

# Special Education

## 2022 ADEQUACY STUDY

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2022 Adequacy Report





## Table of Contents

<b>Introduction</b> .....	<b>1</b>
<b>Literature Review</b> .....	<b>1</b>
<b>Students with Disabilities</b> .....	<b>3</b>
Student Counts .....	3
Disability Types .....	5
Student Placement.....	7
<b>Funding and Spending</b> .....	<b>8</b>
<b>Special Education Teachers</b> .....	<b>10</b>
<b>Survey Results</b> .....	<b>11</b>
<b>Student Achievement</b> .....	<b>11</b>
ACT Aspire: Percentage Scoring Ready or Exceeding .....	12
Alternate Assessment – DLM .....	15
National Assessment of Educational Progress.....	15
<b>Appendix A: Expanded Literature Review</b> .....	<b>17</b>
<b>Appendix B: Special Education Expenditures</b> .....	<b>19</b>
<b>Appendix C: Other States’ Students with Disabilities’ NAEP Scores</b> .....	<b>20</b>
4 <sup>th</sup> Grade Reading.....	20
4 <sup>th</sup> Grade Math.....	20
8 <sup>th</sup> Grade Reading.....	21
8 <sup>th</sup> Grade Math.....	21



## Introduction

The Individuals with Disabilities Education Act (IDEA) and Arkansas Code Annotated §6-41-202 guarantees a free, appropriate public education (FAPE) to each child with a disability in Arkansas.

Every IDEA-eligible student with a disability has an individualized education program (IEP) in accordance with IDEA that serves as the student's plan for specialized instruction. Arkansas Code § 6-41-217(b)(2) defines an IEP as a "written statement for each child with disabilities that is developed, reviewed, and revised in accordance with the requirements" of the IDEA.<sup>1</sup> IEP team members, including regular education teachers, special education teachers, parents of a child with a disability, a representative of the local education agency/school district, an individual who can interpret instructional implications of evaluation results, other individuals who have knowledge or special expertise, and the child, whenever appropriate, develop the IEP and determine the goals outlining performance associated with the student's grade level.<sup>2</sup> The IEP is designed to meet a student's needs, be aligned with grade-level standards (academic and functional), and outline what the child should demonstrate in a specified period of time. It also includes the special education programming and related services that are to be provided to meet each student's unique needs.

This report provides information on special education research-based best practices, students with disabilities in Arkansas, data on the performance of these students, and relevant results from the Bureau of Legislative Review's (BLR) educator surveys. Details about special education accountability measures will be included in the Accountability Adequacy Report.

## Literature Review

In a 2020 study<sup>3</sup> focused on special education services, policies, and funding across Wyoming, multiple best practices for special education were identified from national research. Many of the policies also benefit students without disabilities in addition to those with disabilities.

The report noted seven interconnected best practices found in research to improving special education services. These are discussed in the following table. Some of the recommendations provided in the study were state-specific so they are not included in this report. Details about the specific research recommendations are discussed in more detail in Appendix A.

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<sup>1</sup> See also 20 U.S.C. § 1414(d)(1)(A)(i) (defining an IEP and specifying that IEPs include a number of additional statements and descriptions, including without limitation the child's present levels of academic achievement and functional performance, measurable annual goals, how the child's progress will be measured, and what special education and related services and supplementary aids and services will be provided to or on behalf of the child).

<sup>2</sup> See 20 U.S.C. § 1414(d)(1)(B).

<sup>3</sup> District Management Group (Under subcontract with Picus, Odden, and Associates). (2020). "Assessing the Adequacy and Means of Funding Services for Students with Disabilities in Wyoming." Prepared for the Wyoming Select Committee on School Finance Recalibration. Accessed at [https://wyoleg.gov/InterimCommittee/2020/SSR-2020122103-02\\_20201201\\_DMGroup-WyomingSpecialEducationReport\\_Final.pdf](https://wyoleg.gov/InterimCommittee/2020/SSR-2020122103-02_20201201_DMGroup-WyomingSpecialEducationReport_Final.pdf)

Best Practices	Description/Research	Specific Research Recommendations
<b>1. Rigorous general education curriculum</b>	<ul style="list-style-type: none"> <li>- There is a high correlation between successful general education outcomes and successful special education outcomes.</li> <li>- If teachers can better support all learners in the classroom, fewer additional supports are needed outside the classroom.</li> </ul>	<ul style="list-style-type: none"> <li>a. High-quality instructional facilitators</li> <li>b. Master Teachers</li> <li>c. Model Classrooms</li> </ul>
<b>2. Coordinated and sustained focus on reading</b>	<ul style="list-style-type: none"> <li>- Elementary level: Students should receive at least 90 minutes/day of literacy instruction, including a science-based approach that consists of explicit teaching of phonemic awareness, phonics, and comprehension;</li> <li>- Secondary level: Struggling students should receive explicit reading instruction when needed;</li> <li>- The identification of struggling readers should begin in Kindergarten;</li> <li>- A science-based approach to literacy should be used that includes the explicit teaching of phonemic awareness and phonics.</li> </ul>	
<b>3. Extra time to learn</b>	<ul style="list-style-type: none"> <li>- Elementary level: struggling readers should receive additional interventions of 30 minutes/day;</li> <li>- Secondary level: struggling students should receive additional interventions for 45 – 60 minutes/day in core instruction;</li> </ul>	<ul style="list-style-type: none"> <li>a. Extra intervention time</li> <li>b. Appropriate use of paraprofessionals</li> <li>c. Limited use of co-teaching</li> </ul>
<b>4. Targeted interventions</b>	<ul style="list-style-type: none"> <li>- Struggling students should receive interventions that target specific skills gaps and interventions should be connected to core curriculum and instruction;</li> </ul>	
<b>5. Content strong teachers</b>	<ul style="list-style-type: none"> <li>- Students should be dynamically grouped based on skill gaps;</li> <li>- Instructor training background, intervention duration, and intervention type impact student achievement more than intervention group size;</li> <li>- Struggling students need targeted support from instructors that are highly skilled in the needed content area.</li> </ul>	
<b>6. Social-emotional supports</b>	<ul style="list-style-type: none"> <li>- Students' social emotional needs are a prerequisite to meeting their academic goals.</li> <li>- General education teachers need training and support to strengthen their capacity to proactively manage student behaviors;</li> <li>- Behavior-related data should be collected through frequent student observations to identify and refine needed support as well as monitor progress;</li> <li>- Schools/districts should have a common language and coordinated approach to social, emotional, and behavioral supports;</li> <li>- Engaging families and clarifying staff roles and responsibilities in this approach are important; and</li> <li>- There should be specific guidelines about the time dedicated to their primary focus and other responsibilities.</li> </ul>	
<b>7. Data to track progress and inform improvement</b>	<ul style="list-style-type: none"> <li>- Schools/districts should use performance data from short cycle assessments to inform instruction and monitor students' progress; and</li> <li>- There should be a common benchmark within and across schools to have a consistent approach to identifying student needs.</li> </ul>	

The study also addressed special education teachers specifically. Researchers noted that there is higher burnout for special education teachers as they are often expected to be experts in student instruction in multiple content areas and grades as well as behavioral experts, IEP compliance specialists, supports for general education staff, and parent liaisons. This likelihood for burnout can be exacerbated in smaller or more remote districts.<sup>4</sup>

The study noted multiple recommendations to address this issue. This report highlights two different categories of recommendations included in that study. Some of the recommendations included in that study were state-specific and are not included in this report. Additionally, recommendations regarding funding on special education teachers and general teacher recruitment strategies are not included here since that topic has been covered in past adequacy reports. Details about the specific research recommendations are discussed in more detail in Appendix A.

