

[print](#)

## Special education at a crossroads: State scales back inspection as federal budget cuts shrink funding

---

by [Eddie Burkhalter](#)  
[eburkhalter@annistonstar.com](mailto:eburkhalter@annistonstar.com)

07.28.13 - 03:05 am

Nancy Anderson spends her days fighting to ensure the disabled are treated fairly, and her job is becoming harder.

Beginning this school year, the Alabama State Department of Education will inspect special education programs in public schools less frequently, and federal spending cuts are taking millions of dollars away from schools to pay for those costly programs.

Anderson, an attorney with Alabama Disabilities Advocacy Program, part of a nationwide system that helps those with disabilities, worries the combination of less oversight and fewer funds threatens the most vulnerable of public school students.

Prior to the 2013-14 school year, the Alabama State Department of Education conducted detailed, on-site monitoring of special education programs once every three years.

Beginning this school year, the frequency of those focused monitoring reports will drop to once every four years.

That means a ninth-grade student could spend his or her entire four years of high school without the district's special education program being closely examined.

"I don't agree with that. I wish they were keeping with the present program that they have now," Anderson said.

Anderson suspects the reduction in monitoring comes down to money, and a State Department of Education spokeswoman affirmed her suspicion.

"The decision to go to a four-year cycle was an administration decision. It is more economical for the department," wrote Malissa Valdes-Hubert, public information manager for the Alabama Department of Education, in an email to The Star.

Valdes-Hubert wrote that the department will monitor 34 school districts during the 2013-14 school year, a 23 percent reduction from the number of systems monitored in the prior year.

Just two of six local school districts — Oxford City and Calhoun County — are scheduled for on-site reviews during the 2013-14 school year.

Desk audits will still be done yearly, Anderson said, "But desk audits are just about, 'Are the boxes checked in?' In terms of going out and checking on the instruction that's being given, and the qualitative stuff, I am not too thrilled with the idea that they're cutting back."

## The cost of it all

Students with disabilities on average cost about twice as much to educate, and that cost falls heaviest on local school systems, Anderson said.

When Congress passed the Individuals with Disabilities Education Act in 1975 it came with a promise that the federal government would fund 40 percent of excess cost of educating students with disabilities, but it's never reached close to 40 percent, Anderson said.

At the most it's been 17 percent, she said. It's up to local school districts and states to pick up the slack.

That can create an atmosphere in which schools have an incentive not to test students for disabilities, or provide the care those students need, Anderson said.

"Arguably, money should never come into it. It should always be about what is appropriate for the child, but of course money is always sitting there as the elephant in the middle of the room," Anderson said.

Unable to agree on how to reduce the government's deficits, legislators set in motion automatic cuts, widely known as sequestration, which took effect March 1. Those cuts in spending include cuts to special education funding.

Nationally, sequestration will take away \$949 million from special education funding over 10 years, according to the National Education Association. Alabama's share of federal funds to special education programs was cut by \$9.8 million this year, which is a five percent reduction from the \$181.6 million in IDEA funds the state received last year, according to the Alabama Department of Education. The state's funding for special education preschool programs was cut by \$273,000.

"Sequestration is going to cut our budget," said Khristie Goodwin, special education coordinator for Oxford City Schools. "Our last allocation was cut by about \$100,000 for our district. That's two teachers, or professional development or occupational therapy, physical therapy. It's the services for students that that funding supports."

But Oxford schools won't have to reduce services, Goodwin said, thanks to a \$4.9 million appropriation to the district by the city of Oxford this year. Over the last 27 years, the city has appropriated \$83.8 million to the schools.

Those payments make the difference when it comes to operating a school system with less and less federal and state funding, Goodwin explained.

"Even with that federal cut, I don't anticipate our services for students to change," Goodwin said.

