



## REGIONAL AND STATEWIDE SPECIAL EDUCATION SERVICE DELIVERY IN SELECTED STATES

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### ISSUE

How do other states take a regional or statewide approach to providing special education services to students in grades kindergarten through 12?

### SUMMARY

Almost every state in the nation has some type of regional entity that helps deliver special education services in a geographically broader area than a single school district. When states and local school districts choose to create regional or statewide special education programs, they must still meet federal mandates, including the requirement to educate special education students in the same setting as non-special education students (i.e., the least restrictive environment).

This report looks at three types of models and provides examples of regional or statewide efforts to provide these services within the requirements of the federal Individuals with Disabilities Education Act (IDEA).

1. Some states provide special education services through entities called educational service agencies (ESA). This report looks at models from California, Indiana, New York, and Rhode Island, as well as Connecticut, to present an array of regional service examples.
2. Another type of regional effort, the special school district, is used by several states to serve students with severe needs whose needs cannot be met by local districts, or regionalize special education staff to disperse among local districts to deliver services, or both. Louisiana, Missouri, and New Jersey are examples of states that use the special school district model.

3. A few states have programs that assist with special education administrative services. For example, in Illinois, two new systems are being launched to help educators craft, store, and manage individualized education programs (IEPs), which are documents required under federal law to guide the educational program of each disabled child. Also, Nebraska's Assistive Technology Partnership works with schools to match special education students with the appropriate technological devices and also loans equipment to school districts from a central state pool.

## **FEDERAL SPECIAL EDUCATION MANDATES**

States that permit local school districts to engage in regional or cooperative special education efforts must still follow federal special education mandates. These include the following requirements:

1. Least restrictive environment: Districts must, to the maximum extent possible, educate students with disabilities in settings with students who are not disabled (often called the "mainstreaming" requirement) ([34 CFR 300.114](#)).
2. IEPs: Districts must design a plan for a student with a disability, written by a team that includes the student's educators, at least one special education teacher, and the students' parents, that states the special education services necessary for the child to progress towards the goals contained in the plan (34 CFR § [300.22](#) & [300.321](#)).
3. Assistive technology: Districts must make supportive devices available to students on an individual basis, and access to such devices may be required both in school and at home ([34 CFR § 300.105](#)).

## **REGIONAL ESA EFFORTS**

Almost every state has some form of regional entity that helps deliver special education services in a geographic area broader than a single school district. Generally, these entities are called educational services agencies (ESAs), but they have different names in individual states.

ESAs often provide a continuum of services related to special education that a local district could only provide by committing extensive financial and staffing resources. The nature of a program and the manner in which it is administered, funded, and staffed are often worked out individually in an ad hoc manner, depending upon the school districts involved and the level of demand for the particular program.

ESAs perform a wide variety of services, which can range from direct educational services to students to central administrative functions such as human resources and training. Some examples include:

1. Professional development: The member towns of a regional entity may ask for additional professional development to help address recent growth in the population of students with a specific disability.
2. New program start-up assistance: A single school district may ask for help with an increase in the number of students who are emotionally disturbed and developmentally delayed, and the district wants the ESA to offer administrative support, training, professional development, and related services to help the district start a new program that will be embedded in existing district schools.
3. Launching and administering a new program: A handful of districts may band together to create a new special education program for autistic students and ask the regional entity to run the program for a fee under a contract with the towns.

### **ESA Examples**

In Connecticut, ESAs are known as Regional Education Service Centers (RESCs) (e.g., the Capitol Region Education Council (CREC) in the Hartford region or Area Cooperative Educational Services (ACES) in the New Haven region). Table 1 offers a brief overview of ESAs that provide special education services in Connecticut, California, Indiana, New York, and Rhode Island.

