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HOUSE OF REPRESENTATIVES

HOUSE EDUCATION COMMITTEE
SPECIAL EDUCATION SUBCOMMITTEE
PUBLIC HEARING

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WEDNESDAY, OCTOBER 6, 2021
8:30 A.M.

PRESENTATION ON
SPECIAL EDUCATION SERVICES

BEFORE:

HONORABLE JASON ORTITAY, MAJORITY CHAIRMAN
HONORABLE CAROL HILL-EVANS, MINORITY CHAIRWOMAN
HONORABLE JOSHUA KAIL
HONORABLE ROBERT MERCURI
HONORABLE CURT SONNEY - EX OFFICIO
HONORABLE MICHAEL ZABEL
HONORABLE MARK LONGIETTI - EX OFFICIO

ADDITIONAL ATTENDEES:

HONORABLE VALERIE GAYDOS
HONORABLE BARBARA GLEIM

HOUSE COMMITTEE STAFF PRESENT:

CHRISTINE SEITZ
EXECUTIVE DIRECTOR TO MAJORITY CHAIRMAN
DANIEL GLATFELTER
MAJORITY RESEARCH ANALYST
MITCHELL ROSENBERGER
CHRISTINE CRONE
MAJORITY ADMINISTRATIVE ASSISTANT II

ERIN DIXON
EXECUTIVE DIRECTOR TO MINORITY CHAIRMAN
ALYCIA LAURETI
DEMOCRATIC SENIOR RESEARCH ANALYST
CHRISTOPHER WAKELEY
DEMOCRATIC EDUCATION SPECIALIST

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*Pennsylvania House Of Representatives
Commonwealth of Pennsylvania*

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SUBMITTED WRITTEN TESTIMONY

* * *

(See submitted written testimony and handouts online.)

P R O C E E D I N G S

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3 MAJORITY CHAIRMAN ORTITAY: Good morning,
4 everyone. I'm Chairman Jason Ortitay. I am chairing the
5 Special Education Subcommittee Hearing here today. I'd
6 like to welcome everyone. Also, like to remind everyone
7 that this hearing is being recorded in livestream so the
8 public may watch. If we experience any technical
9 difficulties, we'll pause the hearing until we can get that
10 fixed, and for the testifiers participating virtually,
11 please mute your microphones until it's your turn. If you
12 don't, we'll hear all of your conversations, and I see your
13 cameras are on too, so we'll see everything that you are
14 doing as well, so just a fair warning there.

15 Each testifier has been asked to limit their
16 testimony to around three minutes and not to read their
17 submitted testimony verbatim. We have two panels today.
18 After each one, Members will have the opportunity to ask
19 questions then, and now, we'll move onto introductions and
20 I'll start to my left here.

21 (The roll was taken)

22 All right. That's everyone on our end. Thank
23 you very much. I'll just offer some opening remarks and
24 then I'll turn it over to our Minority Chair and then
25 hopefully that'll buy us enough time and PD will be here.

1 The House Special Education Subcommittee will
2 hear from the Department of Education and various school
3 entities on the delivery of Special Education Services to
4 our students in the Commonwealth. It's important for us to
5 understand the various aspects of Special Education
6 Services, teaching techniques, and best practices. Hearing
7 from the Department of Education and the school entities
8 delivering these services will help us to develop a greater
9 understanding of their respective roles and the issues they
10 may be encountering to better inform our policy making as a
11 Committee.

12 This hearing is focused exclusively on Special
13 Education Services and the delivery of those services.
14 This is not a budget-related hearing, nor is it the
15 intention of this Committee to discuss the financial aspect
16 of Special Education Services here today.

17 Additionally, the Committee would like to thank
18 the Arc of Pennsylvania, the Pennsylvania Chartered Schools
19 for Deaf and Blind Children, and The Pennsylvania
20 Department of Labor and Industry for providing written
21 testimony for today's hearing, and that testimony is in
22 every Member's packet here today.

23 With that, I'll turn it over to Chairwoman Hill-
24 Evans for any opening remarks.

25 MINORITY CHAIRWOMAN HILL-EVANS: Thank you,

1 Chair. As you and I were talking, we both recognized that
2 we have various and several school districts that we
3 represent, and each one of them offers services in a
4 different way. So having this hearing and hearing what
5 some of the services are and how they are delivered is
6 going to help us, as we move forward, to see if there is
7 any legislation that can come as a result of the
8 information that you are going to be sharing with us. So
9 if we do come up with that, it would be more effective and
10 efficient. So thank you all for being here. I appreciate
11 it. Those who are not members of the Subcommittee but came
12 anyway, thank you, because that shows interest and effort,
13 and so thank you.

14 Thank you, Chairman.

15 MAJORITY CHAIRMAN ORTITAY: Thank you, and now
16 we'll just pause until our testifiers get here which
17 hopefully will be in a few minutes. So everyone just sit
18 tight and we'll be back shortly.

19 (Pause)

20 We are going to change it up a little bit so we
21 don't have our first panel in a hurry to get organized when
22 they get here. So we're going to move to the second panel,
23 and I'm going to call on Dr. Tony Grieco, Executive
24 Director of the Intermediate Unit 18.

25 MR. GRIECO: Good morning and thank you. We

1 ready to get started, or --

2 MAJORITY CHAIRMAN ORTITAY: Yep. It's --

3 MR. GRIECO: You kind of caught me off guard
4 there.

5 MAJORITY CHAIRMAN ORTITAY: Yeah, sorry about
6 that. We made a last minute change here, so whenever
7 you're ready feel free to get started.

8 MR. GRIECO: All right. Well, thank you.

9 Representative Ortitay, Representative Longietti, Members
10 of the House Subcommittee on Special Education, good
11 morning. It's an honor to be here to have this opportunity
12 to testify before you today. My name, as they introduced
13 me, is Anthony Grieco. I'm the Executive Director of
14 Luzerne IU 18 in northeastern Pennsylvania. My
15 organization serves 12 public school districts, three
16 career technical centers, a charter school, a variety of
17 nonpublic and approved private schools throughout the
18 county of Luzerne, as well as parts of Wyoming County.

19 We are one of 29 Intermediate Units that provide
20 a whole host and range of special education services, as
21 well as behavioral health and mental health services, to
22 our member school districts. We are considered a mid-sized
23 intermediate unit that services a little bit over 50,000
24 students amongst the public and nonpublic and cyber charter
25 and charter schools in our footprint. Of those, 45,000 of

1 those students are public school students, and 8,223 of
2 those students are identified as students with disabilities
3 and are serviced through an IEP. That represents
4 approximately 18.5% of our student population.

5 Our primary goal at the Intermediate Unit is to
6 provide services for our member school districts and the
7 students they serve in which they either cannot program for
8 or do not have the capacity to do so in a single manner,
9 and we run a lot of consortium classrooms as a result of
10 that.

11 So just to kind of give an overview, not just our
12 Intermediate Unit but all of my colleagues are involved in
13 Early Intervening Services, or Early Intervention Services,
14 and they are services for students ages 3-5 that start out
15 with mostly developmental delays. Our role in my
16 Intermediate Unit is to provide a lot of those support
17 services to those students with nursing services,
18 occupational therapy, physical therapy, social work, as
19 well as speech/language services, and vision services.
20 Hazelton Area School District holds the MAWA in our region,
21 and we work hand-in-hand to provide those services.

22 Once students become school aged, the
23 Intermediate Unit provides a number of what we call
24 consortium-based classrooms or district-housed classrooms.
25 This is a service model where districts choose to send

1 their students through the IEP Team Meeting to a placement
2 in a consortium classroom housed at one of our member
3 districts. The Intermediate Unit is responsible for
4 staffing that program with the teacher, para-educators,
5 nursing services, and any other related services that are
6 dictated by the student's IEP, as well as the
7 administrative support of those students, and those
8 consortium classrooms are then paid through a consortium
9 model on a zero-based budget.

10 In addition to that, from my local perspective
11 just to give you a scope of the number of classrooms we
12 have, we have six autistic support classrooms amongst our
13 districts, seven life skills programs, five multi-
14 disability classrooms, one cochlear implant preschool
15 classroom, five school-based emotional support programs,
16 and 220 students that we service in learning support.

