

Testimony of the Connecticut Association of Schools

HB 5552

SB 378, 380, 381

March 7, 2016

My name is Dr. Karissa Niehoff. I am the Executive Director of the Connecticut Association of Schools. Our association provides professional development to school leaders in approximately 1000 member schools- public, parochial, charter and magnet- Pre-K through grade 12. Our association includes the CT Interscholastic Athletic Conference (CIAC)- the governing body for high school athletics and student activities- and the CT Student Activities Conference (CSAC) which oversees student activities such as NHS and student councils, and provides leadership development and socio-emotional wellness workshops. I would like to comment on House Bill 5552, and Senate Bills 378, 380 and 381.

HB 5552- AN ACT CONCERNING SPECIAL EDUCATION

We support the requirement that parties participate in an adjudication process before conducting a special education hearing.

The current due process system expends considerable school district resources and impedes the ability of school personnel to provide enhanced academic experiences for all students with disabilities because it devotes a district's precious time and resources to fighting the legal actions of a single parent.

In addition, the due process system is inequitable and unpopular. Dozens of papers and studies have found that the cost and complexity of due process hearings actually hinder low- and middle-income parents in challenging a school district's special education services. Numerous studies have also documented the dissatisfaction felt by parents and schools regardless of outcome. Mutual dissatisfaction occurs even though parents request the vast majority of due process hearings and districts prevail in most cases.

In 2013 the American Association for School Administrators (AASA) asked superintendents whether they consider acquiescing to parental requests for students (regarding services, accommodations, placements, etc.) that the district considers to be unreasonable or inconsistent with IDEA requirements to avoid a due process complaint, hearing or litigation. Forty- six percent of respondents indicated that they acquiesce to requests by parents that were considered unreasonable or inconsistent with IDEA less than 10% of the time. Nearly a quarter of respondents indicated they consented to parental requests 26% to 50% of the time. One-fifth of respondents indicated they agreed to parental requests 51% to 75% of the time.

The AASA study reported that teachers forced to participate in due process complaints, hearings or litigation were profoundly affected by these events. When asked to characterize the degree of stress experienced by special education teachers, related services professionals and special education administrators during a due process hearing or subsequent litigation, 95% of respondents classified the

stress as high or very high. Twelve percent of school administrators said that more than half of district special education school personnel either left the district or requested a transfer out of special education after being involved in a due process hearing or subsequent litigation.

Finally, the AASA study revealed that the average legal fees for a district involved in a due process hearing were \$10,512.50. Districts compelled to compensate parents for their attorney's fees averaged \$19,241.38.

The expenditures associated with the verdict of the due process hearing averaged districts \$15,924.14. For districts that chose to settle with a parent prior to the adjudication of the due process hearing, the settlement costs averaged \$23,827.34.

A new strategy for dispute resolution should be considered given the lack of evidence demonstrating that students who invoke due process protections fare better academically after the hearings. And, given the scarcity of education dollars, it is worth reassessing the maintenance of an unproved system for challenging special education disputes.

Otherwise, significant dollars, time, and emotional capital will continue to be expended on a process that has little, if any, real connection to improving education outcomes.

#### SB 380-AN ACT CONCERNING THE EXCLUSION OF STUDENT PERFORMANCE RESULTS ON THE MASTERY EXAMINATION FROM TEACHER EVALUATIONS

We are strongly OPPOSED to this bill.

Assessment is an integral part of instruction, as it determines whether or not the goals of education are being met. Assessment is used to monitor educational systems for public accountability, help provide

information to better identify instructional practices, evaluate the effectiveness of instructional practices and measure student achievement. Standardized assessments such as the SBAC play an important role in the overall assessment process as they are excellent objective indicators of student performance relative to knowledge and skills defined in state standards. Because the tests are written, administered, and scored in the same way regardless of student, school, or district, they can give a clear picture of how schools are meeting educational standards. Standardized achievement tests can improve diagnosis of students', teachers', and building leaders' strengths and weaknesses; they can corroborate what is seen on a daily basis.

In my 20 years as a teacher, department chairperson, and high school principal, I can say that the state mastery examination data played a significant role in the goals that I set as a teacher, and subsequently as a building leader. The SDE has just released the results of a survey of teachers and administrators in CT. It reveals that a majority of both value and use mastery examination data in the evaluation process.

While we do not support equating summative student test scores to a quantitative score in evaluations, we do support the use of state test data in developing building, program, and teacher goals for student learning. Should this bill advance to become statute, superintendents, principals and teachers would not be allowed to continue the use of state mastery examination data in setting district, building and classroom goals. We believe that the decision as to how state test data will be used should rest at the local level; a decision belonging to the district PDECs, superintendents, and boards of education.

## SB 381- AN ACT ESTABLISHING A TASK FORCE TO STUDY SCHOOL CLIMATE

While we support this bill, we respectfully request that our association be a member of the task force. CAS has been a statewide leader for years in the development and implementation of school climate initiatives- professional development for adults, workshops for students, surveys for schools, etc. We work closely with the SDE, the Yale Center for Emotional Intelligence, the ADL and other professionals who specialize in culture and climate issues.

## SB 378- AN ACT CONCERNING THE RECOMMENDATIONS OF THE HIGH SCHOOL GRADUATION REQUIREMENTS TASK FORCE

Our association strongly supports this bill, and supports those advocating for restoring the Health Education credit requirements. As a member of the most recent and previous Task Forces, a former high school principal, and now the executive director of CAS that represents approximately 1000 member schools and their leaders, I urge the Education Committee and the Legislature to enact the recommendations of the Task Force. The testimony from CAPSS provides very eloquent and significant reasons for why the requirements need to change. From an implementation perspective the need for this change is urgent. If the requirements do not change, districts and schools will be faced with the dilemmas of establishing programs, hiring teachers, scheduling classes, etc. while budgets won't be able to support these changes and teachers needed to staff particular programs won't be found. Most importantly, the current requirements do not reflect the significant shift that must be

made to better personalize learning experiences and measure progress relative to standards. The current requirements are far too prescriptive; they do not support student engagement in areas of interest nor do they support the development of the personal and professional skills and attributes that students will need to be successful in the dynamic 21<sup>st</sup> century work environment and society.

Allowing students to pursue more creative pathways to meeting content and skill standards doesn't compromise rigor; rather, it better engages students in their learning process and allows for more authentic, meaningful learning to occur. Rigor and learning don't result from tight prescription of coursework. And a highly prescriptive course pathway is simply not appropriate for many of our students.

The Connecticut Association of Schools appreciates the work of the Education Committee and we stand ready to work with you to advance the good work being done by our schools.

Thank-you for considering my testimony.