**Table 1: Highlights of Educational Service Agencies in Five States**

<b>State</b>	<b>Educational Service Agency</b>	<b>Primary Funding Source</b>	<b>Offers Services in Addition to Special Education Services</b>	<b>Can be a Direct Provider of Special Education Services</b>
Connecticut	Regional Education Service Centers (RESCs)	Member school districts and state	Yes	Yes
California	Special Education Local Plan Areas (SELPA)*	State	No	Yes
Indiana	Special Education Cooperatives	Member school districts and charter schools	No	Yes
New York	Board of Cooperative Education Services (BOCES)	Member school districts and state	Yes	Yes
Rhode Island	Collaboratives	Member school districts and state	Yes	Yes

\*California has county offices of education that also act as ESAs, but for non-special education purposes.

The Connecticut, New York, and Rhode Island models are largely similar. ESAs in all three states provide regional professional development, training, and various forms of technical assistance. RESCs and BOCES each provide transportation services, and Rhode Island collaboratives generally do not.

New York's BOCES are different in at least two significant ways: (1) they usually cover a geographically larger area than most Connecticut RESCs in part due to New York's larger size (for example, the Nassau County BOCES has 56 member school districts) and (2) they oversee and administer the technical high schools in their regions. (In Connecticut, technical high schools are run by the state.)

The most significantly different ESAs in this sample group are California's SELPAs and Indiana's special education cooperatives, which are usually a collaborative of nearby school districts.

**California's SELPAs.** SELPAs are formed for the sole purpose of providing regional special education services, whereas ESAs in other states may provide other services (see "[Overview of Special Education in California](#)," California Legislative Analysts' Office, 2013).

In California, there are 127 SELPAs that serve approximately 1,000 school districts. Most SELPAs include a number of districts, but there are 42 single-district SELPAs. State special education aid flows directly to the SELPAs (not the local districts), but the districts control the SELPAs and divide the special education money according to the SELPA plan that organizes the region's special education services.

Some SELPA plans keep more money at the regional level while others send more to the local level. Plans that require most or virtually all of the money to be sent to the local districts call for districts to pay the SELPA a fee-for-services in order to obtain regional special education services. Those that keep more money at the regional level tend to support regional programs that serve all the SELPA members without a fee-for-service charge. The most frequently offered regional services are for students with less frequently occurring disabilities where a small number from each district can be served by one program.

**Indiana's Special Education Cooperatives.** Special education cooperatives in Indiana are formed between one or more school corporations (i.e., school districts) or charter schools to provide services to children with diverse educational needs, including disabling conditions (Ind. Code § 20-35-5-1 et seq.).

An example of one special education cooperative is [Boone-Clinton-North West Hendrix Joint Services](#). This cooperative serves six Indiana school districts, providing services such as psychological evaluations, consultation services, and administrative services related to special education. Students age three through 21 receive these services, and may have conditions including autism spectrum disorders; cognitive or emotional disabilities; deafness; blindness; language, speech, or orthopedic impairments; or specific learning disabilities, among other conditions.

Another cooperative, [Joint Educational Services in Special Education](#), serves nine school districts by providing special education services that districts cannot feasibly provide on their own. These services include administration, psychological services, transition programming, therapy services, counseling, and coordination of special education services, among other things.

Special education cooperatives may employ their own teachers under the provisions for public teaching contracts. This includes teachers who were previously employed by the school corporation participating in the cooperative (Ind. Code § 20-35-5-8).

Each school corporation or charter school participating in the special education cooperative must pay the cooperative's costs (Ind. Code § 20-35-5-6). State law allows the cooperative participants to agree to purchase or lease sites, buildings, and equipment, as well as repair, equip, and maintain them. Additionally, school corporations may agree to pay for these costs using funds from their own capital projects (Ind. Code § 20-35-5-4). A cooperative's budget may be determined by its board of managers (Ind. Code § 20-35-5-14).

## **SPECIAL SCHOOL DISTRICTS**

Special school districts enroll students who have severe needs that cannot be met by local districts, regionalize special education staff to disperse among local districts to deliver services, or provide both services. Louisiana, Missouri, and New Jersey permit the formation of special school districts to provide special education services to students. Although these states organize and fund their special school districts differently, they follow similar service principles.