17 In addition, we provide a number of itinerant
18 services to our member school districts, not just kids that
19 are put into an intermediate unit consortium classroom but
20 districts that don't have the capacity to have their own or
21 enough students to have a full-time equivalent person to
22 provide their own services then contract out with the
23 Intermediate Units; and some of those services that my
24 Intermediate Unit, as well as my colleagues around the
25 state offer, are: Speech and language therapy, we

1 currently service over 400 students in that department;
2 vision and orientation mobility services, we currently
3 service over 145 students; occupational therapy, 335
4 students; deaf and hard of hearing programs, 65 students;
5 and our fastest growing itinerant service, social work
6 service, -- as you can imagine through this pandemic --
7 currently at 540 students and increasing by the day.

8 As we follow along the continuum of special ed
9 delivery services after we have our school-based
10 classrooms, we have center-based classrooms. We run a
11 number of center-based classrooms at the guidance of our
12 member school districts and our board of directors, and
13 some of those center-based programs include partial
14 hospitalization programs. Partial hospitalization programs
15 is a type of education program that integrates mental
16 health services right there in the classroom. It's a
17 complete wraparound service.

18 We have three center-based partial
19 hospitalization programs currently and one school-based
20 partial hospitalization program. In addition, we have
21 therapeutic emotional support programs which are center
22 based. These are for students that can't find success in a
23 school-based emotional support program, and many times the
24 school districts run those programs themselves. If a
25 student can't be successful in meeting their IEP goals

1 there, then they move down the continuum of services into a
2 center-based program which, at that point, is their least
3 restrictive environment.

4 In addition, we have center-based therapeutic
5 autistic support mostly for our more severe students and
6 they are coming out of Early Intervention that aren't
7 prepared to be successful in a school-based program. These
8 are a lot of our nonverbal students. They're still working
9 on a lot of behaviors, as well as their educational
10 program; and then, our newest center-based program in its
11 third year of existence is a dual-diagnosis program which
12 employs a four and a half FTE model that includes heavy on
13 Bachelor's level therapies, as well as having a Master's
14 level clinician working with the students in that
15 classroom, as well as a certified teacher and a
16 paraprofessional.

17 In addition to the school based and center based
18 and the itinerant services, we also provide a lot of
19 transition services to students with disabilities. So as
20 you are aware, any student that has an IEP once they reach
21 age 14 becomes eligible for transition services as they
22 prepare for career readiness and we run that as a
23 consortium as well. Many other IUs provide that support to
24 their districts around the state. Some of the programs
25 that we run here at IU 18 include the Dream Green Farms.

1 We get kids out into a farm environment where they can
2 learn how to work a farm. They grow crops and then take
3 them to the farmer's market and learn the business end of
4 farming and that is a need in certain parts of our county.

5 We also have a Warehouse Program partnered with
6 Lowes where we have students that have the opportunity to
7 work through the training program with their job coaches
8 and job mentors from the Intermediate Unit and can complete
9 for competitive employment in warehousing which is another
10 fast-growing industry in our area that could use this
11 workforce. We have a Document Destruction Depot that our
12 students work, and we also have what we call the Real
13 Academy which is a home-based program rewarding education
14 in adult living, and we are teaching kids life skills on a
15 daily basis so they can function on their own after
16 graduation.

17 So, as you can see, we offer a wide array of
18 services and I can go on about that, but I'm trying to be
19 respective of the three-minute mark -- I'm sure I'm over
20 it-- but everything we do follows our mission, and our
21 missing is to serve our school districts and their students
22 and families and their neediest students and learners and
23 we are here to continue to evolve our services as need be.

24 So I thank you for your time and appreciate this
25 opportunity and happy to take any questions any Members of

1 the Committee would have at this time.

2 MAJORITY CHAIRMAN ORTITAY: Thank you and we're
3 going to hold the questions until we're done with this
4 panel for everyone if you don't mind sticking around.

5 So we'll move to the next, Dr. Michael
6 Leichliter, Superintendent, Penn Manor School District.
7 Whenever you're ready, you may begin, and I apologize if I
8 mispronounced your name, as someone who gets that a lot.

9 MR. LEICHLITER: Mike Leichliter from Penn Manor
10 School District, Lancaster County. We serve an area just
11 west of the City of Lancaster, and thank you for having me,
12 Chairman Ortitay and Chairwoman Hill-Evans.

13 I started my career as a teacher in the school
14 district of the City of York where I graduated, so I do
15 have some experience from the York County area, as well as
16 having lived in Lancaster for the last 25 years. We have
17 5400 students. We're a school district that covers what I
18 consider urban fringe. We also cover a suburban area and
19 have urban areas within our school district which runs from
20 Route 462 down to the Safe Harbor area, south of Lancaster
21 City.

22 I appreciate the opportunity. Special Education
23 is a topic very near and dear to my heart, and I think as a
24 school district we have provided exceptional service to our
25 students, and I want to focus my remarks a little bit on

1 the identification process, and my colleague, Dr. Shane
2 Hotchkiss, will focus more on the progress monitoring
3 aspect. But as all of you know, the IDEA Law, the origins
4 came from federal law in the mid-1970s, and those services
5 to students were well needed and have grown over time.
6 We're proud of our services. At the same time, there are
7 challenges that continue to impact public schools, our
8 staffing, and our costs as well, and I want to focus on
9 some of that process.

10 As you know, we are required to provide a free
11 and appropriate public education for students in our school
12 district, and there is a very specific process that's
13 referred to as Child Find by which we have to identify
14 students. There are legal definitions; but the basis that
15 we teach our instructional staff and our support staff is
16 the importance of monitoring students, evaluating students,
17 talking to parents, and making sure that if we see as
18 trained professionals areas of identification that we think
19 may be required and may require special services that we
20 follow through on the process of screening students and
21 then evaluating students for these services and that's on
22 the part of the staff; but we also have to advertise this
23 to our parents and make sure our parents are educated and
24 informed of what their responsibilities as a parent but
25 also their legal rights as parents in our school district

1 are obligated to do as well.

2 So through that process, parents may also refer
3 their children for special services. There has been a lot
4 of discussion on this Child Find provision, especially with
5 the recent mask mandate and the necessity for making sure
6 that we're identifying students for medical concerns
7 through this process as well.

8 In addition to the law, it requires notices of
9 procedural safeguards for parents and we must as a school
10 district notify parents of those procedural safeguards at
11 the time of the initial referral for parents for the
12 evaluation; when the school proposes to change either the
13 identification, the evaluation, the placement or the
14 provisions of that free and appropriate public education
15 that we are giving students; and also when the school
16 refuses a parent who requests to change that same process:
17 identification, evaluation, placement, or anything
18 involving the faith provisions of special education.

19 Once a parent has signed the permission to
20 evaluate, the school has 60 calendar days, and that's an
21 important term I'll refer to later, to complete that
22 evaluation. It must be conducted by a school psychologist
23 and include other appropriate certified professionals in
24 this process of evaluation.

25 There are two examples. I just want to briefly

1 highlight that Penn Manor has seen an increased impact from
2 the evaluation process. One involves the number of
3 students that we're seeing from out of state. So if a
4 student moves in from out of state, even if they come in
5 with an IEP, we must conduct our own evaluation to make
6 sure that, that IEP is within the provisions of some the
7 Pennsylvania statutes, as well as the state they came from.
8 So that is something that we are seeing an increased number
9 of students at the beginning of the school year. Lancaster
10 County has a large population, but we are seeing an
11 increased number of move-ins from other parts of the state
12 but also from other states as well.

13 Another area that we are seeing an increase in is
14 the number of bilingual evaluations that we must conduct;
15 and when that occurs, we must use a bilingual school
16 psychologist to conduct that evaluation and make sure that,
17 number one, the evaluation is appropriate for the student
18 in their native language but also to ensure that the parent
19 receives appropriate feedback in a language that they
20 understand as well.

21 There are some other areas, but once an
22 evaluation is conducted, a student is identified as a
23 student with special needs and receives an IEP, there are
24 other services that the team must consider and those
25 services -- and I am going to go through a brief list here

1 because it is a long list and is something that school
2 districts increasingly are seeing as an impact to their
3 budgets: Specially designed instruction within the regular
4 classroom, accommodations, a small group or individualized
5 instruction, assistive technology, assistance from an
6 instructional aide, assistance from a health aide,
7 occupational therapy, speech therapy, physical therapy,
8 psychological counseling, special transportation to and
9 from school, placement in a specialized program outside of
10 the school setting, other accommodations or services
11 identified by the IEP team, behavior supports, feeding
12 teams for students with significant medical needs -- that
13 is a growing area that we've seen a lot of in our school
14 district -- sensory issues, and also nursing services.

