

**Special Education Policy
Recommendations for the 89th
Texas Legislative Session**

**Continuing Advisory Committee for
Special Education**

January 2025

Table of Contents

Special Education Policy Recommendations for the 89th Texas Legislative Session	0
Table of Contents.....	1
About the Continuing Advisory Committee (CAC) for Special Education	3
Members	3
Continuing Advisory Committee for Special Education	5
Statutory and Regulatory Authority	6
Policy on Encouraging Public Participation.....	6
Vision and Values Statement	7
Executive Summary	11
Finance	12
RECOMMENDATION 1: Loan forgiveness.....	12
RECOMMENDATION 2: Stipends	12
RECOMMENDATION 3: Cost of Full Initial Individual Evaluations (FIIE).....	13
RECOMMENDATION 4: Medical Billing Transparency.....	13
RECOMMENDATION 5: Funding for Interpreters.....	14
Health and Safety	15
RECOMMENDATION 6: Fire Safety and Emergency Evacuations.....	15
RECOMMENDATION 7: Epilepsy Protocol Implementation	16
RECOMMENDATION 8: Swallowing Protocol	17
RECOMMENDATION 9: Restraint and Seclusion	18
Staffing	19
RECOMMENDATION 10: Teacher-student Ratios	19
RECOMMENDATION 11: Prioritize Incentives for Working with Students with Disabilities	19
RECOMMENDATION 12: Grant Programs for Special Education Certification.....	19
Behavior.....	21
RECOMMENDATION 13: De-escalation Training	21
RECOMMENDATION 14: Additional behavior staff/personnel.....	21
RECOMMENDATION 15: Grant program for attraction and retention.....	21
Digital Literacy and Accessibility	24
RECOMMENDATION 16: Accessible Digital Technology Policy.....	24
RECOMMENDATION 17: Self-Paced Resources for Digital Accessibility Barrier Remediation	25
RECOMMENDATION 18: Promoting Proficiency with the Correct and Consistent Use of Accessible and Assistive Technology	26

Dyslexia	28
RECOMMENDATION 19: List of evidence-based dyslexia programs	28
RECOMMENDATION 20: Class size for dyslexia instruction	28
Justice	30
RECOMMENDATION 21: Data on special education students' interaction with the justice system	30
RECOMMENDATION 22: Data on students with behavior intervention plans	30
RECOMMENDATION 23: Data on special education during incarceration	30
RECOMMENDATION 24: Data on return-to-school process	30
RECOMMENDATION 25: Data on Child Find in the Texas prison system	30
Appendix	32
Health and Safety	32
Staffing	34

About the Continuing Advisory Committee (CAC) for Special Education

The CAC consists of 17 members from around the state who fulfill specific roles as outlined in the federal Individuals with Disabilities Education Act (IDEA) and state law. A majority of the members of the CAC must be individuals with disabilities or parents of children with disabilities. Members of the committee are appointed for staggered four-year terms, with the terms of eight or nine members expiring on February 1 of each odd-numbered year. Members are appointed by the Governor.

Members

Amy Litzinger (*Committee Chair*) of Austin is Policy Lead at Texas Parent to Parent. She is a former vice chair of the Health and Human Services Commission Intellectual and Developmental Disability (IDD) System Redesign Advisory Committee, and a former member of the Texas Children's Policy Council, and the Texas ABLE Act Advisory Committee. Ms. Litzinger received a Bachelor of Arts in English and political science from Southwestern University and a Master of Arts in theological studies from Austin Seminary.

Aaron Bangor, Ph.D., CHFP, CPACC (*Committee Vice Chair*) of Austin is Principal User Experience Researcher at AT&T. He is a member of the International Association of Accessibility Professionals, Human Factors and Ergonomics Society, and is board certified as both a Human Factors Professional and an Accessibility Professional. Additionally, he is the chair of Disability:IN Central Texas, past chair of the Texas Governor's Committee on People with Disabilities, has served as a technical and policy expert for accessibility and disability issues with the Federal Communications Commission and Council of State Governments, and is active in national and international standards. Bangor received a Bachelor of Arts in Economics, Bachelor of Science in Industrial and Systems Engineering, a Master of Science, and a Doctor of Philosophy in Human Factors Engineering from Virginia Tech.

