

Date: May 22, 2021

To: Chairperson Fields
Members of the Senate Health and Human Services Committee

From: Consortium of Directors of Special Education
Colorado Association of School Executives
Colorado Association of School Boards
Colorado Education Association
Colorado Rural Schools Alliance
Colorado BOCES

Subject: SB 21-274

cc: Senator Moreno
Senator Hansen
Senator Rankin

The Consortium of Directors of Special Education (Consortium), representing 100% of public school special education directors in Colorado, is in support of Senate Bill 21-274, regarding a sustainable model for serving students in facilities. Our education stakeholder partners, CASE, CASB, the Rural Alliance, the BOCES Association, and CEA are also in support of the Bill.

This legislation comes as result of concern in recent years regarding the challenges and high costs of serving students with significant and challenging disabilities, the closure of facilities serving these students, and the lack of resources, particularly in rural areas of Colorado, to meet these students' needs.

The opportunities, as specified in this legislation, will provide for in-depth study and proposed solutions related to serving Colorado's students with the most challenging needs. The cross disciplinary working group will address the many complicated issues around adequacy of services and supports, sustainability of various service models, funding needs, as well as identifying existing, successful models in the state. This work will also allow for examination of interagency work and the roles and responsibilities of the various state agencies involved in supporting these students and their families.

Regardless of a student's educational, emotional, or behavioral needs, administrative units in Colorado must provide appropriate services, regardless of cost, for each student. (Administrative Units, as specified in the federal Individuals with Disabilities Education Act (IDEA), are individual school districts, or combination of school districts as in a BOCES model, responsible for providing special education identification and supports for children with disabilities.)

Discussions around the need for this legislation identified approximately 1,600 children and youth, per day, requiring delivery of educational services and supports in residential or day treatment facilities, hospital settings, home-bound environments or other specially designed school district programs. This is due to the unique and/or extreme behavioral, physical, mental health and/or special education supports that exceed the services typically available in school districts in Colorado. Costs for some administrative units can exceed \$1M per year, with the statewide average, according to 2020 Consortium survey, being over \$800,000 per year for out of district placements. Some students require an out of state placement due to individual challenges that can't be met in Colorado, with costs most commonly higher than in-state placements.

Increasingly, administrative units are attempting to develop cooperative models between them, to serve students whose needs cannot be met through existing special education programs and supports. This is particularly true in rural areas where other options do not exist, or in urban areas where a facility is no longer in business. In all cases, the costs to serve these students are extremely high and greatly exceed available funding, thereby requiring redirection of funds from local general education priorities.

A significant benefit to this legislation is to determine the current needs, related to both students and availability of qualified staff, statewide and by region. Another is to identify cooperative models that are successful for potential replication in other geographic areas, as well as to study effective service delivery and funding models for facility programs which are also necessary for serving challenging students.

We are not aware of any recent effort, prior to this Bill, to complete an in-depth study and develop resulting recommendations around the challenges of effectively serving these students. We appreciate the Bill sponsors willingness to carry this important and timely legislation.

As stakeholders, we have had the opportunity to participate in ongoing discussions that led to the development of this Bill. We look forward to actively participating in the working group. One component of that will be our commitment to continue to gather current and accurate data related to the needs of these students, the challenges in serving them, as well as the resulting costs to administrative units and other agencies in meeting their educational/social emotional and behavioral needs.

As public school leaders, we believe this work is critical and are in full support of SB 21-274.

Thank you.