15 The IEP is typically evaluated annually but it
16 can also be evaluated at any time at a parent request or
17 when a school sees additional needs; and that once that IEP
18 team convenes, one very important factor that refers to the
19 list that I just went through is that the team cannot
20 consider cost as a factor, that we must look at the needs
21 of our students, what the students need, and then employ
22 the appropriate services based on that evaluation and that
23 determination.

24 As many of you know, IDEA Law is a federal
25 mandate that impacts our school districts and it was

1 implemented with the understanding that the federal
2 government would pay for up to 40% of the cost for special
3 education.

4 The federal government has never done that as all
5 of you are well aware from your budgeting for school
6 districts. The federal government has never provided more
7 than 18% of the cost to the states and typically provides
8 about 12 to 14% annually. The state share to schools is
9 about 22% leaving the rest of this federal mandate up to
10 the local taxpayers; and just to give you some more
11 specifics, Penn Manor is a large district. We have about a
12 \$97 million budget. Special Education costs account for
13 about \$15 million of that \$97 million cost, and I've said
14 that costs due to increased needs that we are seeing from
15 students are really impacting our budgets.

16 I've been superintendent for 13 years. In 2010-
17 2011, the district had three students who required
18 programming that exceeded \$75,000. In our most recent
19 reporting period last year, that number had grown to 20
20 students whose costs exceeded \$75,000 a year, and, again,
21 when you think that the majority of the funding is coming
22 from our local taxpayers, that has a significant impact to
23 our budgets. We are seeing our special education costs in
24 Penn Manor School District growing at a rate of about 8%.

25 When you consider what the Act I Index is for

1 school districts, when you consider what we receive for
2 additional funding from the state, again, that is coming
3 from our local school district and our local taxpayers.

4 Some things to consider as I complete my remarks
5 are some of those areas of IDEA in special education in
6 Pennsylvania that exceed the federal mandates and, again, I
7 just want to briefly go through a list, because often when
8 I talk to our state legislatures, Penn Manor is represented
9 by Representative Brett Miller and Speaker Bryan Cutler, as
10 well as State Senator Scott Martin. When I speak to them,
11 we often talk about the areas of federal law but the fact
12 that state law does exceed some of those requirements in
13 areas: I mentioned the 60 calendar days, federal law says
14 60 school days, so that's an area that the state's mandates
15 exceed federal ability; students with an intellectual
16 disability must be reevaluated every two years, rather than
17 three years; requirements that new teachers of special
18 education hold dual certificates in both Special Ed and
19 subject areas; a requirement that instructional class aides
20 and personal assistants assigned to work with students hold
21 a 2-year college degree or its equivalent; requirement that
22 classroom aides be provided at least 20 hours of
23 professional evaluation; transitioning planning for
24 students must begin at age 14, rather than the federal
25 mandate of age 16; extended school year services and

1 timelines exceeding federal requirements/state requirements
2 for discipline of students with disabilities; teacher-
3 student caseload maximums are less than federal
4 requirements; the amount of homebound instruction provided
5 to a student with a disability is limited to 30 days
6 regardless of the circumstances; assessment, plan
7 development notifications, and reporting requirements for
8 behavior supports exceed federal requirements; and when
9 parents request mediation in lieu of filing a complaint,
10 the district must maintain the educational setting for that
11 student; the complaint and dispute resolution processes are
12 burdensome and are, again, in excess of federal law, and
13 also legal costs associated with proceedings can climb very
14 quickly, many times costing thousands of dollars. We've
15 seen this in a number of instances in Penn Manor. The
16 number of due process claims have increased as we've seen
17 some reach of some law firms in the eastern part of the
18 state come into our area.

19 So we believe that creating a better alignment
20 between state and federal regulations would offer school
21 entities an opportunity to better serve our students and
22 also to better serve and respond to our taxpayers as well.

23 So I thank you for the opportunity to briefly
24 describe some of those areas today, and I'm happy to take
25 questions at the end, Chairman.

1 MAJORITY CHAIRMAN ORTITAY: Thank you very much.
2 I appreciate that.

3 Next, we'll move on to Dr. Shane Hotchkiss,
4 Superintendent of the Bermudian Springs School District.

5 Dr. Hotchkiss you can begin when you're ready.

6 MR. HOTCHKISS: Good morning, everyone, Chairman
7 Ortitay, and House Special Education Subcommittee Members,
8 and other guests here this morning. I'm Shane Hotchkiss,
9 Superintendent of the Bermudian Springs School District,
10 and for context, I'm here to kind of represent a rural
11 perspective. So Bermudian Springs is only 30 minutes from
12 Harrisburg. Route 15 runs right through the middle of our
13 school district. Our campus is two miles from Route 15.
14 We have no public water, no public waste water, and no
15 cable television, and I share that because that context
16 matters. Those are all complexities with operating our
17 school district. Also, we're really proud if you eat an
18 apple there is a high likelihood it comes from our
19 district, or the vicinity, because we have lots of
20 orchards.

21 We serve about 1850 students at Bermudian
22 Springs. We cover 75 square miles and our economically
23 disadvantaged population is a little over 40%. We also
24 have a growing EL population we provide services, English
25 Language Learners. I share all of that as Dr. Leichter

1 had mentioned because that is part of our story of the
2 complexities to providing services to our students. I
3 really appreciate the opportunity to be here this morning.
4 I'll paraphrase a few things, and I really want to get some
5 specific examples from Bermudian Springs to kind of tell
6 our story.

7 So Dr. Leichliter talked about just the
8 identification process of students with IEPs and the
9 challenges with students moving in and out and really all
10 of the mandates that are in place that are expected of us
11 to meet the needs of our students. So each IEP written for
12 a special education student contains educational goals, and
13 the process for setting goals is establishing a baseline,
14 which makes sense, and then really using some
15 predictability about where we believe those students will
16 be at the end of the year.

17 The other part of our story for context is how
18 many people that we have within our district to accomplish
19 all of these tasks. So we have one Director of Special
20 Education, we have one school psychologist, one speech
21 clinician, we have four school counselors and learning
22 support teachers at our elementary school. We only have
23 one at each school. We have 1.5 staff members, four at the
24 middle school and 2.5 at the high school. The beauty of
25 Bermudian is we're all on one campus, and so, we literally

1 can walk from one school to the next. I share that because
2 it still has its challenges when we're as small as we are.

3 So as part of the process for setting goals,
4 there are a few steps that are really important. One is
5 writing annual goals and objectives. It's important for
6 our staff to make sure that our goals are measurable; and
7 as a part of that, we have to identify the condition in
8 which the behavior is performed; we have to clearly
9 identify what we expect to observe; and then establish
10 performance criteria, and it sounds easy but, as you can
11 imagine, each student is an individual, and so we really
12 need to make sure that it's specific and individualized to
13 that student.

14 We need to establish a process to make data
15 collection decisions, determine data collection tools and a
16 schedule, represent the data visually, evaluate the data,
17 make instructional adjustments as necessary based on the
18 information that we see and the monitoring, and then
19 communicate that progress, and that's a really important
20 step, not only for the students but to the parents and even
21 amongst our staff members.

22 So that leads me to some specific examples, and
23 one, I really appreciate the opportunity to be here because
24 what it allows me to do is engage in more in-depth
25 conversations with our staff and to provide you some

1 information here but also make sure that I am understanding
2 the challenges that our teachers are facing in the
3 classroom and meeting the needs of students. So monitoring
4 the progress of students at Bermudian Springs really
5 requires a significant amount of collaboration and
6 coordination. That's not new to just us. That really
7 applies to everybody. However, it really stretches that
8 staff that I describe. It stretches the capabilities of
9 our staff.