Best Practices	Description/Research	Specific Research Recommendations
1. <b>Reduce administrative duties</b>	Research often cites role conflict, role ambiguity, and administrative duties as some of the largest factors on why special educators leave the field.	a. Specialized special education teacher and case management model b. Process mapping
2. <b>Regional approach for small districts to improve services for students with severe needs</b>	<ul style="list-style-type: none"> <li>- Smaller or more rural districts often encounter increased challenges supporting students with more severe special education needs, including specialized behavioral needs.</li> <li>- Many smaller districts have little or no severe needs programs and appropriate specialized staff;</li> <li>- Regional approaches can help ensure students' needs are being met at a potentially lower cost with a higher quality.</li> </ul>	a. Regional specialized programs b. Regional teams to support students with intensive behaviors

## Students with Disabilities

### STUDENT COUNTS

In 2021, 66,279 students with disabilities were enrolled in Arkansas public schools, or 13.4% of the total student population. Students with disabilities made up 14.2% of the total student population in traditional school districts and 11.3% in open-enrollment public charter schools.

	Total Student Population (All Students)	Number of Students with Disabilities	Percentage of Total Student Population
<b>District</b>	449,486	63,676	14.2%
<b>Charter</b>	23,082	2,603	11.3%
<b>Total</b>	<b>472,568</b>	<b>66,279</b>	<b>13.4%</b>

Data Source: Arkansas Division of Elementary and Secondary Education (DESE)<sup>5</sup>.  
Data excludes The Arkansas School for the Blind, Arkansas School for the Deaf, and the Division of Youth Services.

<sup>4</sup> District Management Group, 2020, p. 84.  
<sup>5</sup> Email from Dr. Jody Fields, Director of IDEA Data and Research at the University of Arkansas at Little Rock. (August 6, 2021)

The number of students with disabilities has increased by 11 percentage points from 2017 to 2021 statewide, while the total student population has decreased by 0.9 percentage points. In districts, this number increased by nine percentage points with a decline of three percentage points among their total student population. In open-enrollment public charter schools, that number increased by 103 percentage points compared to a 66 percentage point increase in their total student enrollment.

	Statewide Enrollment		District Enrollment		Charter Enrollment	
	Students with Disabilities	Total Enrollment	Students with Disabilities	Total Enrollment	Students with Disabilities	Total Enrollment
	<b>2017</b>	59,672	476,772	58,391	462,881	1,281
<b>2018</b>	61,553	478,789	60,137	463,199	1,416	15,590
<b>2019</b>	63,935	477,841	62,112	459,733	1,823	18,108
<b>2020</b>	66,015	478,994	63,872	459,042	2,085	19,952
<b>2021</b>	66,279	472,568	63,676	449,486	2,603	23,082
<b>Total Pct. Increase or Decrease</b>	<b>11.1%</b>	<b>-0.9%</b>	<b>9.1%</b>	<b>-2.9%</b>	<b>103.2%</b>	<b>66.2%</b>

At the district level, the percentage of students with disabilities of total student enrollment ranged from 0% to 43.2%. Nearly half of all districts and charters have 15% or more of their total student enrollment made up of students with disabilities.

Percentage of Students with Disabilities of Total Student Enrollment	Number of Districts	Number of Charters	Total Number Districts and Charters
<b>0% to 9.9%</b>	5	9	14
<b>10% to 14.9%</b>	116	8	124
<b>15% to 19.9%</b>	100	4	104
<b>20% to 24.9%</b>	13	1	14
<b>25% to 43.2%</b>	1	1	2
<b>Total</b>	<b>235</b>	<b>23</b>	<b>258</b>

The table below shows the racial and ethnic makeup of students with disabilities, as compared to the total student population in Arkansas and nationally, using data from 2020 (the most recently available from the U.S. Department of Education). The table shows that some groups of students are overrepresented in special education, including but not limited to Black/African American students in Arkansas and at the national level.

Race/Ethnicity	Arkansas		United States	
	Students with Disabilities	All Students	Students with Disabilities	All Students
<b>Asian</b>	0.83%	1.56%	2.52%	5.17%
<b>Black/African American</b>	22.86%	17.85%	17.66%	13.79%
<b>Hispanic/Latino</b>	11.73%	12.11%	27.83%	24.87%
<b>American Indian or Alaskan Native</b>	0.65%	0.74%	1.31%	0.85%
<b>Native Hawaiian/Pacific Islander</b>	0.62%	0.55%	0.36%	0.20%
<b>Two or More Races</b>	3.17%	3.47%	4.33%	4.04%
<b>White</b>	60.14%	63.73%	45.99%	51.09%

Data Sources: Office of Special Education Programs, U.S. Department of Education.<sup>6</sup>

<sup>6</sup> OSEP Fast Facts: Race and Ethnicity of Children with Disabilities Served under IDEA Part B. <https://sites.ed.gov/idea/osep-fast-facts-race-and-ethnicity-of-children-with-disabilities-served-under-idea-part-b/>



The federal “Equity in IDEA” rule was finalized in December 2016 and was created to address these disparities in special education. It went into effect in May 2019.<sup>7</sup> The rule requires states to use a “standardized approach to monitoring how their districts identify and serve minority students with disabilities...If a district is found to have significant disparities in how it identifies minority students for special education, disciplines minority special education students, or places them in classrooms separate from their general education peers, it must use 15% of its federal special education money to address those problems.”<sup>8</sup>

Prior to this rule, this monitoring was still happening but “the law left it up to each state to determine if a district had disparities that were broad enough to merit intervention. Only a small fraction of the nation’s school districts have ever been identified as having significant disproportionality.”<sup>9</sup>

The following table shows the gender breakout of students with disabilities in Arkansas as compared to the total student population. The table shows that male students are overrepresented in special education. Little data collection occurs on this topic nationally.