Juana "Janie" Melendez (*Committee Secretary*) of Hidalgo is a teacher for Valley View Independent School District (ISD) in Pharr. She is a member of the Association of Texas Professional Educators and the McAllen Evening Rotary and treasurer for Objective Watchers of the Legal System. Melendez received a Bachelor of Science in Criminal Justice, a Master of Science in Criminal Justice, and a Master of Public Administration from The University of Texas–Pan American.

Adrian Guerra, D.M.A. of Roma is the special education director for Roma ISD, where he previously served as federal programs director, performing arts director, and choir director at different times since 1997. He is a member of the Texas Association of School Administrators and the American Association of School Administrators and President of the Board for the Starr County Hospital District. He also serves as Minister of Music for Our Lady of Refuge Catholic Church in Roma. Guerra received a Bachelor of Arts in Music Education and a Master of Education in

Education Administration from The University of Texas–Pan American and a Doctor of Musical Arts in Music Education from Boston University.

Agatha Thibodeaux of Katy is the current chair of the Continuing Advisory Committee for Special Education and member of the Advisory Council on Intellectual or Developmental Disabilities Postsecondary Education, and was a member of the Special Education Allotment Advisory Committee. A proud mother of two boys, her youngest having Autism has propelled her to be an advocate for the Special Needs community. Thibodeaux received a Bachelor of Arts in Business Administration with a concentration in Marketing and Advertising from Metropolitan State University in Denver.

April Estrada, Ed.D. of Wylie is the Director of Special Populations for Region 10 ESC. She is a member of Texas Council of Administrators of Special Education, the Council of Women School Executives, and the Texas Association of School Administrators. Additionally, she is an adjunct professor at Dallas Baptist University. Estrada received a Bachelor of Science from the University of North Texas and a Master and Doctorate in Education Leadership from Dallas Baptist University.

Claudia Cavazos of Pearland is the Principal at St. Christopher Catholic School in Houston. She is a member of Kappa Delta Pi and the National Catholic Educational Association. Additionally, Cavazos serves as a Eucharistic Minister and Sacramental Teacher at St. Christopher Catholic Church and School. She earned a Bachelor's Degree from the University of Houston in Interdisciplinary Studies with a Specialization in Bilingual Education and a Master of Education in Educational Leadership from the University of St. Thomas in Houston.

Diana Nelson of Martindale is the Special Education Coordinator for the Texas Juvenile Justice Department. She is a member of the Texas Council of Administrators of Special Education. Nelson received a bachelor's degree and master's degree from The University of Texas – Pan American with Texas Educator Certificates in Secondary Biology, Secondary English and Educational Diagnostician PK-12.

Jo Ann Garza Wofford of New Braunfels is a Senior Vice President and Senior Fiduciary Administrator with Frost Bank Wealth Advisory Services. She is a former member of New Braunfels Independent School District's Special Education Parent Advisory Committee, a group which she was instrumental in creating. She is also a former member of New Braunfels Parent Advisory Committee and the District Education Improvement Committee. Jo Ann received a Bachelor of Business Administration in finance from The University of Texas at Austin.

Kevin Markel is a Statewide Transition Program Specialist for the Texas Workforce Commission – Vocational Rehabilitation Division. He has worked for this agency for more than 20 years and holds an M.S. in Rehabilitation Counseling from the University of North Texas.

Lori Brown-Duncan of Hutto is a family nurse practitioner for Austin Geriatric Specialists and the Millennium Physician Group. She is a member of the American Association of Nurse Practitioners and a former member of the American Nurses Association. Additionally, she has served as a volunteer through both Meals on Wheels and Habitat for Humanity. Brown-Duncan received an associate degree in nursing from Austin Community College, a Bachelor of Science in Nursing from Our Lady of the Lake College, and a family nurse practitioner certification and a Master of Science in Nursing from The University of Texas at Arlington.

Marissa Esquivel of Beeville is the Director of Special Education Programs at St. Mary's Academy Charter School. She is a member of the Texas Council of Administrators of Special Education and the Council of Exceptional Children. Esquivel received a Bachelor of Liberal Arts from The University of Texas at Brownsville and a Master of Special Education from The University of Texas Permian Basin and is currently pursuing a diagnostician certification.

