



PORTLAND PUBLIC SCHOOLS

Special Education

501 N. Dixon / Portland, Oregon 97227

Mailing Address: P.O. Box 3107 / Portland, Oregon 97208

Telephone: (503) 916-3152 Fax: (503) 916-3174

Mary Pearson, Director

February 18, 2015

For House Education Committee Hearing on February 20, 2015

RE: HB 2673

Dear Chair Doherty and Members of the House Education Committee:

My name is Mary Pearson, and I am the Special Education Director for Portland Public Schools (PPS). PPS serves about 48,500 students, including about 6,500 students with disabilities. We take our responsibilities toward our students and families seriously. We are focused not only on compliance but on improving educational outcomes for students with disabilities. We strongly believe there is one system of education, and special education needs to function within and support that system.

Evaluation Timelines

Federal law requires comprehensive individual evaluations before students are placed in special education and again at least once every three years, but allows states to set the timelines for completion. Currently, OAR 581-015-2110 requires evaluations to be completed in 60 school days with several exceptions allowed by federal law. PPS completes about 1,200 initial evaluations each year and more than 2,000 reevaluations. According to ODE reports, PPS meets the current timeline over 96% of the time. To achieve this level of compliance, our staff are currently working at (or more likely over) maximum capacity.

HB 2673 would require school districts to complete special education evaluations in 60 calendar days, rather than 60 school days. This would have the effect of reducing the number of school days available to complete an evaluation by a third, or about 20 school days. The impact of this change would be substantial.

- (1) To reduce the evaluation timeline by a third, we would need to allocate a third more FTE to completing evaluations. A comprehensive evaluation costs PPS about \$2,000. We anticipate it would cost at least \$2,000,000 per year to allocate sufficient staff to complete evaluations under the proposed shorter timelines. (Without additional resources, we would anticipate an avalanche of workload grievances from the union along with increased litigation resulting from the inability to meet the reduced timelines as well as provide for students' individual instructional needs.)
- (2) Since our school-age staff are not on contract during the summer, we would need to hire staff to work through the summer. Finding qualified staff may be difficult.
- (3) The current timelines allow for school staff who know the student to take the lead on the assessment. Shortening the timelines would make this practically impossible as would the requirement to complete evaluations during the summer.

- (4) The current timelines allow time for assessing the impact of interventions to be sure we are not identifying students for special education whose needs can be met in general education with general education interventions and supports.
- (5) The current timelines allow for collaboration with our community partners when additional medical information is needed, when interpreters must be arranged for our Limited English Proficient families, when our ESL students need careful and authentic assessment methods (not just standardized testing) to be sure we are not identifying a disability where the underlying reason for concern is language.
- (6) The current timelines allow a bit more flexibility to accommodate the schedules of working parents and staff to ensure that we have full participation to make appropriate decisions about students' education.
- (7) Requiring special education evaluations to be completed in the summer for school-age students puts special education on a separate track from general education. Evaluators would not have the opportunity to observe students in their general education classroom settings, would not have the opportunity to confer with staff who know the student best, and would not have the opportunity to try out interventions to determine whether the student's needs could be met in general education without the need for special education.

Bottom line is that quicker evaluations do not necessarily mean better or more accurate evaluations. For our most vulnerable populations, quicker evaluations may actually increase misidentification of students whose problems are due to factors other than a disability. In addition, allocation of resources to shortening the timeline for special education does nothing to increase the capacity of our educational system to effectively teach all children. Do we really want to grease the wheels to move children into special education faster? At a time when we are pushed more than ever towards ensuring that all our students read by third grade, pushing children into special education at a faster rate is not the way to get us there.

Annual School District Summary of Special Education

Completing an IEP is already almost as complicated as filing tax returns. Adding one more state requirement to our already overburdened special education teachers – handing out an annual summary of special education services in the district at every IEP meeting - is just not fair to them. If the Legislature believes an annual summary is needed, then it should be posted on the district's website, not connected to the IEP meeting, which already has over 100 procedural requirements attached to it.

We also believe that a report on special education services, standing alone, reinforces the notion that special education is a separate place, a separate program, and not an integral part of our whole educational system. We do not believe separate special education reports will move us toward increasing the academic performance of all of our students, including our special education students.

Sincerely,



Mary Pearson
Special Education Director