

**RHODE ISLAND KIDS COUNT**

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**Testimony Re: House Bill 7536 Re: Office of the Special Education Ombud**

**House Finance Committee**

**May 10, 2022**

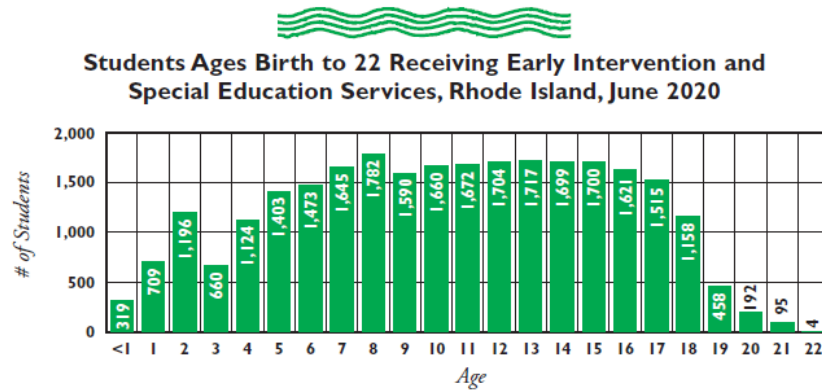
**Paige Clausius-Parks, Senior Policy Analyst**

Mr. Chairman and members of the Committee, thank you for the opportunity to provide testimony today. Rhode Island KIDS COUNT would like to voice its support for House Bill 7536 and thank Representative Carson for sponsoring and Representatives Cortvriend, Fogarty, Alzate, Donovan, Fenton-Fung, Shallcross Smith, Amore, Serpa, and Craven for co-sponsoring. This bill would establish the Rhode Island ombud for special education to ensure school districts meet minimum standards to comply with individualized education plans (IEPs) for children from ages 3 to 22 with developmental delays and disabilities. **We would recommend that this bill be expanded to include children from birth through age 2 who have developmental challenges and an Individualized Family Service Plan (IFSP) through the Rhode Island Early Intervention program, currently managed by the RI Executive Office of Health and Human Services.** This act would also direct that families be provided forms to evaluate their level of confidence and satisfaction with the school's special education process and that informational pamphlets be provided that include information on the services provided and contact information.

The federal *Individuals with Disabilities Education Act (IDEA)* guarantees a free appropriate public education to every child from age three through high school graduation with a developmental delay or disability. Prior to passage of the original 1975 federal law, many children with disabilities were excluded from public school. Part C of *IDEA*, enacted in 1986, provides funding to states to identify and provide Early Intervention special education services to infants and toddlers with developmental delays and disabilities, ages birth through age 2 years, and their families. Since passage of *IDEA*, outcomes for children with disabilities have steadily improved, however, concerns remain that not all children who could benefit from services are identified, that children of color are less likely to receive special education services than their White peers, and special education funding is not adequate.

Despite improvements in high school graduation rates and post-secondary school enrollment, students with disabilities are still less likely to graduate from high school and more likely to be suspended than students without disabilities. In Rhode Island, students with disabilities are much less likely to meet or exceed expectations on the *Rhode Island Comprehensive Assessment System (RICAS)*. In 2021, only 12% of third graders with a disability met or exceeded expectations in ELA and 9% in math compared with 46% in ELA and 28% in math among students without special education needs.

As of June 2020, there were 21,600 students in grades K-12 and 2,904 children ages 3 to K entry receiving special education services through Rhode Island schools and 2,224 children under age 3 receiving Early Intervention services.



Source: Rhode Island Executive Office of Health and Human Services, Center for Child and Family Health, Early Intervention enrollment, June 30, 2020. Rhode Island Department of Education, Office of Diverse Learners, Special Education Census, June 30, 2020. Includes parentally-placed students.

Young children and their families, in particular, face great challenges accessing consistent, high-quality special education services. Yet research shows, that the earlier effective services are provided, the better kids do. High-quality Early Intervention and preschool special education services can help children with developmental delays catch up with their peers so they don't need long-term special education services, and they can help improve long-term outcomes for children with significant disabilities. In November 2021, the Rhode Island Early Intervention program established a statewide waiting list for infants and toddlers to receive services (now with over 300 children waiting). Data from Early Intervention show that low-income children and Hispanic children in Rhode Island begin receiving services later, receive services less consistently, and make less progress than higher-income and White children. Access to high-quality preschool special education services varies tremendously by school district with children in Providence having one of the lowest access rates in the state. Statewide data for preschool special education show that many children ages 3 to 5 are not receiving the required annual developmental screenings and only half who are referred to school districts for developmental concerns receive an eligibility evaluation.

Rhode Island's new accountability system under the *Every Student Succeeds Act (ESSA)* is structured to promote collective responsibility for continuous improvement at all levels of education. In Rhode Island in the 2018-2019 school year, 158 schools were identified as being in need of Targeted Support and Improvement. **Of these 158 schools, 117 had one or more student subgroups who performed at the lowest levels in the state. Of these schools, 88% were identified because of the need for improvement for students with disabilities.**

Rhode Island KIDS COUNT supports efforts to identify and remove systemic barriers to educational services and opportunities for students with developmental delays and disabilities and urges for these efforts to be adequately resourced. Thank you for the opportunity to provide testimony today.