10 In general, I'm going to share two examples at
11 the high school level and elementary level. We're a
12 traditional high school. We're not block scheduling, so we
13 have periods throughout the day. So depending upon the
14 level of support that a student would need, in this case it
15 would be itinerant or supplemental support, a learning
16 support teacher may only see a student for 43 minutes a day
17 that one particular period. So during that time, as you
18 can imagine, we have to prioritize what are the things that
19 we need to support that student in and sometimes it forces
20 us to make a decision.

21 At times, our teachers are supporting with
22 homework, projects, reading tests, adapting tests,
23 following up on missed assignments and absences and
24 certainly during the pandemic that's been challenging
25 because students have been in and out, and then also

1 allowing them to see any related services. So if they have
2 OT or PT or speech, we also need to find time in that same
3 43-minute block to allow those students to get that
4 service.

5 In addition, we need to monitor the progress
6 they're making towards their IEP goals. So recently, a
7 high school learning support teacher shared a situation
8 with me, and she said, "When a choice must be made between
9 helping a student complete a science project that was due
10 days ago or having them complete a reading or math probe to
11 monitor that progress," as she shared, "the science project
12 wins every time because that is important for the student
13 with a curriculum and where they are, but we still have to
14 monitor that progress and we have to find time to be able
15 to do that. Often this means in order for us to do that we
16 have to defer to other people. In this case, we'll defer
17 to regular education teachers to collect some data. This
18 places added stress on those classroom teachers, and we
19 also really need to provide professional development of
20 what we are looking for, how to collect that data, and,
21 again, it's finding the time to be able to do that."

22 And it's really important to note that our
23 teachers in the classrooms are already making
24 accommodations for those students. They're modifying
25 instruction. They're modifying the notes. They're

1 modifying just the content that our students are provided.
2 The bottom line is there really is this limited amount of
3 time to monitor progress at the high school level.

4 At the elementary level -- and I want to note a
5 typical caseload Dr. Leichliter talked about that -- so at
6 the elementary level, we have a caseload of five to six
7 students for one staff member, so pretty good numbers of
8 high-need students. Our max is 17, so I feel like we do a
9 really good job of providing not an overabundance of
10 students per staff members, but we still have to meet the
11 needs of the students and that, again, is challenging.

12 So at the elementary level, the challenges are
13 much the same when it comes to monitoring progress. Our
14 elementary learning support teacher recently shared some
15 struggles they're having with some students that are trying
16 to meet their annual goals, and there is a handful; and she
17 shared, so because of the challenges, she is constantly
18 monitoring progress, shifting goals, collecting data,
19 discussing with parents and the team of how we can adapt
20 instruction, and when you adapt instruction, we have to
21 identify -- you go back to what I said previously, how we
22 are going to monitor the progress, what's going to be
23 observable, what tools are we going to use to do that.

24 In the end, we want to make sure that that
25 student is making at least one year's growth within one

1 year's time. The data collection process is really
2 essential, but it takes a tremendous amount of time which
3 in turn impacts instructional time. So, again, that
4 teacher is faced with do I monitor progress or do I provide
5 direct instruction with the student, and keep in mind --
6 you heard our caseloads -- we are pretty good but it really
7 is a challenge.

8 And as I shared previously, we're a small campus.
9 We're all on the same site. We can walk to the schools.
10 One of the complexities and the struggles that we have is
11 to ensure the consistency even between schools; because,
12 again, we are charged with meeting the individual needs of
13 students which requires different measurements, different
14 observable behaviors, different tools to do that; and then
15 when you go across buildings, and we just have three,
16 you're trying to determine the success of that student when
17 you could be using different measurables, different tools,
18 and the goals are changing as the elementary teacher
19 described.

20 So it requires a great deal of collaboration, not
21 only with teachers, parents, our supporting individuals
22 with our psychologists and Director of Special Education,
23 and we work relentlessly. I'm really proud of the efforts
24 that we make, but, again, it's really challenging. I want
25 to be respectful of the time, and I'll certainly answer any

1 questions at the end. Thank you for the opportunity to
2 share a little bit about our story and I'll be happy to
3 chat with you later. Thank you.

4 MAJORITY CHAIRMAN ORTITAY: All right. Thank you
5 very much.

6 Next, we will move on to Brian Hayden, Chief
7 Executive Officer for the Pennsylvania Cyber Charter
8 School.

9 Mr. Hayden, you may begin when you're ready.

10 MR. HAYDEN: Good morning. I'd like to thank
11 Minority Chair Longietti and the Special Education
12 Subcommittee Chairs, Mr. Ortitay, and Representative Hill-
13 Evans for giving us the opportunity to talk this morning
14 about special ed in the cyber environment.

15 I'm here speaking not only on behalf of the
16 Pennsylvania Cyber Charter School but the 13 other cyber
17 charter schools in Pennsylvania. PA Cyber itself serves
18 about 11,000 students. Throughout the year we'll enroll a
19 student from every county and every school district in
20 Pennsylvania. Overall, across Pennsylvania the cyber
21 community serves probably close to 40,000 students this
22 year. PA Cyber is headquartered here in beautiful midland
23 Beaver County, Pennsylvania, and we're very proud of the
24 work we've done in the last 18 months, especially trying to
25 serve our students throughout the pandemic. Typically, we

1 have about 25 percent of our student population who are
2 identified as special ed, so that is 2300-2400 students at
3 any given time.

4 I think it's important to note here that we went
5 back 12 years, which is our current student information
6 system, and throughout those 12 years, we've only
7 identified about 1 percent of those students as special ed.
8 The rest of the students come with their IEPs already
9 written by school districts or IUs and, as you know, once
10 those are in place, we are required to follow whatever is
11 in the IEP, so we are not identifying most of the students
12 who we are currently serving. That is being done by
13 another educational organization.

14 I think it's also important to remember that
15 everything that my colleagues here described that have to
16 be provided for special ed students we have to do either
17 virtually or in person. There is no second set of
18 standards for cyber schools different than brick and mortar
19 schools. Much of that, we provide in the cyber
20 environment, but we also at times have had to send students
21 to outside placements, to provide aides within the class,
22 within the home, as well as sending students to
23 occupational therapy or speech therapy or other related
24 services outside of their home and outside of our regional
25 offices.

1 I know we're not really supposed to be talking
2 about budgets, but I always like to point out that we spend
3 over \$2 million a year transporting students somewhere,
4 from their home to somewhere, to make sure that we're fully
5 compliant with the IEP and that's just part of the
6 responsibility that we have as a cyber school.

7 In my testimony, we talked about how we quick we
8 adapted during the pandemic to be able to move even those
9 in-person services to a virtual environment which we were
10 extraordinarily success at, and that's not me, but it's our
11 special ed administration, the teachers, and those people
12 who serve our students. What's been most interesting to us
13 is as we've sort of emerged from the pandemic and started
14 to have the opportunity to provide services in person, as
15 you can see, 97 percent of those services the family is
16 choosing to maintain those through a virtual environment
17 and, again, I want to stress that that is a choice that the
18 family makes. If they wanted to, we would provide those in
19 person and we'll continue to do so if a parent changes his
20 or her mind as we go through this process.

21 But I think kind of the narrative that it's
22 impossible or it's extremely difficult to provide special
23 education services through a virtual environment has proven
24 to not be the case, certainly not in our 20-year history,
25 but more importantly in the last 18 to 24 months, and we'll

1 continue to do so.

2 Also, I'd like to mention that we are monitored
3 by the federal and state governments in the exact same way
4 the traditional schools are, so that whatever we are
5 providing to students and their families has somebody else
6 checking to make sure that's appropriate and within legal
7 realms of what needs to occur.

8 I'd like to say that this is pretty consistent
9 with all of my 13 colleague schools across Pennsylvania.
10 We're very proud of the work we've done with our special
11 education students. I'm very proud of the services that we
12 have and continue to provide both in person and virtually.

13 And trying to stay to my three minutes, I look
14 forward to being able to answer any questions or continue
15 this dialogue with the Members of the Subcommittee. Thank
16 you.

17 MAJORITY CHAIRMAN OTITAY: Thank you very much,
18 and we'll move onto questions now for this panel if any
19 Members have a question. I think we have a list going now.
20 Just let us know.

