



## Bureau Brief

---

### Memorandum

---

TO : Members of the House and Senate Committees on Education

FROM: Nell Smith, Bureau of Legislative Research

DATE : November 5, 2013

SUBJECT : Questions on Special Education and Fiscal Distress

---

The Bureau of Legislative Research developed the following questions for the Arkansas Department of Education to address in its presentations on special education and fiscal distress.

#### Special Education

1. Arkansas schools' IDEA Part B federal funding allocations decreased by \$2.7 million (from about \$99.3 million in 2013 to about \$96.6 million in 2014) due to the sequester. Describe the impact of the cuts on the special education services public schools provide.
2. The state's Elementary and Secondary Education Act (ESEA) Flexibility Plan changed the way special education students' scores are counted for accountability purposes. Under the previous method, if a school had fewer than 40 special education students, their scores were not counted as a separate subpopulation, and the school was not penalized for low achievement levels in that group. Schools that did have at least 40 special education students were held accountable for meeting performance levels in that subgroup. Describe how the changes introduced in the ESEA Flexibility Plan affect the way that special education students' test scores factor into school accountability.
3. In 2010-11, nearly 37% of the waivers granted to teachers teaching out of their subject area went to teachers teaching special education. Explain the changes introduced for teacher licensure rules that were intended to address this issue and describe the changes' impact on the availability of special education teachers.
4. Act 1294 of 2013 requires school districts to screen all students in kindergarten through 2<sup>nd</sup> grade for dyslexia and other reading problems. The legislation also requires districts to use their Response to Intervention teams to address the needs of students who have markers for dyslexia and to provide dyslexia therapy for students whose evaluation indicates they need it. Please provide an update on the implementation of this legislation.

#### Fiscal Distress

1. What are some of the most common reasons districts are placed in fiscal distress? Are there district characteristics that make some more likely to end up in fiscal distress?
2. A number of districts have been placed in fiscal distress more than once. Does ADE take a different approach with districts on a second or third designation compared with the districts that are in fiscal distress for the first time?