Piedmont City Schools' special education program will lose \$5,724 in the 2013-14 school year due to those cuts. Calhoun County schools lost \$78,000 in

special education funding. Cleburne County Schools will receive \$23,600 less, and Anniston City Schools \$41,000 less.

Jacksonville City Schools' special education funding was reduced by \$29,000 from last year.

### **Struggling with schools**

Beth Kelly can't talk about her special needs son's years in public schools without stiffening in her chair, her words coming out in bursts.

Peyton, now 12, was diagnosed at age 5 with Asperger's syndrome, bipolar disorder, post-traumatic stress disorder, impulsive control disorder and oppositional defiant disorder.

It took more than a year of asking to get Cleburne County Schools to agree to test her son, Kelly said, so he could be classified as a student with disabilities. That allows such students to begin receiving help through an individualized education program, what educators refer to as an IEP.

That's something that legally should happen at first asking, according to federal law.

Even after Kelly began meeting with teachers and administrators to establish an IEP, she described the process of getting her son an education as difficult at best. There were some great teachers who cared, she said, but explained the system seemed to be working against them as well.

Kelly said her son was denied legally required transportation, and the school also called her frequently to pick him up because of behavior problems. Anderson said that practice is against federal law without first suspending the child, which sets into motion protections to ensure schools are properly managing behavioral problems of special needs students.

Kelly said she asked the schools to supply an aide for Peyton because his behavior sometimes became a distraction to his classmates, but said "I was always told 'We don't have the money for that.'"

Speaking with a school administrator, Kelly said she was told her son, who wanted to play sports, would likely only be fit to play golf, that he'd be too slow for baseball and wasn't tough enough for football.

Peyton was suspended during his fifth-grade year for making a threatening statement about an administrator, and Kelly decided to pull him from public school and begin homeschooling.

"To be honest, they were sick of him and were sick of me, and sick of me having to call about him so much. We were just all completely sick of each other," Kelly said.

A 1981 graduate of Cleburne High School, Kelly said she used to never miss a

football game there.

“I don’t think I can ever go back now,” she said. “It’s just hurtful.”

Cleburne County School’s special education director, Tammy Burkhart, wasn’t in her position during Peyton’s years there, and said she couldn’t comment on the matter.

In an email to The Star, Cleburne County schools superintendent Claire Dryden wrote that she could not comment because she was not in a central office position when Peyton attended Cleburne schools, but that the system currently does not deny any student “an opportunity to be evaluated when referred.”

“Aide positions are not based on financial concerns but student needs. It is our goal to educate all students in their least restrictive environment while adhering to the Alabama Administrative Code,” Dryden wrote.

Pam and Guy Beaudry had their son Dylan, now 9, enrolled in Jacksonville City Schools until they also recently pulled him out, choosing homeschooling instead.

Diagnosed with Asperger’s and pervasive development disorder, Dylan needed an aide in kindergarten, his mother Pam said, but the school disagreed.

When she asked why no aide would be provided, Pam said she was told by administrators it was because of a lack of funding.

“No resources,” she remembered one administrator telling her.

“We were in an IEP meeting for Dylan and one of the administrators actually fell asleep, during our meeting,” Guy Beaudry said. “That really set a good tone.”

Jacksonville City Schools superintendent Jon Paul Campbell said that while he would like to respond, he could not.

“In this type of situation, I would not be able to comment,” Campbell said.

Anderson said she only hears from parents when they’ve had bad experiences, and she’s certain there are “really good school systems. Good teachers who are doing the right stuff and who partner well with parents.”

But there are those districts that do not partner well, Anderson explained, and parents with children in those systems often feel left out of the decision-making process.

“A lot of what we see is that parents just aren’t really considered valuable, respected partners with the school professionals that are teaching their children,” Anderson said. “That lack of good partnering, that lack of respect creates a barrier between the family and the schools.”

And parents often do not know the laws in place to protect their children in the public educational system, Anderson said.

## **Keeping a close eye**

The latest focused monitoring reports showed mixed results for the six local school districts' special education services.