Sheryl Kubala of Austin is the parent of a medically complex/special needs child. She is a clinic ambassador and government advocate for Tuberous Sclerosis Complex (TSC) Alliance, a member of the Family Advisory Council for Children's Comprehensive Care Clinic, and a volunteer at Dell's Children's Hospital and Friends of Magnolia Parent Teacher Association. Kubala is the founder of the Austin TSC Family Council. Kubala received a Bachelor of Science in Human Development and Family Sciences from The University of Texas at Austin.

Susan Nichols, Ph.D. of Carrollton is currently serving as the Interim Executive Director at the University of North Texas Kristin Farmer Autism Center in Denton. She is a member of the Texas Association of Behavior Analysts and Association of Professional Behavior Analysts and is a Board Certified Behavior Analyst (BCBA)/Licensed Behavior Analyst (LBA). Nichols received a Bachelor of Science in Psychology from Texas Woman's University and a Master of Education and Doctor of Philosophy in Special Education from the University of North Texas.

Tara Cevallos, M. Ed., LDT, CALT-QI of Austin is the principal at St. Austin Catholic School. She is a member of the Academic Language Therapy Association, International Multisensory Structured Language Education Center, and Diocesan School Advisory Board for the Diocese of Austin and Finance Chair for the Dyslexia Center of Austin. She is a Licensed Dyslexia Therapist (LDT)/Certified Academic Language Therapist (CALT) and Qualified Instructor (QI) and a Co-founder of Dyslexia Center of Austin. Cevallos received a Bachelor of Science from The University of Texas at Austin, a Master of Education in Special Education from Midwestern State University, and a Catholic School Leadership graduate certificate from Creighton University.

Continuing Advisory Committee for Special Education

The Continuing Advisory Committee for Special Education (CAC) is the state advisory panel required by the Individuals with Disabilities Education Act (IDEA) to:

- advise the Texas Education Agency (TEA) of unmet needs within the state in the education of children with disabilities;
- comment publicly on any rules or regulations proposed by the state regarding the education of children with disabilities;
- advise TEA in developing evaluations and reporting on data to the Secretary of Education under Section 1418 of IDEA 20 U.S.C. §1418;
- advise TEA in developing corrective action plans to address findings identified in federal monitoring reports under Part B of IDEA; and
- advise TEA in developing and implementing policies relating to the coordination of services for children with disabilities.

The CAC also advises TEA on standards related to significant disproportionality determination and is required by state statute to submit a report to the legislature biennially with recommended changes to state law and agency rules relating to special education.

Statutory and Regulatory Authority

[20 U.S.C. Section 1412 \(a\) \(21\)](#)

[34 C.F.R Part 300](#)

[Texas Education Code, Sec. 29.006](#)

Policy on Encouraging Public Participation

The CAC meets approximately four times each year. The committee encourages public participation by

- including a public comment period at meetings;
- receiving written comments from the public; and
- convening meetings that are accessible to the public.

Procedures and General Guidelines for Public Comment

Anyone interested in making a public comment must inform the Chair between 9:00 and 9:30 AM of the intent to give public comments. The public comment period will begin at 11:00 and will last no more than 30 minutes. Each speaker will have a maximum of three minutes to speak, and speakers will be heard in the order they sign up. Individuals who wish to provide written comments to the CAC during the meeting should email copies of the written comments to the CAC mailbox at cac@tea.texas.gov before the meeting so that it can be distributed to the committee members. As many speakers as possible will be heard within that period. A speaker who signs up by the deadline but is unable to speak will be given the opportunity to

speak first at the next meeting. The CAC chair may ask individuals who wish to speak on the same topic to consolidate their comments.

The public may submit comments to the CAC care of TEA using the following email address: CAC@tea.texas.gov. TEA will forward public comments to all committee members. Comments sent to the CAC must not include personally identifiable student information.

Vision and Values Statement

The Continuing Advisory Committee, in our efforts to advise the Texas Education Agency (TEA), presents a description of our values and aspirations for the students of Texas and those who support them, including but not limited to, students with disabilities and other support needs.