21 If the two superintendents wouldn't mind coming
22 up to a microphone just to make this process easier.

23 First, we'll go to Representative Hill-Evans for
24 questions.

25 MINORITY CHAIRWOMAN HILL-EVANS: Thank you, Mr.

1 Chairman.

2 My first question -- well my only question right
3 now -- is to Dr. Hotchkiss at Bermudian Springs. You
4 mentioned the 43 minutes that your students get to spend
5 with their support teacher. Where does that 43 minutes
6 come? Is that just as a result of what the length of day
7 is? Is that set by any standards?

8 MR. HOTCHKISS: Yeah. That's the length of our
9 period in the day --

10 MINORITY CHAIRWOMAN HILL-EVANS: Okay.

11 MR. HOTCHKISS: -- and so we can build in for
12 some students in their schedules. At times, if we're able
13 to and the schedule matches up, we're able to have a
14 teacher pushed into the classroom for a student in their
15 regular ed classroom, but what I described earlier is
16 actually a separate period built into the student's
17 schedule where they can get some support (indiscernible)
18 ELA, math based on their IEP goals.

19 MINORITY CHAIRWOMAN HILL-EVANS: So it's so much
20 having to happen within that 43 minutes. What is your
21 success rate?

22 MR. HOTCHKISS: I think it varies by student
23 based on --

24 MINORITY CHAIRWOMAN HILL-EVANS: Okay.

25 MR. HOTCHKISS: -- based on what their needs are.

1 I think we go to great lengths, our students graduate but,
2 again, that takes a toll after time. We'll have teachers
3 stay after school. We'll try to provide some supplemental
4 tutoring and, again, we rely on our regular ed teachers to
5 support the process because you only have that limited
6 block of time and you've got to prioritize what needs to
7 take place during that time.

8 MINORITY CHAIRWOMAN HILL-EVANS: Okay. Thank
9 you.

10 MAJORITY CHAIRMAN ORTITAY: Representative Kail.

11 REPRESENTATIVE KAIL: Thank you, Mr. Chairman,
12 and thank you for having this hearing. This issue is one
13 that is absolutely paramount and critical, and I think with
14 the pandemic that we just had as well I think there are so
15 many different things that are going on with our kid's
16 education and this one is very important. I am kind of
17 curious, and I wanted to ask Mr. Hayden a couple of
18 questions. He is the CEO of PA Cyber. I was curious, what
19 percentage of your students are special ed?

20 MR. HAYDEN: So Representative Kail, it's about
21 25 percent at any given time which I understand is
22 consistent with most traditional schools, somewhere in that
23 range. I don't know.

24 REPRESENTATIVE KAIL: And I'm curious as a cyber
25 school, can you walk us through the process to establish a

1 student's IEP?

2 MR. HAYDEN: Well, we have to follow the exact
3 same process that any traditional school would. I mean --
4 it has to -- the request from the parent and then we do the
5 evaluations. We have both our own school psychologists
6 here, as well as we contract with other psychologists if
7 it's necessary outside of the area, all of the things that
8 were described. We do have bilingual families that we need
9 to serve and make sure that we have appropriate
10 documentation in other languages. I think last year we
11 served students speaking 13 different languages throughout
12 the school, so we have to create all of that documentation
13 in those languages, as well as provide interpreters and
14 translators as needed, and then we work through the IEP
15 with our Special Ed Department, meet with the parents, meet
16 with advocates if they have them, and then agree to the IEP
17 and serve those students.

18 We have about 125 full-time certified special ed
19 students at PA Cyber that are our employees. They're also
20 PSEA Members I'd like to add. And we have a full Special
21 Ed Department that works through these and makes sure that
22 our families get the services that they deserve and they
23 desire.

24 REPRESENTATIVE KAIL: Thank you. I have nothing
25 further.

1 MR. HAYDEN: You're welcome.

2 MAJORITY CHAIRMAN ORTITAY: Representative
3 Longietti.

4 REPRESENTATIVE LONGIETTI: Thank you all for your
5 testimony. What I'd like to ask is; what are the trends
6 that you're seeing? What are you seeing in terms of growth
7 in the special education population, the types of
8 disabilities and supports that are needed? Just to get a
9 little sense from our panel what they're seeing out there.

10 MR. LEICHLITER: I can --

11 Mr. GRIECO: Go ahead.

12 MR. LEICHLITER: I'll just highlight. I made
13 reference to the number of medical needs that we're seeing.
14 We are seeing greater medical needs from students. We do
15 have trained feeding teams for some of our students as
16 well. We're a larger school district, so there is an
17 economy of scale. Most of our classes we're able to
18 provide within our school district. The students who are
19 not provided within our school district are going for very
20 high specialized programs, sometimes residential placements
21 in other areas outside of Lancaster County that we continue
22 to pay for as well, but those medical needs and mental
23 health needs are areas that we're seeing a greater increase
24 within our student population.

25 MR. GREICO: I would like to echo those thoughts

1 as well. I mean our behavioral health/mental health
2 programs that are wrapping around our educational programs
3 are our fastest growing. We're seeing a trend towards
4 students needing social work. We since the pandemic have
5 opened six outpatient clinics since we started back, and
6 those numbers are increasing to the point where it's a
7 struggle to find enough quality staff to service all those
8 kid's needs right now, the behaviors.

9 Every district is looking for social/emotional
10 learning support, so I think obviously the pandemic has
11 changed the game a little bit as far as supporting the
12 needs, and we all know if we can't take care of those
13 social, emotional, and behavioral needs we can't really get
14 to the educational needs as priority one. They become that
15 second tier after taking care of the basic needs of the
16 students. So that is the trend that we are seeing as well,
17 the behavioral and mental health needs.

18 MR. HOTCHKISS: I'd just like to add. I'm going
19 to come from the staffing perspective. So when you look at
20 some of the funding for schools and to address learning
21 loss and to address deficits with students, one of our
22 challenges is finding staff. So we've got ideas of things
23 that we can put in place related to afterschool programs
24 and summer programs, but one of our challenges is finding
25 people that are willing and have the certifications to be

1 able to provide those additional supports for students. So
2 I agree with everything that we've said, and so we're
3 trying to be creative but it's absolutely a challenge that
4 we have now and moving forward.

5 REPRESENTATIVE LONGIETTI: I don't know if Mr.
6 Hayden has anything to offer on that, as far as what the
7 trends are.

8 MR. HAYDEN: Representative Longietti, I mean
9 we're experiencing the same things everyone else is
10 describing and, like I said, the largest majority of our
11 students come here with the IEPs in place and these
12 services required. Their parents are choosing to go to a
13 different school for those services. But, yes, we also
14 send students to residential programs, we send students to
15 day programs and have to provide all of those things, the
16 equipment necessary and everything that students do. It
17 gets more expensive every year. That's probably the
18 simplest way to say it. It gets more expensive every year,
19 even for us.

20 REPRESENTATIVE LONGIETTI: Thank you.

21 If I could ask one other question just to Dr.
22 Leichliter, you mentioned twice in your testimony about
23 mediation. So if a parent decides not to file the
24 complaint, mediation could be requested. In your
25 experience, how has that worked? Is mediation something

1 that you think works better in your experience?

2 MR. LEICHLITER: We've had mixed results. We
3 start out with mediation in most cases when it is
4 requested. Very few examples have been resolved at that
5 area. In most cases, it's decided by parents to move to
6 the due process which is a more time intensive, expensive
7 process for schools. Prior to 2010, we had almost no due
8 process hearings in the previous 10 years. That number has
9 increased, not only for my school district but for many of
10 my colleagues in Lancaster County.

11 REPRESENTATIVE LONGIETTI: Anything you attribute
12 the increase to?

13 MR. LEICHLITER: I think we do a good a job of
14 making sure our parents understand what their rights are,
15 and I think parents are more cognizant of that as well. I
16 also think the needs are greater. We are experiencing a
17 due process -- I can't go into detail on that right now --
18 but it involves an out-of-district placement that really
19 has nothing to do with the education that we have provided
20 as a school district and has more to do with kind of the
21 intersection of our responsibilities, other agency's
22 responsibilities, and who bears the cost. In most cases,
23 we're finding that school districts are found to bear that
24 cost and the local taxpayers.

25 REPRESENTATIVE LONGIETTI: Thank you, Mr.

1 Chairman.

2 MAJORITY CHAIRMAN ORTITAY: Thank you and I'll
3 wrap up the questions for this panel.

4 To the two superintendents in the room; can you
5 walk us through your school's Child Find process, and how
6 you identify needs?