In 2009 – the last year in which focused monitoring report data is available for the district – auditors found that Calhoun County Schools had an excellent teacher-to-student ratio, and students with disabilities in grades 9-12 met participation and proficiency in math and met reading and math participation and proficiency in grades 3-5 and 6-8.

But auditors also found that the school district, which educates about 1,044 students with disabilities, had trouble developing and implementing IEPs. The report explains that could mean setting benchmarks, or providing documentation of IEP meetings to parents and teachers. Auditors also found that special education students in grades 9-12 did not meet proficiency in reading. However, the evaluation noted that the district fixed those errors before the report was published.

Oxford City Schools' 2009 focused monitoring report noted the district hired behavioral consultants to provide in-service training to teachers and classroom support, and students with disabilities met participation and proficiency in reading and math for grades 3-12.

The report also found the school district had problems with completing the appropriate evaluations and re-evaluations to determine whether some students were in need of more services.

Those problems were corrected, however, the report noted.

Changes in the way monitoring reports were conducted after 2009 removed the “strengths” category and instead focused on school districts' problems, noting whether the district had corrected those problems prior to completion of the report.

Piedmont City Schools' 2011 focused monitoring report found problems with the district's paperwork regarding special education and mentioned incomplete forms and IEPs that lacked needed details. Those problems were resolved before the report was completed.

## **Doing something right**

Oxford City Schools has seen a dramatic drop in recent years in the numbers of students classified as having disabilities, according to data from the State Department of Education. School administrators credit the decrease to the district's work in addressing learning disabilities early on, which can prevent students from later being classified as having a specific learning disabilities.

Goodwin said that number has dropped by 6 percent of the total student population since 2005. Oxford has the smallest percentage of students with

disabilities among the county's six local school districts.

"We've gone from about 14 percent in the last seven years to eight percent, and I think that's a tribute to our teachers in the classroom," Goodwin said.

She puts that drop to a reduction in the number of students with specific learning disabilities. About 128 of the district's 359 students with disabilities had specific learning disabilities in 2012.

There were 181 students with specific learning disabilities at Oxford schools in 2005, and in 2012 that number fell to 128, or a 29 percent decrease.

Goodwin said 30 minutes each day is set aside for reading enrichment, and another 30 minutes for math.

"And so there are opportunities to accelerate students at the same time they're remediating some students," Goodwin said, which means a student who may be having trouble learning or using math or reading skills can get help in those areas before a student is classified as a student with a disability.

The time that's built into the schedule costs nothing, Goodwin said, but there are some marginal costs in intervention materials, from a \$5-per-student computer program to books and workbooks that cost about \$90-per-year for each student.

But the savings are very real. By reducing the number of students with specific learning disabilities using those early intervention methods, Goodwin said, she can save her district between \$10,000 and \$12,000 per student.

Goodwin stressed, however, that helping students avoid learning disabilities that can have devastating, long-term effects on their lives is more important than saving money.

Peyton's turn at bat

Peyton plays baseball now as a member of Oxford's A League of Our Own, a program that gives children with disabilities a chance to play organized sports. He also plays youth football.

He's doing well, and had always made good grades, his mom says. He loves wrestling, video games and his pet. He dreams of becoming a zoologist.

"He can snap a ball like nobody's business," Kelly said.

Peyton will continue to receive help for his mental health conditions, Kelly said, and sometimes it's hard for him to head out onto the field with the other kids, "but we're working on it."

*Staff writer Eddie Burkhalter: 256-235-3563. On Twitter [@Burkhalter\\_Star](#).*

**Number of students with disabilities by school district:**

Calhoun County – 1,044

Oxford – 359

Anniston City – 191

Jacksonville City – 137

Piedmont City – 108

Cleburne County - 331

*Data from October 2012 child count, State Department of Education.*

---

© annistonstar.com 2013