

Testimony of Special Education Equity for Kids (SEEK)
Before Committee on Government Oversight
On S.B. 1467
March 11, 2025

Senator Gadkar-Wilcox, Chairwoman Dathan, Senator Sampson, Rep. Carney and Members of the Committee,

SEEK is a statewide organization of parents, providers, attorneys and advocates advocating for excellent education and protection of the civil rights of students with disabilities in Connecticut schools. We are pleased to work with this distinguished committee.

We are here in support of S.B. 1467, although we would like the review mandated by the bill to look at the scope and quality of the education provided by the Approved Private Special Education Placements (APSEPs) and Regional Education Service Centers (RESCs) rather than just at the costs of them.

Governor Lamont has placed the cart before the horse. In S.B. 1244 the Governor seeks to establish a structure of rate setting for all private providers of special education services. That does not include the RESCs, which are significant providers, but it does include every speech and language pathologist, every neuropsychologist, every occupational therapist, every BCBA, every physical therapist hired by contract by a school district. The Governor proposes doing this when the Legislature has no information on how many and what type of providers are covered, and no standards as to what constitutes an appropriate level of overhead expenditures. More importantly, neither the Legislature nor the Department of Education has any idea of how many APSEPs would cease operation if their tuition rates were capped. What we do know is that school districts lack the staff, the space, and the capacity to educate the complex and severely disabled students now placed at APSEPs and RESCs.

APSEPS and RESCs provide educational, behavioral, and emotional support to some of the most impaired students in the State. They implement Individualized Education Plans (IEPs): plans often include one-to-one instruction, a bundle of related services, and behavioral support. Of course, these programs are expensive. They certainly would not be any less expensive if provided by the district. The difference is that when an APSEP signs a contract with a district to implement a student's IEP, the APSEP needs to hire the staff to provide the services in the IEP. When, as has been true for the last few years, there are severe staff shortages, the simple reality is that the APSEP needs to pay more to hire the needed staff and the APSEP has no choice but to pass that cost on to the district. When a school district lacks the necessary staff, as they so often do, they can arrange for the promise of compensatory education to backfill for the lost services.

So, looking at the costs of APSEPs and RESCs without also looking at the services provided is insufficient. We need to understand what services are provided pursuant to the IEPs of the students placed. We need to know who is providing those services and what they are paid. We need to understand the administrative structure and overhead. And we need to look at whether that level of overhead is reasonable, especially as compared to the overhead in the public school.

In brief, SEEK would like to see a somewhat enhanced version of S.B. 1467 passed and sections 1 and 2 of S.B. 1244 shelved. Let's understand what we are regulating before deciding we need to regulate.

That said, SEEK is concerned about the high cost of special education, especially with the loss of federal stimulus money and the possible loss of much more federal money under the Trump Administration. We think that, rather than going down the rate setting route, we would do far better having the state use its bargaining power to negotiate rates with APSEPs and

RESCs. Individual school districts have no bargaining power when placing a student at a RESC or APSEP. But the state, dealing on behalf of all the placing districts, would have substantial power. At the same time, no APSEP or RESC is like to agree to a rate that will put it out of business. This is the better way to restrain costs.

So, let's work together to hold down costs while ensuring that students receive the services they need.