7 MR. HOTCHKISS: So for us, we use a child study
8 approach. So it starts with the classroom teachers, and we
9 have built-in time for grade levels to meet, and so through
10 that we talk about individual students, what's working in
11 classrooms. So it really starts in that individual
12 classroom.

13 Once it rises to the level like we are struggling
14 to make adaptations in the classroom, we use the Child
15 Study Team process. We'll pull in other resources, whether
16 we need a referral from a reading specialist, a speech
17 person coming in, our school psychologist, and we just
18 continue to go through that process. Again, we are still
19 progress monitoring even before a student would be
20 identified; but once we get to the point obviously that we
21 would suspect that there could be some more significant
22 needs, we treat that student as if they are already
23 identified and we, again, reach out to parents. That part
24 is really important. Even before you get to any formal
25 process, the parents have to be engaged and partnered with

1 us while we go through that.

2 Obviously, then, if we get to the point where we
3 aren't making as much progress, then we'll start the
4 evaluation process. We'll communicate with parents, seek
5 permission, provide (indiscernible), and then obviously we
6 too adhere to that timeline. We try to be more timely in
7 the process. We certainly don't want to drag it out, but
8 depending upon how many students that we have that need to
9 be evaluated and monitored and, again, we just have that
10 one psychologist, and it does take make.

11 MR. LEICHLITER: Similar responses for our school
12 district. We also do a lot of education. There is a Child
13 Find Notification that we must send to all of our residents
14 every year. We publish that in our district newsletter and
15 in the local newspaper as well. We also do a lot of
16 education with our teachers, our specialists, and ask them
17 to speak to students. I made a mention to the area that
18 schools have been dealing with most recently is the mask
19 mandate, and this isn't a commentary, either side of it,
20 but conversations are what are most important.

21 So I'll tell you I had a conversation with a
22 parent over that mask mandate and what the exceptions are;
23 and as I was talking through the education process that I
24 would have used as a teacher and asking questions and
25 having dialogue, the parent shared with me a very

1 significant trauma that her child had encountered a number
2 of years ago, and she said to me, -- she was very emotional
3 -- "I've never said anything about this to a person at the
4 school," and it was significant. It was significant for
5 that child and it was Child Find. It was an example of
6 Child Find, because there are significant issues that we
7 now must address as a school district appropriately because
8 her child needs additional assistance and we can provide
9 that, but that's the importance of recognizing that having
10 understanding and education and then having conversations
11 with parents.

12 MAJORITY CHAIRMAN ORTITAY: Thank you both for
13 that. That's all the questions for this panel. I want to
14 say thank you to all four of our testifiers here today.
15 Thank you for being here and thank you for everything that
16 you do for our schools and for our students across the
17 state. We really appreciate you taking the time,
18 especially over the last 18 months to two years in our
19 current environment, so thank you.

20 I also want to note that Chairman Sonney has
21 joined us as well. Welcome, Mr. Chairman.

22 All right. We're going to move onto our next
23 panel which is Department of Education. We have Carol
24 Clancy, Director of Bureau of Special Education. We have
25 Dr. Angela Kirby who is the Director of Pennsylvania

1 Training and Assistance Network.

2 Director Clancy, you may begin whenever you're
3 ready.

4 MS. CLANCY: Thank you.

5 Good morning. My name is Carol Clancy. I'm the
6 Bureau Director for Special Education for the Pennsylvania
7 Department of Education, and we are so appreciative of
8 being here today to talk about students with disabilities
9 and services across Pennsylvania. You have our written
10 testimony. So I'm just going to talk a little bit and then
11 provide ample time for questions that you may have,
12 particularly because the prior panel provided such robust
13 information for you.

14 I wanted to take some time to thank the General
15 Assembly for the support you have provided to students with
16 disabilities during the pandemic and most recently the
17 additional ESSER dollars that you've provided to school
18 districts which will help support students with
19 disabilities that may have been impacted by the pandemic.
20 The robust accelerated learning plans that schools
21 districts will be able to develop, the additional COVID
22 compensatory services that districts will be able to
23 provide will support students with disabilities that may
24 have been impacted by the pandemic to make up any lost
25 skills or provide for an opportunity for meaningful

1 progress that the pandemic interfered with.

2 The pandemic has surely infected our ability and
3 the school district's ability to provide services for
4 students with disabilities and, as you heard, that's a
5 challenge prior to the pandemic. It placed a lot of
6 barriers and a lot of additional challenges, and the field
7 has rallied to their best ability. Teachers are
8 exceptional. Leadership has been phenomenal, but the
9 pandemic has provided barriers that have just been unreal
10 and impossible to overcome, so these additional funds you
11 have provided will support districts to make up for the
12 services that may have been blocked through the pandemic.

13 There has been a tremendous partnership across
14 Pennsylvania for students with disabilities: The
15 intermediate units, the PaTTAN System, the advocacy groups,
16 the Arc, (indiscernible), PEAL, and the Special Education
17 Advisory Panel. We have worked very hard to try to be
18 cohesive and collaborative as much as possible during the
19 pandemic. It has not been perfect, but we are going to
20 continue to strive to be collaborative and with your
21 support, we just really appreciate that and the time you're
22 taking today speaks volumes.

23 So prior to taking questions, I'm going to let
24 Dr. Kirby introduce herself.

25 MS. KIRBY: Thank you very much, and I appreciate

1 the opportunity to share with you some of the amazing
2 things we do on behalf of the Department of Education for
3 students with disabilities across the Commonwealth.

4 So we are a project of the Department of the
5 Education. We're federally funded, The Pennsylvania
6 Training and Technical Assistance Network. There are three
7 sites: One here in Harrisburg, one outside of
8 Philadelphia, and one outside of Pittsburgh. Our role and
9 responsibility is to ensure that the Bureau of Special
10 Education is able to meet the targets associated with
11 training and technical assistance supports for students
12 across Pennsylvania.

13 So you have my written testimony, like you have
14 Carol's, so I just want to highlight a couple things,
15 specifically the types of initiatives that we provide
16 support to public schools across the Commonwealth. We are
17 responsible for accessible instructional materials across
18 the Commonwealth. So for example, if you had a child in
19 your school district that needed an accessible PDF, meaning
20 a PDF document that is totally accessible that would allow
21 either their screen reader or other types of readers to
22 allow them to access that material, we will provide that.

23 We also provide large print, so if a student has
24 low vision and needs the print magnified, we provide that,
25 and we also provide braille to students across the

1 Commonwealth. There are a lot of other initiatives. The
2 other area I did want to highlight is our support around
3 assistive technology, and thanks to the Commonwealth
4 continuing to support, we have a short-term loaning library
5 of assistive technology devices that we loan out to IEP
6 teams.

7 One of the provisions of medical assistance is
8 that you're not allowed to -- assistive technology devices
9 is an interesting piece, but a lot of it is very, very
10 expensive. So according to MA, school districts cannot use
11 their MA funds to support it unless they have trialed out
12 assistive technology that is the latest iteration of that
13 device.

14 So both IDEA and state funds that you have
15 approved go to continuing to support this loaning library,
16 and some of you have had the opportunity to come to PaTTAN
17 and check it out -- I'd love to invite you to come do it
18 again -- but those are two major areas that we are
19 providing targeted supports and resources directly to
20 students in Pennsylvania classrooms.

21 And I think I will stop there, and if you have
22 any questions with regards to my testimony.

23 MAJORITY CHAIRMAN ORTITAY: Representative
24 Longietti.

25 REPRESENTATIVE LONGIETTI: Thank you for your

1 testimony, and I did also take the opportunity to read the
2 submitted testimony that came from OVR which was also
3 enlightening.

4 So we know that, as you indicated, in this year
5 we provided for an additional year for the students that
6 age out. So when they hit 21, they age out, and I'm
7 concerned about the pre-employment transition service;
8 because we've heard at least from some parents who have
9 children that aren't able to take advantage, they may be
10 close, maybe 19-20 years old, are there going to be gaps?
11 I'm sure the superintendents look at me saying what about
12 the costs of all that. Clearly, we have some money that we
13 are sitting on that could help with that, but I want to get
14 a sense for your thoughts on: Do we need to reach these
15 additional children? Are there concerns about it? Should
16 we be deploying funds to assist with that? What your
17 thoughts are.