## **Louisiana**

**Organization.** Louisiana law establishes one Special School District containing three residential schools and special school programs that provide academic, vocational, and other related services. The Special School District comprises the Louisiana School for the Deaf, Louisiana School for the Visually Impaired, and Louisiana Special Education Center. Each of these schools operates year-round (La. Rev. Stat. Ann. § 17:1945).

Table 2 explains the services offered by each special school.

**Table 2: Services Offered by Louisiana’s Special Schools**

<b>Special School</b>	<b>Services Provided</b>
Louisiana School for the Deaf	<ul style="list-style-type: none"><li>• Comprehensive Pre-K through 12 education for deaf and hard-of-hearing students age three to 21 who reside in Louisiana</li><li>• Instruction in a bilingual environment of American Sign Language and English</li></ul>
Louisiana School for the Visually Impaired	<ul style="list-style-type: none"><li>• Educational programs for Louisiana students who are blind or visually impaired</li></ul>
Louisiana Special Education Center	<ul style="list-style-type: none"><li>• Services for orthopedic-impaired students age three to 32</li><li>• Vocational training and transitional services for students age 14 to 32</li></ul>

The district is organized as an ESA administered by Louisiana’s Department of Education (La. Rev. Stat. Ann. § 17:1945). The state superintendent of education appoints the district superintendent, subject to Senate confirmation.

**Funding.** For students enrolled in special schools within the Special School District, state law requires the state to fund the cost of special education and related services (La. Rev. Stat. Ann. § 17:1947). The Special School District has no authority to levy taxes (La. Rev. Stat. Ann. § 17:1945).

## **Missouri**

**Organization.** Missouri’s statutes allow voters to petition for the establishment of special school districts in order to educate and train disabled and severely disabled children and also for vocational education purposes (Mo. Rev. Stat. §§ 162.825, 162.895). These districts may establish their own schools for severely disabled students and also provide regionalized special education services to participating local districts.

**Geography.** A special district does not replace local districts but instead overlays the districts it contains. Geographically, a special school district may (1) include more than one local school district and (2) be established irrespective of county boundaries. However, the boundaries of a special school district must coincide with the boundaries of the school districts which it encompasses (Mo. Rev. Stat. § 162.830).

**Petition to form.** Voters who wish to establish a special school district must submit a petition to Missouri's State Board of Education (SBE) with signatures from each participating district that are equal to at least 5% of the number of votes cast in the last annual school board election. Within 30 days of receiving the petition, SBE must direct the board of education in each participating district to submit the proposal at the next municipal election or special election. If the proposal receives a majority of the vote, SBE must review and approve the petition, declare the special district organized, and call an election for a board of education to lead the special district (Mo. Rev. Stat. § 162.825).

**Leadership.** The leadership model for the special school district depends upon its population. A seven-member board of education leads special school districts with a population up to 100,000 (Mo. Rev. Stat. § 162.855). A governing council is formed for special school districts with a population greater than 100,000. This council consists of one member of the board of education of each school district that is contained in the special school district (Mo. Rev. Stat. § 162.856).

**Programs.** Missouri's Department of Elementary and Special Education must inspect all programs provided by special school districts (Mo. Rev. Stat. § 162.930). Also, special school districts have the option to contract with other entities that have programs providing special education services, such as SBE, public agencies, or nonprofit organizations (Mo. Rev. Stat. § 162.750).

Missouri currently has two special school districts: the [Special School District of St. Louis County](#) and the [Pemiscot County Special School District](#). These special school districts (1) operate their own special education schools; (2) partner with school districts to offer services within public schools; (3) offer after-school services to private, parochial, and homeschooled students; and (4) provide related special education services ranging from speech therapy to assistive technology services.

Missouri's Schools for the Severely Disabled ([MSSD](#)) are not part of any special school district. Instead, they are administered by Missouri's SBE through the Office of Special Education. MSSD serves students with severe to profound disabilities who cannot receive appropriate educational services in their local district programs due to the severity of their disability.