Gender		
	Students with Disabilities	All Students
Female	35%	49%
Male	65%	52%

**DISABILITY TYPES**

In Arkansas, 12 categories of disabilities are used to determine students’ eligibility for special education.<sup>10</sup> The 12 disabilities that qualify for special education in Arkansas mirror the 13 disabilities named in IDEA, except that Arkansas combines hearing impairment and deafness into one category. The Arkansas disability categories include the following:

- Autism
- Deaf-blindness
- Hearing impairment (including deafness)
- Emotional disturbance
- Intellectual disability (formerly known as “mental retardation”)
- Multiple disabilities
- Orthopedic impairment
- Specific learning disability<sup>11</sup>
- Speech or language impairment
- Traumatic brain injury
- Visual impairment (including blindness)
- Other health impairment<sup>12</sup>

<sup>7</sup> “Ed Dept. to Implement Obama-era Equity Rules in IDEA Policy.” (May 2019). *Education Week*. Retrieved from: <https://www.educationdive.com/news/ed-dept-to-implement-obama-era-equity-rules-in-idea-policy/555431/>

<sup>8</sup> “Catching Up on a Federal Rule Involving Bias in Special Education.” (March 2019). *Education Dive*. Retrieved from: <https://www.edweek.org/ew/articles/2019/03/20/catching-up-on-a-federal-rule-involving.html>

<sup>9</sup> *Id.*

<sup>10</sup> Arkansas Department of Education (ADE). (2019). “Special Education and Related Services 2.0 Definitions.”

<sup>11</sup> Specific learning disabilities include perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. DESE Special Education School Age Data Dictionary (2021-22).

<sup>12</sup> See Ark. Code Ann. § 6-41-203(1) (defining “a child with a disability”). Other health impairments include chronic or acute health problems that result in limited strength, vitality or alertness that adversely affects a child’s educational performance. These health problems include, but are not limited to, asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia. DESE, Special Education School Age Data Dictionary (2021-22).

The following table shows the breakout of Arkansas students with disabilities by disability category in 2017 compared to 2021. Specific learning disabilities remain the most prevalent among students with disabilities, affecting 29% of students with disabilities in 2021. This is followed closely by speech/language impairments, affecting 26% of students with disabilities in 2021. The number of students with autism in special education grew the most from 2017 to 2021 (25 percentage points) followed closely by intellectual disabilities (24 percentage points).

Disability	2017		2021		Percentage Increase or Decrease in the Number of Students with Disabilities
	Number of Students with Disabilities	Percent of Students with Disabilities	Number of Students with Disabilities	Percent of Students with Disabilities	
<b>Autism</b>	4,555	8%	5,708	9%	25%
<b>Other Health Impairments</b>	11,425	19%	12,737	19%	11%
<b>Speech/Language Impairments</b>	14,952	25%	16,946	26%	13%
<b>Specific Learning Disabilities</b>	19,044	32%	19,538	29%	3%
<b>Emotional Disturbance</b>	907	2%	1,069	2%	18%
<b>Multiple Disabilities</b>	1,385	2%	1,358	2%	-2%
<b>Intellectual Disability</b>	6,506	11%	8,064	12%	24%
<b>All Others<sup>13</sup></b>	898	2%	859	1%	-4%
<b>Total</b>	<b>59,672</b>		<b>66,279</b>		<b>+11%</b>

The following table shows the percentage of students with disabilities broken out by disability category in Arkansas as compared to the United States. This data is taken from federal fiscal year 2017 (the most recent available from the U.S. Department of Education). Some differences are evident when looking at students with disabilities in Arkansas and the U.S. average. Arkansas has a larger percentage of students with intellectual disabilities, other health impairments, and speech or language impairments than the national average for those indicators and has a smaller percentage of students in special education with autism, emotional disturbance, and specific learning disabilities when compared with the same percentages nationally.

<sup>13</sup> All others include deaf-blindness, deaf/hearing impairment, orthopedic impairment, traumatic brain injury, and visual impairment.

Disability	Percentage of Students with Disabilities		Percentage of All Students	
	Arkansas	Nation	Arkansas	Nation
<b>Autism</b>	8.00%	10.30%	1.07%	1.34%
<b>Deaf-Blindness</b>	0.00%	0.00%	0.00%	0.00%
<b>Emotional Disturbance</b>	1.70%	5.60%	0.20%	0.73%
<b>Hearing Impairment</b>	0.80%	1.10%	0.10%	0.14%
<b>Intellectual Disability</b>	11.70%	7.00%	1.57%	0.91%
<b>Multiple Disabilities</b>	2.30%	2.10%	0.31%	0.27%
<b>Orthopedic Impairment</b>	0.30%	0.60%	0.04%	0.08%
<b>Other Health Impairment</b>	20.10%	16.20%	2.69%	2.11%
<b>Specific Learning Disabilities</b>	32.70%	39.20%	4.39%	5.10%
<b>Speech or Language Impairments</b>	21.90%	17.10%	2.94%	2.22%
<b>Traumatic Brain Injury</b>	0.30%	0.40%	0.04%	0.06%
<b>Vision Impairment</b>	0.40%	0.40%	0.05%	0.05%

**Note:** The percentages represent a distribution of children with disabilities (IDEA) by disability category for ages 3 through 5 and 6 through 21 (excluding children reported in the category of developmental delays). For this calculation, the denominator is all children with disabilities (IDEA) for the specified age range, excluding developmental delays for ages 6 through 21. Data reported for IDEA 2017 Child Count and Educational Environments. National data represents the US, Outlying Areas, and Freely Associated States.

**Source:** IDEA Part B Data Display: Publication Year 2019 (FFY17).

### STUDENT PLACEMENT

Under IDEA and Arkansas Code, students with disabilities are to be educated in the “least restrictive environment.” According to federal law<sup>14</sup>, students with disabilities should be educated with children who are not disabled “to the maximum extent appropriate.” Education provided outside the regular educational environment should occur “only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.”<sup>15</sup> The following table shows the placement for which Arkansas students with disabilities were educated in 2017 compared to 2021.

Student Placement	Percentage of Students with Disabilities	
	2017	2021
<b>Correctional Facility</b>	0.03%	0.02%
<b>Publically Funded Facility</b>	0.1%	0.1%
<b>Private Day School</b>	0.5%	0.4%
<b>Hospital/Homebound</b>	0.5%	0.4%
<b>Parentally Placed in Private Schools</b>	0.7%	0.7%
<b>Public Residential</b>	0.7%	0.002%
<b>Regular Class with Special Education (80% or more of the school day)</b>	54.6%	59.1%
<b>Private Residential</b>	0.6%	0.7%
<b>Resource Room (between 40%-79% of the school day in the regular classroom)</b>	29.5%	26.9%
<b>Self-Contained (40% or less of the school day in the regular classroom)</b>	13.4%	11.7%

<sup>14</sup> 20 U.S.C. §1412(a)(5)(A) See also Ark. Code Ann. § 6-41-204(a).