- We support TEA and school districts in their efforts to identify, evaluate and support students who may have disabilities. This includes preparing staff to fill the role of appropriately guiding families to testing and other resources when a student is reasonably suspected of having a disability that will affect their education. We support the right of students to be viewed by educators and members of the Admission, Review, and Dismissal (ARD) committee as a whole person, and the right to be evaluated and assessed for services in all areas in which they are suspected of having disabilities or other support needs.
- We support efforts to disentangle the identification process with concerns about the financial and staffing resources needed to serve a subsequently identified student. We applaud TEA's recognition that failure to identify a student, due to academic standing, funding and other resource related concerns has widespread and long-term ramifications that reach well beyond a student's time in public education.
- We support the right of students and their families to receive information and documentation in an accessible (i.e. barrier-free for the person with disability), user-friendly, and culturally competent manner. This includes availability of documentation in preferred languages and access to translation, as well as communication that is easily understood and avoids use of jargon or insider language. Communication should refer to students as individuals.
- We support efforts to ensure that every public education staff member is prepared to interact with every student in school to some degree. This should include efforts to prepare educators, paraprofessionals and staff for the students they may encounter in the course of performing their duties. Special education services are no longer relegated to specific locations with specialized staff and instead students are often being educated across multiple settings, with access to a range of graduation plans. Like their peers, an identified student's school day may include supports during participation in advanced placement, gifted, or endorsement programs.
- We support TEA in their efforts to ensure all students receive a free and appropriate public education in the least restrictive environment with

adequate and appropriate supports, as agreed upon by the ARD committee. This should be a strengths-based and individualized plan that is future-oriented and student-centered; based on personal goals, desires; and should include specific support needs related to each student's education, to include both academic and non-academic school activities.

- We support students and families in their efforts to seek educational opportunities that are innovative, integrated and inclusive, while maintaining access to specialized supports when necessary. We support creative educational programming where entry is based on individual student characteristics, rather than using eligibility criteria that is purely diagnosis based.
- We support schools, students and families in their effort to foster communication, self-determination and advocacy skills needed to communicate needs and desires to peers, paraprofessionals and support staff, and other professionals. This is vital to aid students in their learning at school and to prepare them to continue to contribute to their communities as they transition to adult life.
- We support the disability rights concept of "nothing about us, without us," meaning that people with disabilities should be part of discussions that affect their lives. We believe that decisions about students with disabilities should not be made by personnel that do not have disability related knowledge and experience, and/or without active input from those closest to the student, and especially in decisions regarding placement and long-term planning.
- We support the efforts of advocates to ensure that students with disabilities and their support needs are part of planning discussions across the educational system, so they are more fully present schoolwide, regardless of academic setting. This should include any safety and emergency planning as well.
- We support efforts to implement safety plans for the benefit of all students, including plans that are designed to support the individualized safety and emergency needs of students with disabilities on each campus. We also support the right of students to avoid being unfairly targeted by threat assessment teams, because of specific diagnoses, rather than individual student characteristics and actions.
- We support the efforts of teachers to institute positive behavior classroom management strategies. We support efforts to eliminate aversive behavior management strategies, and reduce inappropriate use of in school and out of school suspensions, alternative out of school placements.

- We support efforts to make education adaptable and accessible to every student, so that they are adequately prepared for a rapidly changing world, including access to technology and virtual learning. We support efforts to balance widespread and user-friendly access to technology with privacy concerns, as well as making digital curriculum accessible and usable for students with a variety of disability-related support needs.
- We support the rights of students and parents to maintain privacy of disability, medical and educational records, and the right to maintain control over the disclosure of those records. We support the creation of opportunities for students to learn about consent, disclosure and self-determination regarding personal information, as well as opportunities to practice these skills.
- We support schools and community partners in their efforts to ensure that all students, including students with disabilities, leave the Texas public education system ready to begin entry into the workforce, postsecondary education, military service, volunteerism, or other contributions to the community. This should include work studies, internships, or other transition-focused experiential opportunities as part of the educational curriculum. We support efforts to create opportunities for robust transition planning as a key component of ARD meetings during secondary education.
- We support Local Education Agencies (LEAs) in building relationships with community mental health services for in school training with attention to the inclusion of students with disabilities.

Executive Summary

The Continuing Advisory Committee (CAC), legislated in 1995, is a special education advisory committee to the Texas Education Agency (TEA). Membership is composed of a special education director who serves multiple school districts, plus family members, self-advocates, and professionals with experience in the special education arena. Detailed biographies of current members can be found in this report.

The purpose of this report is to provide the legislature with recommended changes to state law and agency rules relating to special education that will further serve Texans with disabilities during their formal education and beyond. These recommendations are based on committee expertise, public testimony, and research and are consistent with the Vision and Values Statement of the Committee.

