



**BERKS COUNTY  
COLA**  
Committee on Legislative Action

## THE ISSUE:

Title 22, Chapter 14  
**Special Education Services and Programs**

The Special Education regulations in Pennsylvania for school districts are found under the Title 22 PA Code, Chapter 14. Chapter 14 includes regulatory guidance to comply with federal statutes set forth in the Individuals with Disabilities Education Act of 2004 (IDEA). Several provisions of Chapter 14 exceed requirements set forth by federal law and contribute to exorbitant costs for school districts related to child find, evaluation and identification of students with disabilities, staff credentialing and training, teacher caseloads, and support services for students. **These rising costs not only impact school district costs and budgets, but also impact taxpayer dollars.**

**PRIORITY:**  
Provide access to a high-quality education for the 70,000+ students in Berks County

### TARGETED ADVOCACY AREA: SPECIAL EDUCATION FUNDING

MORE THAN  
**13,500**

BERKS COUNTY STUDENTS  
received special education support during the 2018-2019 school year

DATA  
POINTS

Between 2008 and 2019,  
Berks County has seen a

**24%** increase of students with intellectual disabilities

**133%** increase in autism

**152%** increase in other health impairments

BERKS COUNTY SCHOOL DISTRICTS HAVE SPENT

**\$203,999,328**

on special education during the 2018-2019 school year

BERKS COUNTY SCHOOL DISTRICTS HAVE SEEN AN

**87%**

expenditure growth for special education funding from 2008 to 2019

Data points above are from Penn Data and Education Law.

## KEY TALKING POINTS POLICY PRIORITIES

- Special education is an overarching term for a wide range of supports that are tailored to meet the individual needs of the child. Special education and related services provided by school districts include:
  - Autistic Support
  - Assistive Technology Devices
  - Audiology
  - Behavior Support and Consultation
  - Community-Based Vocational Training
  - Emotional Support
  - Hearing Services and Support
  - Learning Support
  - Multiple Disabilities Support
  - Nursing
  - Occupational Therapy
  - Orientation and Mobility
  - Personal Care Assistance
  - Physical Therapy
  - Psychology
  - Speech and Language Therapy
  - Social Work
  - Transportation
  - Travel Training
  - Vision Services and Support

Each of these areas requires additional, highly trained, and specialized personnel to provide the services outlined in a child's individualized education plan (IEP).

- In addition to the overall growth of the special education student population, school districts are also seeing an appropriate increase in evaluation, intensity of services, and specialized support for students with complex learning, behavioral, and/or medical needs.
- Tuition costs for special education students enrolled in cyber charter schools are set at a flat rate and not based on level of service needed.
- School districts are incurring greater costs related to the transportation of students in special programs and schools.
- As demand for qualified staff and personnel increases, school districts are forced to spend more on recruitment, training, and retention efforts.
- Additional costs are incurred by school districts to meet Chapter 14 requirements for secondary transition and transitions from preschool early intervention to K-12 schools.

## PROPOSED SOLUTIONS

- Increased state funding for special education
- Equitable distribution of funds to cyber charter schools for students with IEPs
- Timely implementation of the Special Education Funding Formula
- Revise Chapter 14 regulations specific to evaluations / reevaluations, secondary transition, and transition from preschool early intervention for students with developmental delays
- Incentives / alternate pathways to teacher and specialist certifications



## IDEAS FOR MOVING FORWARD / ACTION NEEDED

- **Increase special education funding at the state level to ease the burden being placed on property owners in the local school districts.** Berks County's 18 school districts spent a combined \$204 million on special education services in 2018-2019. State and federal funding accounted for just 23.2% of that total, leaving local school districts to make up \$156 million through property taxes.
- **Ensure equitable distribution of funds to eliminate undue expenses from school district budgets.** The current funding formula for cyber charter school students with IEPs is costing school districts more than it costs to educate the child in-district.
- **Ensure full implementation of the Special Education Funding Formula.** The Special Education Funding Formula provides a more equitable distribution of state funds to school districts across the Commonwealth. Currently only 14% of funding for schools is distributed through this formula. Full implementation will better equip school districts to provide special education services to a growing number of students.
- **Revise Chapter 14 to fall in line with federal definitions.** Chapter 14 currently exceeds federal requirements related to child find, the evaluation and identification of students with disabilities and transition processes. Revising the code would both streamline processes and lower the costs associated with these services.
- **Create incentives or alternative pathways to teacher and specialist certifications.** This will create a larger pool of teachers and ease the burden that schools face in recruitment and training in a highly competitive environment.



### NEED MORE INFORMATION:

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