<sup>15</sup> *Id.*

The following table shows how much time students with disabilities spend in the regular classroom. This is broken out by disability. This data comes from federal fiscal year 2017 (the most recent data available from the U.S. Department of Education).

Disability Category	≥ 80% of Day		40-79% of Day		<40% of Day		Separate School or Residential Facility	
	Arkansas	U.S.	Arkansas	U.S.	Arkansas	U.S.	Arkansas	U.S.
<b>Autism</b>	31.80%	39.40%	26.30%	18.20%	38.90%	33.60%	2.00%	7.40%
<b>Deaf-Blindness</b>	20.00%	24.00%	20.00%	12.60%	20.00%	36.80%	40.00%	22.70%
<b>Emotional Disturbance</b>	30.50%	48.00%	33.70%	17.40%	19.90%	18.00%	9.90%	13.90%
<b>Hearing Impairment</b>	40.50%	62.00%	32.40%	15.10%	6.60%	11.00%	19.30%	10.00%
<b>Intellectual Disability</b>	13.00%	17.00%	41.80%	26.70%	42.00%	49.10%	2.50%	6.10%
<b>Multiple Disabilities</b>	5.00%	13.30%	15.70%	16.60%	63.20%	46.10%	11.40%	19.60%
<b>Orthopedic Impairment</b>	46.40%	53.70%	34.60%	15.30%	18.40%	22.40%	60.00%	4.30%
<b>Other Health Impairment</b>	46.20%	66.70%	42.20%	20.40%	8.90%	8.70%	1.30%	1.90%
<b>Specific Learning Disabilities</b>	58.60%	71.60%	37.80%	21.60%	2.70%	4.90%	30.00%	40.00%
<b>Speech or Language Impairment</b>	89.40%	87.20%	6.20%	4.90%	2.10%	4.10%	10.00%	20.00%
<b>Traumatic Brain Injury</b>	28.90%	50.90%	33.70%	21.60%	28.90%	19.50%	6.00%	5.40%
<b>Visual Impairment</b>	39.50%	68.10%	20.20%	12.20%	7.00%	9.30%	32.90%	8.20%
<b>All Disabilities</b>	53.30%	63.50%	30.60%	18.10%	13.10%	13.30%	1.60%	3.10%

**Note:** The percentage of children with disabilities (IDEA) in the state and nation by disability category (excluding children with developmental delays) attending regular classrooms, or separate schools and residential facilities. Note that this table does not include all reported educational environment categories. The denominator is all children with disabilities (IDEA), ages 6 through 21 (excluding children with developmental delays), in a specified disability category. Data reported for IDEA 2017 Child Count and Educational Environments. National data represent the US, Outlying Areas, and Freely Associated States.

**Source:** IDEA Part B Data Display: Publication Year 2019.

## Funding and Spending

In 2021, funding for special education teachers accounted for 5.7% of foundation dollars. The matrix funds 2.9 special education teachers for the prototypical K-12 district of 500 students, meaning that the state funds special education based on each district's or charter's total number of students, rather than on the total number of students with disabilities.

2021 / 2022/2023 Per Student Amount	2021 Total Amount	2021 Matrix Teacher-Student Ratio	Evidence-Based Model*
<b>\$397 / \$406 / \$414</b>	\$189,187,649	2.9:500	4.05:500

Districts also receive special education high-cost occurrence funding for students with higher cost special education expenses. This funding is provided to districts when an individual student's special education and related services required in his/her individualized learning plan (IEP) are unduly expensive, extraordinary, or beyond the routine and normal costs associated with

2021 / 2022/2023 Total Amount
<b>\$13.02 million / \$13.5 million / \$14.99 million</b>

special education and related services.”<sup>16</sup> Districts must submit eligible claims<sup>17</sup> to be reimbursed by DESE.

The district is responsible for 100% of the first \$15,000 after being adjusted for offsets.<sup>18</sup> Offsets include Title VI-B (Federal IDEA Part B funding), Medicaid reimbursements, and other funds received (extended school year, third party liability, etc.).<sup>19</sup> After that, districts can be reimbursed 100% of expenses between \$15,000 and \$65,000 and 80% of expenses of \$65,000 to \$100,000. Reimbursements are prorated if total reimbursement requests exceed the amount of funds available in the High-Cost Occurrences fund.<sup>20</sup> In 2021, nearly 84% of all eligible claims were reimbursed to districts. The following table shows high-cost occurrences funding changes over the past five years, with the rule change going into effect in FY20.

	Number of Students	Number of Districts/ Charters	Funding Per Student	Total Eligible Amount (millions)	Max Amount of Reimbursement (millions)	Total Funding Provided (millions)	Percent of Approved Funds Received	Total Eligible Amount Not Funded (millions)
<b>2017</b>	1,303	164	\$8,442	\$32.5	\$29.9	\$11	36.8%	\$21.5
<b>2018</b>	1,357	168	\$9,579	\$34.2	\$31.3	\$13	41.5%	\$21.2
<b>2019</b>	1,442	164	\$9,029	\$37.0	\$33.9	\$13.02	38.5%	\$24.0
<b>Rule Change</b>								
<b>2020</b>	1,398	160	\$9,313	\$37.3	\$16.1	\$13.02	81.0%	\$24.3
<b>2021</b>	1,276	155	\$10,204	\$38.8	\$15.6	\$13.02	83.7%	\$25.7

In 2021, public schools in Arkansas spent nearly \$187 million on special education teachers, about \$2.5 million less than they received in foundation funding for that purpose. However, total spending on special education teachers from all fund sources equaled about \$253 million. Federal funding, primarily from IDEA Part B (or Title VI-B)<sup>21</sup> and Medicaid, provided the next largest source of funds for special education teachers. Special education high-cost occurrences made up less than 1% of funds used for special education teachers. The following table shows the per-pupil spending from foundation funding and all funding sources on special education teachers.

<sup>16</sup> A.C.A. § 6-20-2303(22).

<sup>17</sup> Eligible claims include those for students currently enrolled in the district at the time of submission, when costs exceed \$15,000, and the costs must have incurred solely as a result of the provision of special education and related services to the individual student. See DESE Special Education and Related Services "Special Education High-Cost Occurrences" (Oct. 2019), Rule 24.06.

<sup>18</sup> *Id.*

<sup>19</sup> *Id.* at Rule 25.05.

<sup>20</sup> *Id.* at Rule 24.04.2.

<sup>21</sup> IDEA Part B funding is provided to states, and subsequently to the districts and charters to meet the excess costs of providing special education and related services to children with disabilities. It is distributed based on historic funding levels, the number of children in the state, and the number of children living in poverty in the state.