For this biennium, the Committee is making 25 policy recommendations. To ease access and reference to the recommendations, we have divided them into the following subject areas:

- Finance
- Health and Safety
- Staffing
- Behavior
- Digital Literacy and Accessibility
- Dyslexia
- Justice

In particular, the Committee would like to highlight the following recommendations:

- [Finance; Staffing] Adopt innovative methods for the recruitment and retention of special education staff.
- [Health and Safety] Minimize use of seclusion and restraint.
- [Health and Safety] Implement safety plans that account for evacuation during emergencies.
- [Digital Literacy and Accessibility] Require LEAs to have an accessible digital technology policy.

For all recommendations, the report provides additional background information to support their understanding, adoption, and implementation.

Finance

RECOMMENDATION 1: Loan forgiveness

We recommend that the State of Texas offer a partial loan forgiveness program for every five (5) years of service as a full-time special education teacher in Texas public schools. Many teachers are now graduating with loan debt. A loan forgiveness program will certainly incentivize teachers to remain on the job.

RECOMMENDATION 2: Stipends

We recommend that the state provide funds that will be used specifically for salary stipends for special education teachers. School districts provide many stipends to a variety of employees. Given the responsibilities and duties that special education teachers encounter on a daily basis, it is imperative that we consider providing school districts funding for these stipends.

Background:

At a time when most school districts are struggling with teacher retention issues, it is even more difficult to retain special education teachers. A 2019 study by the U.S. Department of Education, Institute of Education Sciences, National Center for Education Evaluation and Regional Assistance, and the Regional Educational Laboratory Central found that the turnover rate of Special Education teachers was 11% higher than those of general education teachers. Additionally, a 2023 study by the US Department of Education, Institute of Education Sciences, National Center for Education Statistics, and School Pulse Panel indicated that “among the 44 percent of schools reporting vacancies, special education vacancies were reported at twice the rate of most other positions”. This may be due to several reasons. One is that Special Education teachers have duties and responsibilities way beyond those of general education teachers. In addition to their teaching duties, special education teachers have the responsibilities of preparing for and conducting ARD committee meetings including follow-up activities. Many times, these responsibilities are administrative in nature. This is all in addition to the responsibility of managing the behavioral issues that are more prevalent in students with disabilities than their general education counterparts.

The committee understands the complexities associated with school funding, but we feel strongly that our most vulnerable students are greatly affected by teacher attrition. The state of Texas has a need for more special education teachers and we need to retain the ones we already have.

RECOMMENDATION 3: Cost of Full Initial Individual Evaluations (FIIE)

We recommend that the state of Texas consider providing formula-based funding to school districts based on the number of FIIEs conducted during each school year. While this requirement is a federal mandate and one of the first steps in determining eligibility, an FIIE does not necessarily translate into a student being identified as a student with a disability, having an educational need for special services and additional supports.

Background:

According to the website [Texas SPED Support](#), "The Individuals with Disabilities Education Act (IDEA) requires local education agencies (LEAs) to conduct an initial evaluation when there is suspicion that a child has a disability and, as result of the disability, needs special education and related services. The full and individual initial evaluation (FIIE) includes procedures that are used selectively with an individual child." The estimated cost of each Full and Individual Initial Evaluation (FIIE) is approximately \$1,500-\$2,000. The Texas Education Agency collects data on these types of evaluations per school district. Once a district is made aware that a student may have a disability that will affect his/her education, the district has the responsibility to conduct an FIIE after obtaining parental consent. It may be that the district will spend the cost of \$1,500-\$2,000 for the FIIE and never receive funding for the student if the student does not qualify for special education services. This creates a huge financial strain on districts. The completion of FIIE's affects student services and deadlines set by federal law.

RECOMMENDATION 4: Medical Billing Transparency

We recommend that school districts receiving School Health and Related Services (SHARS) reimbursements be required to share at a public meeting information about their SHARS reimbursements and to notify parents about the exact services that are being billed. Currently parental notice and consent are required prior to requesting any reimbursements, schools are not currently required to present this information to the public.

Background

Transparency leads to improved and strengthened relationships between a public entity and the general public. At this time, schools are allowed to participate in the School Health and Related Services (SHARS) program to request reimbursements for Medicaid health-related services. As per the Texas Education Agency, these

services must be “medically necessary and reasonable to ensure that children with disabilities are able to participate in the educational program”.