**Funding.** According to the Missouri special school districts' Annual Secretary of the Board Report (ASBR), the special school districts receive local, county, state, and federal revenue. State law sets the operating tax rate for local revenue and also prescribes the formula for calculating state aid.

A special school district must raise local revenue and fulfill certain operating requirements to receive state aid, including:

1. meeting a minimum number of days and hours of actual pupil attendance;
2. maintaining adequate attendance, personnel, and financial records;
3. levying an operating tax of at least \$1.25 on each \$100 assessed valuation of the district; and
4. computing its average daily attendance as prescribed in state law (Mo. Rev. Stat. § 163.021(1)).

The state aid formula for funding special school districts is established in statute (Mo. Rev. Stat. § 162.935(1)). Special school districts are also entitled to receive state transportation aid (Mo. Rev. Stat § 162.900).

## ***New Jersey***

**Organization.** New Jersey law allows a county to establish its own "special services school district" to educate and treat severely disabled children who live within the county (N.J.S.A. § 18A:46-29; 18A:46-31). These children may have any of the following disabilities: intellectual disability; visual, auditory, communication, or orthopedic handicap; neurological or perceptual impairment; chronic illness; emotional disturbance; social maladjustment; autism; or pre-school handicap (N.J.S.A. § 18A:46-1). The special services district may operate dormitories, boarding care facilities, and health care services for pupils (N.J.S.A. § 18a:46-31).



The board of county freeholders (i.e., the county governing body in New Jersey) must hold a public hearing to determine whether a special services school district is needed before authorizing its establishment. Although the district is organized at the county level, New Jersey's State Board of Education (SBE) retains the authority to manage, control, and make rules and regulations governing special service schools (N.J.S.A. § 18A:46-30).

**Leadership.** Each special services district must establish a seven-member board that includes the county superintendent and six people appointed by the director of the freeholders' board (N.J.S.A. § 18A:46-35).

**Programs.** New Jersey's education commissioner approves the programs and courses of study offered by special services districts with SBE's advice and consent (N.J.S.A. § 18A:46-32). Districts must give precedence to programs for those with unusually severe disabilities or unusual multi-disabilities (N.J.S.A. § 18A:46-33). New Jersey's [eight special services school districts](#) provide full-time, year-round services.

**Funding.** New Jersey law allows a special services school district's board of education to receive funds from two sources: (1) county appropriations and (2) tuition and fees from districts that send students to the special services school district. New Jersey's Department of Education deducts sending district tuition from the sending district's state aid and transfers that amount directly to the county special services district. Generally, special services districts do not receive state aid (N.J.S.A. § 18a:46-31).

## **PROGRAMS ASSISTING SPECIAL EDUCATION ADMINISTRATION**

### ***Illinois' Statewide Online IEP Database System and Web-based IEP Tutorial***

Illinois is in the process of launching two new systems aimed at (1) improving the quality of IEPs for special education students and (2) storing the IEPs and related documents in a database to make them easier to retrieve, monitor, and update. The goal is to make the IEP process more efficient and ensure better conformance with state and federal law. The first system is an online IEP database that is linked to the state's Student Information System (SIS), and the second is a web-based IEP tutorial and decision-making support system to be used by IEP teams in crafting and updating student IEPs.

***I-Star: Online IEP Database System.*** The Illinois State Board of Education (ISBE) has developed an online IEP database system that (1) draws upon and shares data with the state SIS, (2) includes templates and prompts (i.e., wizards)

for writing new IEPs, and (3) allows for data and draft IEPs to be shared with authorized users before finalizing them. It includes a number of security measures to protect student information, including specific login and password protections and encrypted data. The system is called I-Star (IEP Special Education Tracking and Reporting).

The ISBE describes I-Star as a data management tool that is available to local districts at no charge. The new system allows users to pull student demographic information directly from the SIS, thus reducing human error. It offers authorized users notice and consent forms and other IEP-related forms as PDF documents.