	2021 Per Pupil Spending (All Students)	2021 Per Pupil Spending (Students with Disabilities)
<b>Foundation Funding (Special Education Teachers Only)</b>	\$397	\$2,854
<b>Foundation Expenditures (Special Education Teachers Only)</b>	\$398	\$2,817
<b>Total Special Education Teacher Expenditures (All Funds)</b>	\$539	\$3,816

The following table shows data on special education teacher spending and full-time equivalents (FTEs) for districts and charters. As noted above, districts and charters are spending less on special education teachers than what they receive in foundation funds for that purpose. When translated into special education teacher FTEs per 500 students from foundation funding, districts have 3.06 compared to charters with 1.83. However, when looking at all funding sources, districts and charters both almost have another FTE per 500 students coming from other funding sources. A full list of special education expenditures can be found in Appendix B.

	Districts	Charters	Total
<b>Foundation Funding Received for SPED Teachers</b>	\$181,168,961	\$8,018,689	\$189,187,649
<b>Foundation Funding Spent on SPED Teachers</b>	\$183,030,686	\$3,685,036	\$186,715,721
<b>Number of SPED Teachers Funded in Matrix (Per 500 Students)</b>	2.9	2.9	2.9
<b>Number of SPED Teacher FTEs from Foundation Funding (Per 500 Students)</b>	3.06	1.83	3.02
<b>Number of SPED Teacher FTEs from All Funding Sources (Per 500 Students)</b>	4.03	2.75	3.98
<b>Percentage of Students with Disabilities of Total Enrollment</b>	14.2%	11.3%	13.4%

## Special Education Teachers

There were 18 types of special education licenses or endorsements actively held by Arkansas teachers in the 2021 school year. Of those 18, only 11 of those are granted to new licensees. The remaining licenses were discontinued. Two of these active licenses or endorsements are specific to dyslexia, which is a diagnosis that can sometimes qualify a student for special education.

In 2021, 373 additional licensure plans were requested for special education. An additional licensure plan (ALP) is given to an educator to become certified in a particular subject/class while teaching that particular class. Educators can be employed out of their licensure areas for up to three consecutive school years (with approval from the State Board of Education). Additionally, 189 long-term substitute teachers (LTS) were requested for special education in the 2021 school year. A LTS teacher is someone who takes the place of the contracted teacher for longer than 30 consecutive days. That individual must hold a minimum of a Bachelor’s Degree or be licensed to teach in Arkansas. The following table shows special licensure information over a four-year period.

SPED Licensure and Enrollment	2018	2021	Percentage Increase or Decrease
<b>Number of Individuals Holding SPED License and/or Endorsement</b>	12,373	13,143	6.2%
<b>Number of SPED ALPs</b>	401	373	-7.0%
<b>Number of SPED LTS Teachers</b>	106	189	78.3%
<b>Number of SPED FTEs</b>	3,610	3,694	2.3%
<b>Number of Students with Disabilities</b>	61,553	66,279	7.7%

**Note:** The number of individuals holding a SPED licensure and/or endorsement could include individuals that may hold multiple licenses or may not be currently teaching.

### Survey Results

In BLR’s teacher survey<sup>22</sup>, multiple teachers added additional comments regarding special education. The most common comments noted that there was not enough classroom space for specialized classrooms; more support was needed in the classroom to support students with special needs; and special education teachers needed more time to complete all of their paperwork. Other related comments discussed hybrid learning complications for students with special needs and their schools not being inclusive enough for students with disabilities. The survey also asked teachers whether they were considering leaving the teaching profession. Of the 202 teachers who responded yes, 13% were special education teachers.

### Student Achievement

Students with disabilities are required to participate in state assessments. Students’ IEP teams must decide whether each special education student will take the regular state assessment, the assessment with accommodations, or, for a very small percentage of students with significant cognitive disabilities, an alternate assessment. The total number of students taking each subject tested using the alternate assessment (math, English language arts [ELA], or science) cannot exceed 1% of the total number of students in the state being assessed in that subject<sup>23</sup>. Prior to the federal Every Student Succeeds Act (ESSA), a 1% cap was placed for the number of students who could be counted proficient, but under ESSA, the number of students with disabilities taking the alternate assessment in a state cannot exceed 1%. If states expect to exceed that cap, they must request a waiver through the U.S. Department of Education (DOE). Arkansas has applied for this waiver for the last four assessments. Students were not tested in 2020 due to COVID-19.

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<sup>22</sup> See Adequacy Study Teacher Survey Responses Report. Survey distributed to 1,865 teachers with a 55% response rate; 11 teachers added additional comments throughout the survey pertaining to special education.

<sup>23</sup> 34 CFR §200.6(c)(2)

**ACT ASPIRE: PERCENTAGE SCORING READY OR EXCEEDING**

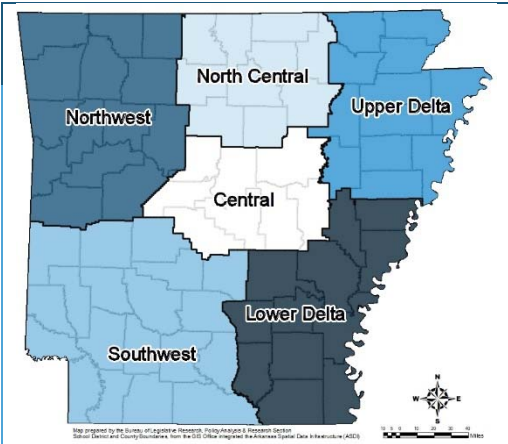
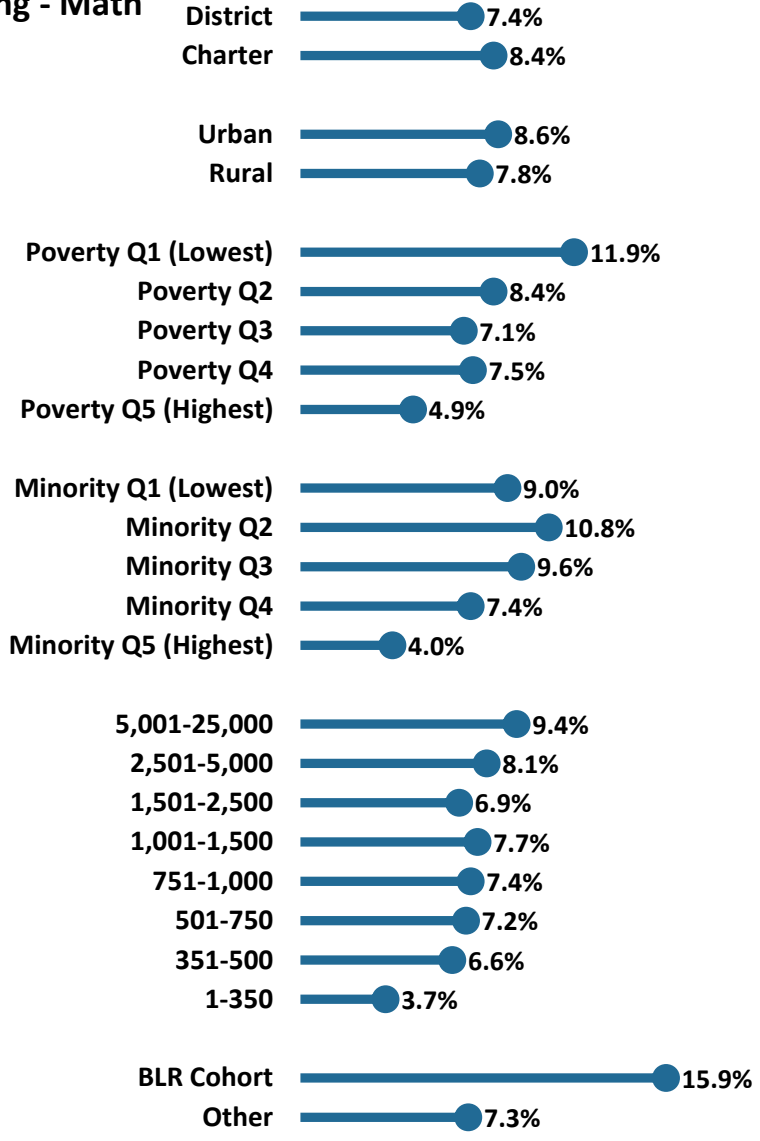
The ACT Aspire is the assessment used for Arkansas students statewide in grades 3 to 10. The percentage of students scoring “ready” or “exceeding” in Math and ELA are shown below for students in special education compared to students not in special education. The percentage of students scoring “ready” or “exceeding” increased for populations for 2017 to 2019. However, the gap between these two groups remained consistently between 40 – 50 percentage points, although the gap did decrease in ELA. In 2021, 8% of students with disabilities scored ready or exceeding in math and 5% of students with disabilities scored ready or exceeding in ELA. A change in the ACT Aspire readiness cut scores in 2019 could impact ELA scores.