RECOMMENDATION 5: Funding for Interpreters

We recommend that TEA conduct a survey of sign language interpreters to determine prevailing market pay rates across the state for students with disabilities in K-12 education, including for Regional Day School Programs for the Deaf (RDSPD). We further recommend using the survey data to inform LEAs about expected pay rates for certified/qualified sign language interpreters as well as guide the funding requests for the RDSPDs that adequately supports hiring and retention of certified/qualified sign language interpreters.

Background

Meeting the unique communication needs of a student who is deaf or hard of hearing is a fundamental part of providing a free appropriate public education. However, the Committee has received testimony that Regional Day School Programs for the Deaf (RDSPD) administrators struggle with hiring and retention of certified/qualified sign language interpreters, largely because of pay and that the TEA allocation to the RDSPDs has not increased since 1996. The Texas Governor’s Committee on People with Disabilities published a report in 2022 highlighting this issue. [“Educational Interpreters for Students Who are Deaf and Hard of Hearing.”](#)

Health and Safety

RECOMMENDATION 6: Fire Safety and Emergency Evacuations

We recommend that fire safety for people with disabilities become a priority for TEA and legislators.

- Gather and evaluate data regarding how many students in each LEA would not be able to use stairs in the event of a school emergency evacuation.
- Gather and evaluate data regarding existence and implementation of safety plans for emergency evacuations that include students and staff with disabilities as a focus. Determine whether people with disabilities are included in live evacuation drills with the rest of the school community.
- Encourage LEAs to develop and implement safety plans for students whose disabilities may impact their safety and ability to evacuate during emergencies. A possible approach may be to develop a supplement to IEP plans similar to supplements for other disabilities such as autism and visual impairment. Possible language for this exists within HB 195 from the 2023 legislative session.
- Explore the feasibility of a separate funding stream for emergency evacuation equipment etc. that is not tied to either student specific funding or funding that would otherwise be used in direct education of students, neither special education funding or general education funding.

Background

Many students who use wheelchairs have reported being left out of emergency drills or being denied access to evacuation chairs in both public schools and in institutions of higher learning. Lack of access has already caused at least one diagnosed case of posttraumatic stress disorder in a student who uses a wheelchair who was left behind during a fire emergency. Plans need to be developed and implemented to guarantee the safety of people with disabilities on school campuses, on an individual and campuswide level.

RECOMMENDATION 7: Epilepsy Protocol Implementation

We recommend that schoolwide epilepsy procedures be developed and shared with all staff and interested parents and that epilepsy safety plans be included as part of the IEP process for students with an identified need.

- We recommend that the state legislature enact procedures for baseline minimum seizure protocols for schools statewide. In addition, we request that an additional supplement to IEP plans be created specifically to address health and safety needs of the student, with direct attention to epilepsy support needs.
- We recommend that TEA make use of their website to post accessible, plain language information regarding epilepsy, seizure protocols, epileptic emergencies, and what schools are required to provide. This information needs to be easy to find and understand for all who may be concerned about epilepsy either on a campus or individual level. We encourage a continued relationship between the Agency and medical and stakeholder groups such as the Epilepsy Foundation, to ensure that information and protocols always remain up-to-date, clear, and culturally sensitive.
- We recommend that TEA and the Texas legislature require IEP teams to include an epilepsy supplement in plans for students where there is an identified need. When necessary, a student's medical team may be integrated to help form or sign off on any epilepsy plans to be implemented at school or throughout a student's day.
- As they are able, we recommend that the student should also be included to promote knowledge of their own health, their self-determination, and ultimately their safety. To achieve this, information should be made available to students so that they may be able to learn about their needs and how to speak up for themselves in regards to their care.

Background

Over the years TEA, the legislative members, and stakeholder groups have worked tirelessly to improve the efforts of schools to support students with epilepsy. We recognize that campuswide efforts have greatly improved the health and safety of students who receive epilepsy care and support at school. However, we believe that individualized plans linked with a student's overall support plan through an IEP or 504 plan would be more effective at ensuring that a student has less time in health crises and would spend more time learning with their classmates. Although it did

not pass last session, we thank Dr. Mary Gonzales for her bill HB 195 and we hope the legislature will consider implementing something similar as they continue their work to support Texas students.

