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Written Testimony Against SB 542 – An Act Establishing the Connecticut Special Education Predictable Cost Co-operative

To Members of the Joint Committee on Insurance and Real Estate:

I am a special education advocate, who has worked with hundreds of families of children with disabilities and school teams throughout Connecticut.

I ask that you oppose SB 542, which is overly vague and does not ensure that Districts will be in compliance with the requirements of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act. This would be harmful to students with disabilities and would put the state at risk for losing millions in federal funds.

It is not clear from the minimal language in this bill, but it seems likely that the proposed Co-operative may be the one described in a report by the Connecticut School Finance Project. <http://ctschoolfinance.org/assets/uploads/files/Special-Education-Predictable-Cost-Cooperative-Policy-Paper.pdf> If that is the case, I have the following concerns:

1. This plan provides districts with a strong incentive to violate IDEA by not identifying qualifying students with disabilities, as District fees to the Co-operative are largely driven by the number of students identified as needing special education.
2. The Co-operative provides Districts with strong incentives to keep costs below the state average without a mechanism for ensuring that students with disabilities are appropriately provided services that meet their educational needs.
3. The model for this Co-operative includes a \$50 million reserve fund, which the report indicates would initially come from a reallocation of state special education funds. This seems to mean that there would be a \$50 million decrease in state special education funds to districts in Year 1.
4. The Co-op includes start-up costs that are proposed to be funded by the state, at a time when the state is in no position to absorb additional costs. Further, it is clear that there would be an ongoing cost to oversee the fund, and this extra cost would have to be absorbed by the state and/or municipalities.

I do support finding a way to help districts stabilize special education costs while ensuring quality, appropriate programming for students with disabilities. However, this bill doesn't ensure that that will happen and further would require a costly layer of bureaucracy to administer the program. Please oppose this bill.