Percentage of Students Ready or Exceeding			Total Number of Students Tested	
Math				
	<u>SPED</u>	<u>Non-SPED</u>	<u>SPED</u>	<u>Non-SPED</u>
<b>2017</b>	11.80%	51.3%	31,736	256,517
<b>2018</b>	12.10%	51.5%	33,706	257,589
<b>2019</b>	12.20%	52.5%	35,561	256,407
<b>2020</b>	<b>No Testing Due to COVID-19</b>			
<b>2021</b>	8.20%	40.7%	37,106	246,693
English Language Arts (ELA)				
	<u>SPED</u>	<u>Non-SPED</u>	<u>SPED</u>	<u>Non-SPED</u>
<b>2017</b>	9.11%	57.9%	31,697	255,501
<b>2018</b>	6.90%	48.7%	33,659	257,393
<b>2019</b>	7.20%	49.8%	35,501	256,255
<b>2020</b>	<b>No Testing Due to COVID-19</b>			
<b>2021</b>	5.30%	41.8%	37,106	246,693

The following graphs and tables show the percentage of students with disabilities scoring “ready” or “exceeding” in math and ELA in 2021 broken out by multiple categories: urban vs. rural, free and reduced price lunch (FRL) and minority concentrations, district size, BLR-identified Cohort Schools, and geographic regions. Details about how BLR identified Cohort Schools can be found in the Methodology Adequacy Report.

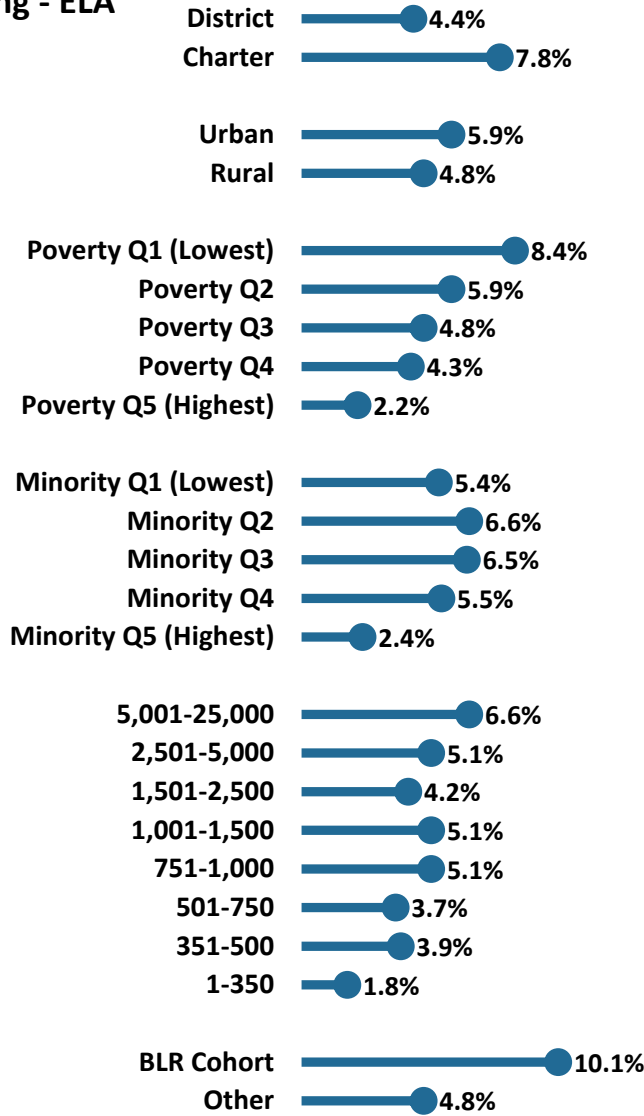


**Percentage of Students with Disabilities Scoring Ready or Exceeding - Math**



Region	Percentage of Students with Disabilities Scoring Ready or Exceeding - Math
Northwest	11.0%
North Central	8.0%
Central	8.0%
Southwest	6.4%
Upper Delta	6.0%
Lower Delta	3.0%

### Percentage of Students with Disabilities Scoring Ready or Exceeding - ELA



Region	Percentage of Students with Disabilities Scoring Ready or Exceeding - ELA
Northwest	7.5%
Central	5.4%
North Central	4.7%
Upper Delta	3.6%
Southwest	3.5%
Lower Delta	1.9%

**ALTERNATE ASSESSMENT – DLM**

Arkansas uses the Dynamic Learning Maps (DLM) as the alternative assessment for students with significant cognitive abilities. Roughly 2,500 students were assessed with the DLM in 2021. The DLM replaced the Multi-State Alternate Assessment (MSAA) as the alternate assessment in 2019. According to the waiver extension request, “this change allowed the grades and subjects alternately assessed to align with the grades and subjects assessed on the general assessment [the ACT Aspire].” The DLM included a science component, which the MSAA did not. Additionally, the DLM provides more instructional resources and was moving to an instructionally-embedded assessment instead of a year-end assessment.<sup>24</sup> The MSAA was administered to qualifying students with disabilities in the 3<sup>rd</sup> through 8<sup>th</sup> grades and the 11<sup>th</sup> grade in math and ELA. The DLM is administered to qualifying students with disabilities in the 3<sup>rd</sup> through 10<sup>th</sup> grades in math, ELA, and science.

