



NORTHWEST REGIONAL EDUCATION SERVICE DISTRICT

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Oregon House Education Committee Hearing
Hearing Date: February 20, 2015
Submitted by Northwest Regional Education Service District

RE: HB 2673

Dear Chair Doherty and Members of the House Education Committee,

My name is George Winterscheid and I am the Executive Director of Special Student Services for the Northwest Regional Education Service District (NWRESD). At NWRESD, we work closely with and provide support services to the 20 school districts within Clatsop, Columbia, Tillamook, and Washington counties, who in turn provide for the education of over 100,000 students in 184 schools. In addition to provision of general education, federal law mandates school districts, specifically the Individuals with Disabilities Education Act (IDEA), provide a comprehensive evaluation by a multi-disciplinary team for any child suspected of having a disability. I am writing to express concerns related to the provisions within HB 2673, of reducing the number of days for initial evaluations and re-evaluations from 60 school days to 60 calendar days, and the potential negative impacts on appropriate provision for student evaluations, student support services, and adherence to IDEA guidelines.

Please consider the following consequences of reduction in the evaluation timelines (an average of 20 fewer days for appropriate assessments and consideration of special education support services) as proposed by HB 2673:

1. Inability to appropriately complete student evaluations/assessments. Comprehensive evaluations require extensive data collection, from a variety of sources, within different settings, and at different times. All twelve of the eligibility categories to be considered: Intellectual Disability, Hearing Impairment, Vision Impairment, Deaf/Blindness, Communication Disorder, Emotional Disturbance, Orthopedic Impairment, Traumatic Brain Injury, Other Health Impairment, Autism Spectrum Disorder, and Specific Learning Disability require multiple observations, interviews, various assessment tools, writing reports, and thoughtful consideration of results by a team.
2. Inability of all members of the multi-disciplinary team to complete evaluations/assessments appropriately. It is difficult to schedule and coordinate the multiple specialists required for comprehensive evaluations. Speech and Language Pathologists, School Psychologists, Occupational Therapists, Physical Therapists, Autism Specialists, Blind/Visually Impaired Specialists, Deaf/Hard of Hearing Specialists, Behavior Specialists, Augmentative Communication Specialists, Assistive Technology Specialists, Special Education Teachers, General Education Teachers, School

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Counselors, and School Administrators all need time to access and gather information from students, parents, files, records, medical information, and colleagues. Timely collection of medical statements from health care providers is currently difficult. Multiple observations, interviews, and direct assessments with students, parents, and staff are a logistical nightmare even given the current evaluation timeline. In rural school districts, specialists are often scheduled for only a few days a month; making the scheduling of assessments, observations, and interviews difficult, as well as reducing their time to directly serve students. Thus, it is probable that rural districts will have to pay for more specialist time in order to provide appropriate service.

3. Inaccurate determination of educational impact for students. Educational impact is a crucial component to be determined in all eligibility categories. For example, there are students in every school who may have a medically diagnosed disability, but may not be eligible for special education support services. They might need accommodations, but not necessarily specially designed instruction. It takes time to gather the comprehensive data to assist an education team in accurately determining these needs. In addition, teams need to ensure that students are served in the least restrictive environment, which also requires additional evaluative time.
4. Negative impact upon English Language Learners (ELL). Students particularly impacted by a shortened timeline will be English Language Learners. Adding the complexity of appropriately completing a comprehensive evaluation, with the addition of non-English speaking students and parents, is a significant one. Students with possible dual eligibilities need to be assessed authentically and in an alternate, linguistically appropriate way by specific bilingual staff. Staffing and scheduling staff for these needs is currently difficult, in addition to scheduling/providing interpreters for limited English proficient families. Typically, alternative forms of assessment take longer than English only assessments. It is crucial for evaluators to carefully assess these students in order to ensure they are not being identified with a disability when their real issue is one of second or third language acquisition.
5. Critical shortage of specialists will be exacerbated. Oregon has a critical shortage of all types of specialists that assess and serve students with disabilities; specifically Special Education Teachers, Speech and Language Pathologists, Autism Specialists, Occupation Therapists, Physical Therapists, School Psychologists, Behavior Specialists, and others. With an increased demand for more specialists to meet assessment needs, where there is already a shortage, will exacerbate an already critical situation. The limited access to these highly trained individuals currently means that every possible moment of their time needs to be spent serving students. With the shortened time for assessment, their focus would be shifted into assessment mode rather than service mode, leaving students and districts without access to required services. Considerable costs are also associated with the increased need for assessment staff.
6. Staff are unavailable to complete assessments. School staff members do not work on weekends, legal holidays, and/or scheduled school breaks (i.e., summer vacation, winter break, and spring break). Using calendar days instead of school days significantly reduces the number of days that staff members have to conduct assessments, complete observations, complete file reviews, score assessments, interview staff and/or parents, interpret results, write evaluation reports, and hold eligibility meetings. Many districts have contract language barring bargaining unit members from attending meetings after their contract day. Although most staff can be paid to stay extra, it's rare that contracts can require staff to attend after hour meetings, even with pay. It is realistic that by squeezing additional meetings into a smaller window of time, districts may face these constraints. In addition, rarely is access available to specialists and teachers during the summer months; however, if

enough specialists could be found, there would be significant financial cost to employ them as well as teachers to work during the summer.

In conclusion, reduced evaluation timelines do not translate to better or more accurate evaluations; in fact, they are likely to result in the opposite. For the most vulnerable student populations, reduced timelines for evaluations may actually increase misidentification of students whose problems are due to factors other than a disability. In addition, allocation of resources to shorten the timeline for special education will not increase the capacity of our educational system to effectively teach all children. Provisions in HB 2673 for reduced evaluation timelines will not improve educational outcomes for Oregon students.

Thank you, I appreciate your thoughtful consideration of this complex issue and the significant probability for negative consequences resulting from reduced evaluation timelines.

Sincerely,

George Winterscheid

George Winterscheid
NW Regional ESD

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