18 MS. CLANCY: The pandemic has surely created
19 challenges to provide transition services to students with
20 disabilities. There is a need to provide authentic
21 experiences in the competitive integrative environment and
22 that has not been accessible to any of us with or without
23 disabilities due to the pandemic. So there have been
24 barriers to that. There have been work arounds. The
25 creativity is amazing of the virtual tours, the virtual job

1 training services, the virtual transition fairs, have
2 supported the process to continue to move forward, but it's
3 really difficult to replicate in-person experience.

4 Act 66, just to be mindful of, about a third of
5 the students that could access it that were 21 year olds
6 accessed it and two-thirds did not access that, and those
7 are little rough numbers and these are students with
8 disabilities only. That was one option, but there are
9 other options to provide to support students with
10 disabilities to have a successful transition. COVID
11 Compensatory Services is a voluntary offer of services that
12 many Pennsylvania schools are doing prior to having to go
13 to due process or to file a complaint where they can offer
14 additional services to students that they can use the ARP
15 ESSER dollars for that can extend beyond high school if
16 necessary or it could be duplicated during the school day
17 when schools are in school.

18 There is the option for school districts to enter
19 into compensatory services agreements if students receive
20 their diplomas and they need additional services and that
21 can happen prior to going to due process but it's costly.
22 So there are other states that have specifically set aside
23 some funds for those 21 year olds to provide additional
24 supports for transition services.

25 REPRESENTATIVE LONGIETTI: Thank you. You know

1 the concern when you think about this is the long-lasting
2 effect. Are we going to miss kids, really young adults,
3 and they just never get to the workforce or they don't
4 realize the potential that could be. I appreciate your
5 thoughts and what you offer there, and I think we as a
6 legislature need to think a little bit more about that;
7 because we may need to meet some of these kids where
8 they're at and we need to be mindful that the school
9 districts are stretched thin, and I understand the
10 personnel issue and the financial issues and maybe we need
11 to find a way to provide some support as well. So thank
12 you.

13 MS. CLANCY: Um-hum.

14 MAJORITY CHAIRMAN ORTITAY: Chairman Sonney.

15 REPRESENTATIVE SONNEY: Thank you, Mr. Chairman.

16 I'd like to learn a little bit more about PaTTAN.
17 So it's specialized equipment; what kind of specialized
18 equipment?

19 MS. KIRBY: Well, we're more than specialized
20 equipment; but what type of specialized equipment? We have
21 this short-term learning library of assistive technology
22 devices. There is a definition in here of assistive
23 technology as it's defined in federal law under IDEA, but
24 basically, these are devices that allow students to
25 meaningfully and actively engage in instruction. So, for

1 example, it could be a student who is nonverbal who needs
2 an augmentative communication device to communicate, and
3 that would be a part of the IEP team decision. They would
4 say that this child needs this device, and then the special
5 education teachers would work to teach the child how to use
6 the device, so they, he or she, could learn to communicate.
7 So assistive technology runs the gamut. There is high tech
8 and low tech, but it's any type of technology supports that
9 in essence will allow kids to meaningfully access
10 instruction.

11 REPRESENTATIVE SONNEY: But then in the end -- in
12 other words you loan this out, so --

13 MS. KIRBY: -- yep ---

14 REPRESENTATIVE SONNEY: -- how long do you loan
15 it out for?

16 MS. KIRBY: Well, we never have denied like an
17 extension of a loan, but what happens is, is assistive
18 technology -- the coordinators will request a particular
19 device and they'll trial that device to see is this going
20 to work or not. Usually it's six weeks, but if folks say
21 listen we need more time, we always work to do that, and
22 that is a service that we continued to do and operated all
23 last year, so both our accessible instructional materials
24 and our assistive technology in assuring that students were
25 getting those materials.

1 REPRESENTATIVE SONNEY: So if the district
2 decides that it works, then they have to go purchase it at
3 that point.

4 MS. KIRBY: The IEP team would make a
5 determination and then at that point it would be obviously
6 the school district's responsibility, yep.

7 REPRESENTATIVE SONNEY: Thank you.

8 MS. KIRBY: You're welcome.

9 REPRESENTATIVE SONNEY: Thank you, Mr. Chairman.

10 MAJORITY CHAIRMAN ORTITAY: Thank you.

11 Representative Gleim.

12 REPRESENTATIVE GLEIM: Thank you, Mr. Chairman.
13 I'm not on the Subcommittee, so thank you for allowing me
14 to ask a question. So it's really simple. I want to just
15 kind of extend what my colleague, Chairman Longietti, was
16 asking. Of the one-third of the students that accessed an
17 additional year of services through Act 66 -- I'm assuming
18 that's this year then -- are they getting an authentic
19 experience this year that they didn't get the previous
20 year?

21 MS. CLANCY: I think it's too soon to tell with
22 all of the additional barriers that are being placed on the
23 system right now. Transportation is a huge concern for
24 districts. Staffing is a huge concern, and we've just
25 ended September. I think the intent in the programming and

1 the options are there and the districts are intending to
2 provide robust services for these students. It's a matter
3 of will the pandemic allow them to implement everything
4 that they've been trying to do.

5 REPRESENTATIVE GLEIM: Okay. Then my second
6 question real quick is; would the department consider
7 working with the IUs to extend some type of adult living
8 education if those same students still don't get an
9 authentic experience because of the barriers?

10 MS. CLANCY: So the districts and PDE in the
11 state, we are partners with the intermediate units to
12 provide a variety of services which include transition
13 services for students with disabilities. Many intermediate
14 units provide a variety of job training opportunities,
15 services, transition programs, or experiences, but it does
16 stop short of living situations. There are other services
17 that support community living, or supported living options,
18 for students with disabilities in the future.

19 REPRESENTATIVE GLEIN: Okay. Thank you.

20 MAJORITY CHAIRMAN ORTITAY: Thank you.

21 I just have a couple questions.

22 Director Clancy, in your testimony, you mentioned
23 there is just under 308,000 students eligible for special
24 education throughout the Commonwealth. I'm just wondering
25 over the last 10 years where that number has been

1 comparative to where we are today.

2 MS. CLANCY: Yeah, so that number has been
3 increasing every year. We had a 3% increase between '19,
4 '20 and 2021, but what is very interesting about that data
5 to be mindful of is that between '19, '20, and 2021 there
6 were only an additional 300 students reported with
7 disabilities across the Commonwealth, but there were less
8 students that were regular ed reported across the
9 Commonwealth. So although there has been a steady increase
10 of students being identified as having disabilities, there
11 has also been a decrease of regular ed students impacting
12 the denominator, so accentuating the percentage increase.

13 We've seen an increase of students with emotional
14 needs, social/emotional needs, an increase of students with
15 autism, are two of the highest prevalence that we are
16 seeing.

17 MAJORITY CHAIRMAN ORTITAY: Could both of you
18 talk about some of the new innovative ideas and processes,
19 and I know you mentioned some of the equipment that's kind
20 of new in the special education world that's either coming
21 in the next couple of years or that has come on the scene
22 over the last few years.

23 MS. CLANCY: So I'm just going to talk a little
24 bit about the OVR/MOU, which I know you have testimony to,
25 and then I'll have Angela talk about some of the very

1 creative things coming out of the PaTTAN System, which is
2 our technical assistance arm.

3 So the MOU with OVR -- OVR and the Bureau have
4 been partners for many years, but the partnership has not
5 been strong enough to permeate down into the field, meaning
6 our educators and our caseworkers working collaboratively.
7 So the MOU has provided a foundation for us to be firmly
8 collaborative, provide technical assistance, so that the
9 field and the caseworkers, we know each other's worlds and
10 we can support our students more collaboratively across the
11 Commonwealth.

12 We're very excited about this work, because we
13 are strongly partnered; we've done multiple trainings and
14 webinars; we have an initiative where we will be partnering
15 with OVR and ODP to ensure the three prongs of supports for
16 students beyond as they transition, are working
17 collaboratively so we reduce the confusion that we can
18 sometimes cause for our families and our students and
19 really guide our students to the next level. So you can
20 anticipate seeing improved outcomes in that particular area
21 in the future. So that's some very exciting and innovative
22 work, and I have to say that the work is being looked at
23 beyond our state right now.