The following table shows the percentage of students with disabilities who scored the equivalent of ready/exceeding or target/advanced.<sup>25</sup> This percentage has dropped over the past five years for both subjects. In 2021, 12% of students tested scored ready or exceeding in math and 24% of students with disabilities scored ready or exceeding in ELA.

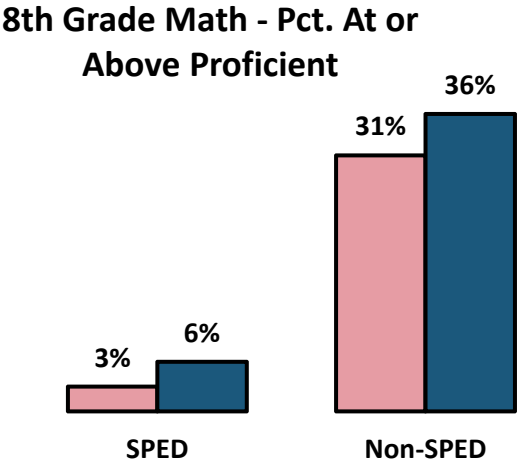
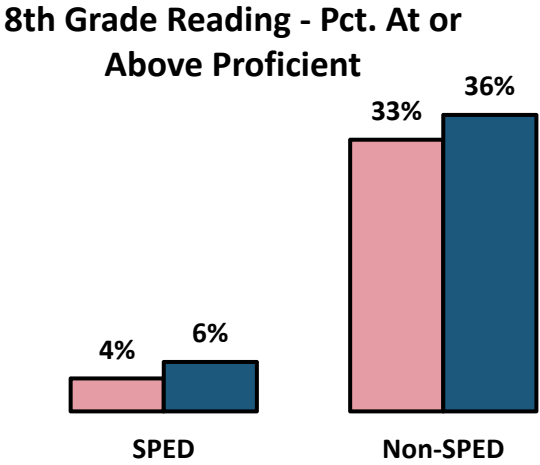
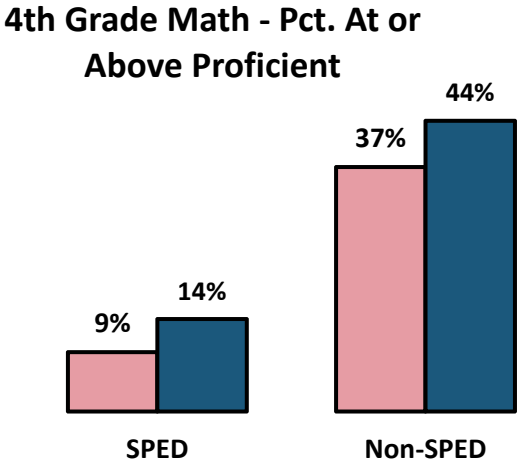
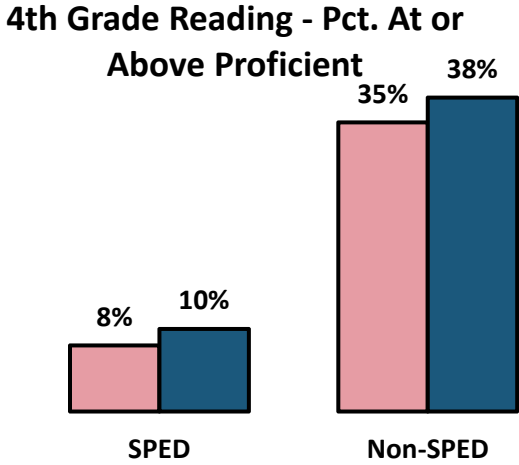
	Math		English Language Arts (ELA)		Test Used
	Percentage of Students Ready or Exceeding/ Target or Advanced	Total Number of Students Tested	Percentage of Students Ready or Exceeding/ Target or Advanced	Total Number of Students Tested	
2017	57.2%	4,102	55.3%	4,094	MSAA
2018	51.1%	3,576	51.6%	3,582	MSAA
2019	20.7%	4,344	40.5%	4,351	DLM
2020	No Testing Due to COVID-19		No Testing Due to COVID-19		-
2021	11.7%	2,428	23.8%	2,451	DLM

**NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS**

The following graphs show results from the National Assessment for Educational Progress (NAEP) for 2019, the most recently available data, for students with disabilities and those without on the 4<sup>th</sup> grade and 8<sup>th</sup> grade reading and math assessments. Students with disabilities in Arkansas scored lower than students without disabilities and scored lower than the national average in all four assessments shown below. Less than 10% of Arkansas students with disabilities scored proficient or above in 4<sup>th</sup> and 8<sup>th</sup> grade math and reading.

<sup>24</sup> Email from Matt Sewell with the DESE dated December 30, 2019.

<sup>25</sup> DLM student score results are reported using four performance models, which are approved by the State of Arkansas: (1) the student demonstrates "emerging" understanding of and ability to apply content knowledge and skills represented by the Essential Elements; (2) the student's understanding of and ability to apply targeted content knowledge and skills represented by the Essential Elements is "approaching the target"; (3) the student's understanding of and ability to apply content knowledge and skills represented by the Essential Elements is "at target"; and (4) the student demonstrates "advanced" understanding of and ability to apply targeted content knowledge and skills represented by the Essential Elements. Essential Elements include ELA, mathematics, and science.



## Appendix A: Expanded Literature Review<sup>26</sup>

### Specific Research Recommendations – Rigorous general education curriculum

1. **High quality instructional facilitators:** According to research, instructional coaching is effective way of strengthening general education instruction because it helps build teacher capacity in meeting the learning needs of a wide range of students.
2. **Master teachers:** Master teachers are similar to instructional facilitators but do not have to leave the classroom. They spend some time outside of the classroom to provide coaching to teachers, and lead faculty meetings and common planning time while receiving an additional stipend.
3. **Model classrooms:** These are designated classrooms in which the teacher has been identified as highly effective. Other teachers will visit this classroom throughout the year and the strategies and best practices used in these classrooms are shared with other faculty and staff.

