East Windsor would be responsible for their schooling for the entirety of the following fiscal year. Though the students would no longer be residents of East Windsor, the tuition responsibility would be a one-year-only charge that would allow the receiving district to budget for the expense the following year. This neither helps East Windsor's schools nor harms them – as the monies supporting the tuition of the departed students should already have been appropriated by April 1.

However, when East Windsor is the receiving district, the five students in the example above would have their tuitions paid by the sending district, so long as the students are enrolled in East Windsor's schools after April 1 of the previous school year. This allows East Windsor adequate time to build the students' tuitions into the budget for the following fiscal year, while holding the town and Board of Education harmless for an unanticipated (and wholly unpredictable) expense. It also neither helps nor harms the districts responsible for the outplacement tuition, as they would already have anticipated the need for the appropriation.

The only situation that HB-5425 does not address is special education students who are outplaced and who move into a district's purview from another state. These students would likely not be covered, as the law as it is written is enforceable and applies only to districts within the State of Connecticut. Though the bill does not consider these students, the percentage of outplacement fluctuations caused by out-of-state students is relatively small, and the reduction of exposure that HB-5425 provides is still a tremendous net benefit to Connecticut's school districts.

In sum, the proposal that HB-5425 makes will greatly reduce the risk of under- or over-budgeting for special education costs and will almost entirely remove midyear exposure to outplacement expenses. Although HB-5425 does not address the need for midyear funding for special education outplacements from out-of-state school districts, it does guarantee that in-state outplaced students will *all* be adequately anticipated and appropriations be made without yearly "winners" and "losers." Averaging the constantly changing cost of special education outplacement spending over several years is a boon to all our districts, and the stability that it provides will cushion all of Connecticut's students from unexpected budget shortfalls. HB-5425 is a bill that, for once, benefits all of Connecticut's schools without shortchanging any. Given the uncertain fiscal climate surrounding the state now, and the devastating effects on a budget that unexpected expenses can occur in the best of times, this bill will prove beneficial to all parties, with no catches and no cost. I give my complete support to this bill and urge all Representatives, Senators, and concerned superintendents and school business officials to join me.