24 Go ahead, Angela.

25 MS. KIRBY: I'm going to focus on three specific

1 initiatives that I think are doing some really innovative
2 things. The first initiative would be our state-wide
3 literacy initiative. On that state led literacy
4 initiative, we are really focused on the science of reading
5 and ensuring all educators are grounded in what they need
6 to know and be able to do in order to teach students to be
7 able to read and to read for comprehension.

8 So our work has been growing from PaTTAN in
9 literacy and has been grounded in the science of reading
10 since the late 90s, but specific emphasis on students who
11 have been identified as a student with a learning
12 disability in reading and sometimes have a type of learning
13 disability in reading called "dyslexia" is an area we're
14 providing a lot of targeted technical assistance and
15 support and that's being directed from the Bureau, and the
16 commitment to teaching the science of reading is a really
17 critical piece. So that is definitely something that we
18 are being very, very deliberate and intentional about that
19 work.

20 And I'll just give you a quick thing to say yay
21 to our teachers across Pennsylvania because they're
22 attending our sessions at nights and weekends. They are
23 virtually participating. Last week for one of our science
24 of reading sessions, we had over 200 teachers from
25 Pennsylvania on Zoom from 7 to 9 p.m. Nobody's paying

1 them. They are committed trying to grow so that they can
2 be better teachers. So that's a lot of great stuff we are
3 doing with the science of reading and we're very excited
4 about that.

5 The other area that I think is really awesome,
6 and you, as a legislature, have approved of the PA Smart
7 Dollars, is we are also supporting STEM and computer
8 science with a focus on students with disabilities. So how
9 do we ensure students with disabilities? Say you're a kid
10 who's really struggling in reading and maybe you have a
11 learning disability in reading, but you are really, really
12 good with hands-on types of activities. A lot of times,
13 the barrier of not being able to read precluded you the
14 opportunity to engage in authentic hands-on STEM related
15 content. We have a great team at PaTTAN that is leading
16 efforts around STEM, as well as computer science, and we
17 are leading the computer science supports for PDE with the
18 focus on how do we provide universal access to computer
19 science for all students. Obviously, our focus is on
20 special education students.

21 We are the first state in the country to publish
22 a curriculum framework for computer science that is
23 grounded in an innovative practice called Universal Design
24 for Learning, and so this curriculum framework lays out
25 what teachers should know and be able to do and to teach

1 students to know and be able to do in the context of
2 computer science, grades K through 12, but supported with
3 universal design strategies, helping them to think about a
4 student who is struggling with reading, how may I make this
5 specific concept accessible for them.

6 And last but not least, I do want to highlight
7 our statewide autism initiative. Currently, the PaTTAN
8 team, we've got approximately supports in 800 classrooms
9 across the state of Pennsylvania. All last year for
10 students that were on site in those classrooms we were
11 providing technical assistance, either on site or
12 virtually, all throughout last year. These students are
13 typically students with more complex needs and significant
14 language issues, and we are supporting 800 classrooms
15 across Pennsylvania receiving technical assistance in
16 supporting autism using strategies grounded in applied
17 behavior analysis which really is just effective
18 instruction.

19 MS. CLANCY: I'd like to just comment on two
20 additional. So there will be an initiative you will see
21 coming forward that will be a little bit more robust over
22 the next couple years under Universal Design. Universal
23 Design is the intent to provide instruction in the regular
24 education classroom and provide educators with the training
25 necessary to do so. PaTTAN has done a fabulous job of

1 providing training and technical assistance to special
2 educators for many, many years, but the majority of the
3 students with disabilities are educated in the regular
4 education classroom. So we have an additional focus coming
5 to the near future where PaTTAN will be increasing the
6 number of trainings available to regular educators to
7 enhance their craft to meet the needs of students within
8 their classroom, so you'll see that coming.

9 And the last initiative, because it was
10 commented, is we have the Attract, Prepare, and Retain
11 Initiative which we are currently starting. And the intent
12 of the APR, Attract, Prepare and Retain Initiative, is to
13 attract, better prepare, and retain special education
14 professionals from paraprofessionals, related service
15 providers, educators, and leadership, because we know there
16 has been a high turnover of staff. It's a very challenging
17 profession, very passionate profession, but very
18 challenging, and we're having a decrease of people entering
19 the field prior to the pandemic and we are in a crisis
20 point right now. So we are starting that now and you will
21 start to see some of those initiatives roll out over the
22 next year.

23 MAJORITY CHAIRMAN ORTITAY: Can you talk a little
24 bit more about what that initiative looks like?

25 MS. CLANCY: I would love to.

1 MAJORITY CHAIRMAN ORTITAY: Is it top secret?

2 MS. CLANCY: No, it's not. I'm excited to talk
3 about it. So we have spent about the past four months with
4 a variety of stakeholder feedback sessions where we had
5 multiple groups provide us information on what they felt
6 were the barriers to entering the field, why those veteran
7 teachers, why did they stay in the field so long, and we're
8 at the point of gathering that information to develop a
9 strategic plan. We will have a steering committee that
10 will develop ideas and resources at all different levels.
11 So I'll give you some very tangible examples, which we're
12 going to anticipate rolling out very soon, as possibly
13 setting aside some grants to provide opportunities for
14 school districts to open up the vast volunteer
15 opportunities, Unified Sports, Best Buddies, pre-teaching
16 experiences, because the more students that are exposed to
17 the field before they leave high school recognize that it's
18 an option for them.

19 If you talk to many people that are in the field
20 of special education, they have had some form of prior
21 experience to expose them to it that made them passionate,
22 enter the field, and those opportunities may not be as
23 prevalent. We intend to look at options to possibly
24 provide some grants to districts because school
25 psychologists are really hard to come by. Pennsylvania has

1 a fabulous higher-ed program to develop our school
2 psychologists, but many other states offer stipends to
3 their interns. So you need to provide an internship. So
4 we train our school psychologists but they go to
5 neighboring states because they are paid during their time
6 and then they stay in that state.

7 So as you heard how costly it is to provide
8 services to students, it puts districts in a dilemma of
9 what can we resource, are we going to resource an intern or
10 are we going to provide additional services to this
11 particular student. So I understand the dilemma. So if
12 there was a way for the state to provide some options such
13 as that, we're going to do that. When that strategic plan
14 is developed, I would welcome the opportunity to present
15 it, but those are just some of the tangible examples that
16 you can anticipate.

17 MAJORITY CHAIRMAN ORTITAY: I appreciate that.
18 That's impressive and being the Chair affords me some
19 preferential treatment here. I am working on an Early
20 Literacy Bill. I'm happy to work with you on that. I
21 think we did a little bit over the budget and also working
22 on a new concept for school psychologists across the state.
23 I'd be happy to talk with you about that as well.

24 MS. CLANCY: That'd be wonderful. Thank you.

25 MAJORITY CHAIRMAN ORTITAY: I appreciate that.

1 Thank you both for being here.

2 I also want to recognize Representative Gaydos
3 had joined us as well for the official record, and I'm
4 going to turn it over to Representative Hill-Evans for some
5 closing remarks.

6 MINORITY CHAIRWOMAN HILL-EVANS: Yes. Thank you,
7 Chair, and thank you to all of the testifiers who appeared
8 here today. It's eye opening, so thank you very much. So
9 many things that -- just when you hear about special
10 education you just have this vision of what it's about and
11 how it is, so hearing from those who are in the field, feet
12 on the ground, doing the work, is just tremendously
13 passionate, emotional, so I thank you for that. For Dr.
14 Kirby, I want to come see that equipment, so yeah. So I
15 think the Chair and I are going to be there. Thank you so
16 much.

17 Thank you, Chair.

18 MAJORITY CHAIRMAN ORTITAY: Thank you and we're
19 definitely going to work on getting that tour together if
20 we can get Chairman Sonney on board as well, but no
21 pressure.

22 I want to thank everyone, all our testifiers here
23 today. I know there were some issues getting here
24 transportation wise with some accidents around the Capitol,
25 so I appreciate your patience in working with us, and I

1 look forward to working with all of you as we move forward
2 in the world of special education and beyond. I think we
3 have a lot of work to do and I think this partnership is a
4 good one. So thank you all again. With that said, this
5 hearing is adjourned.

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C E R T I F I C A T E

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