### Specific Research Recommendations – Extra time to learn, targeted interventions, and content strong teachers:

1. **Extra intervention time:** According to research, one of the most effective ways of closing the achievement gap between students with disabilities and those without is having additional interventions during the day to pre-teach or reteach core content to struggling students, teaching specific skill gaps, or provide extra practice to ensure struggling learners have the opportunity to master the material. This model includes a block of time specific for these targeted interventions in the daily schedule.
2. **Limited use of co-teaching:** Researchers found that co-teaching is often used but is not always effective in improving student achievement, including students with disabilities. There are two reasons why this method often fails to raise achievement:
  - a. Effective co-teaching requires meeting a number of prerequisites (shared training, co-planning time, content expertise, strong teacher relationships) that must be met but many schools are often unable to meet; and
  - b. Co-teaching does not provide extra time beyond core instruction for additional targeted interventions. Most districts do not have the resources to implement both co-teaching and additional intervention time.
3. **Appropriate use of paraprofessionals:** According to research, paraprofessionals are important for supporting students with disabilities but not for meeting their academic needs since they often do not get training, certification, or content expertise. They are most effective when focused on the health, safety, behavior, and severe needs of the students with disabilities.

### Specific research recommendations – Reduce administrative duties:

1. **Specialized special education teacher and case management model:** This model allows teachers to identify their areas of strength and interests. There are generally four different areas a special educator’s role may be specialized that are shown below (Content-specific, pedagogical, social-emotional, and case management (IEP compliance)). Typically, this method is more common in medium and large districts.<sup>27</sup>
2. **Process mapping:** Thoughtful guidance on how staff use their time and streamline the paperwork and meeting portion of their work. It involved listing the steps of a large task, detailing the most time-consuming elements, and listing who is involved in each step and how it is done. Then the district would answer key questions like who has to be in the room for certain meetings and whether certain tasks or processes could be skipped or streamlined.

<sup>26</sup> District Management Group, 2020.

<sup>27</sup> This study defined medium districts as those with 800 to 5,000 students and large districts had 5,001 or more students enrolled.

**Specific research recommendations – Regional approach for small districts to improve services for students with more severe needs:**

1. **Regional specialized programs:** According to research, high quality specialized programs for students with severe needs should include three key components shown below:
  - a. Highly specialized and trained staff;
  - b. Students grouped with similar needs and developmental similarities; and when appropriate
  - c. Access to inclusion in some general education settings.

Cost-effective programs need at least three to four students with similar needs and disabilities in a similar age range. This can be a challenge for smaller districts. Because of potentially low numbers of students with disabilities, specialized special education programs may only exist when the need arose. These could be resource intensive. Geographically close districts could work together to provide these services to students across multiple districts at one specific district.

2. **Regional teams to support students with intensive behaviors:** This recommendation would include creating regional teams of behavior specialists that are partly funded from each participating district or the state to provide supports to schools and districts as needs arise. The teams would include highly trained and specialized staff members who are deployed to districts to handle the most challenging needs and guide school-based staff.

## Appendix B: Special Education Expenditures

Special Education Expenditures	2021 Amount Spent	Percentage of All SPED Expenditures
Resource Room	\$159,425,124	31%
Special (Self-Contained) Classes	\$124,110,747	24%
Speech Pathology and Audiology Services	\$60,646,949	12%
Special Education Director	\$33,986,257	7%
Physical and Occupational Therapy	\$29,460,064	6%
Pre-school	\$26,498,150	5%
Psychological Services	\$18,384,988	4%
Residential or Separate Private Education	\$11,068,549	2%
Special Education Co-Teaching	\$9,162,290	2%
Special Education Transportation	\$7,797,462	2%
Instructional Support Services	\$7,250,977	1%
Medicaid Match	\$6,891,142	1%
Itinerant Instruction	\$6,507,350	1%
Other SPED Programs	\$2,467,573	0.5%
Health Services	\$2,138,550	0.4%
Student Support Services	\$899,513	0.2%
Other Instructional Programs	\$551,619	0.1%
School-Based Mental Health	\$485,434	0.1%
Other Expenditures	\$454,576	0.1%

## Appendix C: Other States' Students with Disabilities' NAEP Scores

The following tables show the range of scores for students eligible for free and reduced-price lunches at the 4<sup>th</sup> and 8<sup>th</sup> grade levels on the 2019 National Assessment of Educational Progress in math and reading.

### 4<sup>TH</sup> GRADE READING

NAEP State	Pct. At or Above Proficient
Massachusetts	15%
New Jersey	15%
New Hampshire	9%
Minnesota	13%
Wyoming	10%
Virginia	9%
Vermont	4%
Indiana	9%
Connecticut	7%
Utah	15%

SREB State	Pct. At or Above Proficient
Virginia	9%
Florida	12%
Maryland	12%
No. Carolina	8%
Kentucky	11%
Georgia	10%
Tennessee	14%
Texas	8%

Contiguous	Pct. At or Above Proficient
Missouri	8%
Tennessee	14%
Texas	8%
Oklahoma	10%
Arkansas	8%
Mississippi	15%
Louisiana	8%

### 4<sup>TH</sup> GRADE MATH

NAEP State	Pct. At or Above Proficient
Massachusetts	20%
New Jersey	19%
New Hampshire	10%
Minnesota	24%
Wyoming	17%
Virginia	19%
Vermont	8%
Indiana	23%
Connecticut	12%
Utah	19%

SREB State	Pct. At or Above Proficient
Virginia	19%
Florida	21%
Maryland	8%
No. Carolina	11%
Kentucky	15%
Georgia	15%
Tennessee	20%
Texas	13%

Contiguous	Pct. At or Above Proficient
Missouri	12%
Tennessee	20%
Texas	13%
Oklahoma	13%
Arkansas	9%
Mississippi	17%
Louisiana	11%



**8<sup>TH</sup> GRADE READING**

NAEP State	Pct. At or Above Proficient
Massachusetts	11%
New Jersey	11%
New Hampshire	7%
Minnesota	7%
Wyoming	6%
Virginia	7%
Vermont	5%
Indiana	8%
Connecticut	6%
Utah	9%

SREB State	Pct. At or Above Proficient
Virginia	7%
Florida	10%
Maryland	8%
No. Carolina	7%
Kentucky	8%
Georgia	8%
Tennessee	5%
Texas	3%

Contiguous	Pct. At or Above Proficient
Missouri	6%
Tennessee	5%
Texas	3%
Oklahoma	4%
Arkansas	4%
Mississippi	4%
Louisiana	5%

**8<sup>TH</sup> GRADE MATH**

NAEP State	Pct. At or Above Proficient
Massachusetts	11%
New Jersey	12%
New Hampshire	6%
Minnesota	12%
Wyoming	6%
Virginia	9%
Vermont	5%
Indiana	9%
Connecticut	9%
Utah	8%

SREB State	Pct. At or Above Proficient
Virginia	9%
Florida	11%
Maryland	5%
No. Carolina	6%
Kentucky	4%
Georgia	5%
Tennessee	5%
Texas	5%

Contiguous	Pct. At or Above Proficient
Missouri	5%
Tennessee	5%
Texas	5%
Oklahoma	5%
Arkansas	3%
Mississippi	6%
Louisiana	5%