The I-Star website indicates the system has easy-to-use wizards to help IEP teams write, save, and share IEP drafts and allow for IEP documents to be made “official” at a later point in the process. It also promises:

- built-in compliance measures,
- integration with the ISBE’s IEP quality project,
- access to Illinois learning standards to assist in establishing IEP goals,
- easy transfer of IEP documents when students move from one district to another, and
- automated reminders for events such as annual review and reevaluation.

The ISBE indicates that I-Star is currently being piloted. Districts can choose to sign up to become part of the pilot. ISBE provides districts with training videos and informational PowerPoint presentations on its website and the opportunity to sign up for training workshops.

***IEP Tutorial and Decision-Making Support.*** University of Illinois researchers working under a federal grant developed a web-based IEP tutorial to help special education teachers and administrators write better IEPs.

University of Illinois Professor James Shriner, the lead researcher on the project, said the goal of the tutorial is to help teachers and others crafting IEPs make better decisions. The tutorial does not produce an IEP, but helps those crafting IEPs focus on how instructional time can be used to better reach the goals set in the IEP. The goals should be geared toward students attaining higher, standards-based achievement.

Prof. Shriner stated the system does not tell teachers what to do regarding a specific disability, but it helps them use a child's specific information to develop the child's educational goals and decide how to use the instructional time for those goals. He stated the new system helped several districts get off a state monitoring list for IEPs.

The tutorial offers:

- help topics for each section of the IEP (in Connecticut the IEP form is 11 pages),
- sample student scenarios with goals, and
- goal assistance to help link goals to the state standards.

### ***Nebraska's Assistive Technology Partnership (ATP)***

ATP helps provide people with disabilities and their families access to assistive technology devices and services. It was established in 1989 to help not only students and educators, but also adults, their employers, service providers, and health care professionals.

***Organization.*** ATP is a division of Nebraska's Vocational Rehabilitation (VR) program, which operates within the Nebraska Department of Education (DOE). The ATP director appoints members of the ATP Advisory Council, which provides guidance to state agencies and local planning and administrative entities providing assistive technology devices and services. A majority of the council membership must be individuals with disabilities or their parents, spouses, or family members.

***Services.*** Among others, ATP employs five education specialists, each serving school districts in two to four of the state's 19 regions. Table 3 describes the services the specialists provide.

**Table 3: Services Provided by Nebraska ATP Education Technology Specialists**

<b>Service Category</b>	<b>Description</b>
Professional development and training	ATP hosts events for large and small groups of parents, educators, and professionals that are designed to increase knowledge and skills.
Consultations	Technology specialists respond to school requests to help identify student-specific, appropriate assistive technology for special education students.
Equipment demonstrations	Technology specialists offer equipment samplings that compare the features and benefits of particular devices or categories of devices for one student or small group.
Equipment loans	ATP lends equipment to schools at no cost to (1) help in the technology decision-making process or (2) fill a gap while waiting for equipment funding or repair.
Awareness events	ATP offers presentations and exhibits at conferences to reach a large audience.

Source: [Nebraska Assistive Technology Partnership 2013 Annual Report](#)

ATP’s education technology specialists work in conjunction with students, school administrators, general and special education teachers, paraprofessionals, occupational and physical therapists, speech pathologists, and parents, among others. When appropriate, they also coordinate with Nebraska VR to provide transition solutions for students who are planning for and working towards higher education or entering the workforce.

ATP also provides training on assistive technology awareness and a wide range of adaptive devices. It offers technical support via phone or on-site.

**Funding.** Nebraska VR applied for a federal grant to establish ATP in 1989, becoming one of nine states to receive funding under the Technology-Related Assistance Act of 1988 (PL 100-407). This law provides funding to develop permanent statewide programs designed to meet the assistive technology needs of individuals with disabilities of all ages.

ATP’s technology specialists assist special education students using federal IDEA funding. ATP has a memorandum of understanding with the Nebraska DOE that enables it to receive IDEA grants. Grant money funds services that technology specialists provide to schools in their assigned state areas.

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