RECOMMENDATION 8: Swallowing Protocol

We recommend that students have access to a supplement and plan for swallowing disorders if there is an identified need.

- A diet modification plan may be initiated at school as needed
- A safety plan should be initiated to prevent and address choking and aspiration at school, to promote adequate hydration, nutrition and safety. This will provide better attention to learning in class.
- The resulting information, in the form of a swallowing supplement should be included in the student's IEP, to be given to relevant staff.

Background

Students with neurological disabilities such as cerebral palsy, autonomic dysfunction, autism, etc. may experience comorbid issues with swallowing. Unfortunately, many of these cases go undiagnosed, often hidden underneath the primary diagnosis. Left untreated this issue may cause pulmonary and gastrointestinal illnesses which will lead to compounding poor health and increasing school absences, which could progress into learning loss. All of these continuing health concerns can be reduced or alleviated with identification and treatment, which is done through an SLP or OT team by observation of a student. Students are required to learn, they are required to be at school, they are required to eat at school, and therefore we need a way for all students to maintain their health and safety while eating at school. We believe a focus on identifying struggles with swallowing will keep students with disabilities safe while eating at school and prevent opportunity loss from illnesses and school absences.

RECOMMENDATION 9: Restraint and Seclusion

We recommend that restraint and seclusion techniques no longer be used as a disciplinary measure and or classroom management technique, and instead are only used in rare situations to prevent further harm to a student or their peers, as well as school personnel. We further recommend that:

- TEA enforce policies requiring that positive behavior supports and interventions be used as often as possible to address incidents with students.
- Behavior intervention plans be reviewed annually, with a mandatory review before alternative placements are considered. This review should be conducted as part of a manifestation determination proceeding.
- Mandatory training on restraint be performed by any staff expected to be involved in the restraining of a student

Staffing

RECOMMENDATION 10: Teacher-student Ratios

We recommend that TEA establish and implement a recommended teacher-student ratio for self-contained classrooms and resource classrooms at no greater than general education classrooms. We further recommend that TEA should research a smaller ratio.

RECOMMENDATION 11: Prioritize Incentives for Working with Students with Disabilities

We recommend that the Legislature and TEA explore other states' initiatives to incentivize the attraction and retention of teachers who work with students with disabilities. (See Appendix.)

RECOMMENDATION 12: Grant Programs for Special Education Certification

We recommend legislative appropriation and TEA implementation of a grant program for current teachers that wish to become certified in Special Education.

Background

Current Texas rules leave the determination of staffing for special education services to local district discretion. Currently, the staff average for special education staffing is one teacher per 15 special education students and one special education staff member to seven special education students when educational aides are included. In some school districts, the teacher-student ratio in self-contained units or resource classrooms is higher than general education classrooms.

Special Education teachers often teach multiple subjects across multiple grade levels, manage loads of paperwork to track individual student's progress and regularly communicate with families. Most school districts only look at the numbers and not the individual needs of the students. It is important to look at the individual needs of the students that require full support.

Teacher-student ratio is especially important in school districts that have PK3 through 6th grade housed in the same school. Special education teachers in these schools not only have to teach early education courses, but several STAAR testable grade levels and different STAAR subjects. This workload results in teacher burnout and causes teachers to quit the profession, retire, or transfer to general education classrooms.

In 2019, the 86th legislative session passed House Bill 3 which created the Teacher Incentive Allotment, a local teacher designation system. Based in the Texas Education Code (TEC), §21.3521 (Local Optional Teacher Designation System) and §48.112, TIA is built to provide lasting funds for outstanding Texas teachers to remain in the classroom and improve student outcomes. There are two main parts to TIA: one is that teachers are identified and paid in part on student growth; another is that teachers who have National Board Certification automatically receive a Recognized rating along with teacher incentive allotment earnings.

However, a key point, regardless of how the designation is earned, is that the funding does not go directly to the designated teacher. Rather, the funding goes to the teacher's school district, with the requirement that the district must use at least 90% of the funds for teacher compensation on the campus where the designated teacher works.

Another setback to TIA, is that not all certified teachers qualify. In certain school districts, only the teacher of record qualifies for a TIA designation. Dyslexia teachers and resource teachers pull out students from their general education classrooms and do not qualify for TIA designation.

Behavior

RECOMMENDATION 13: De-escalation Training

We recommend that all staff working with students engage in de-escalation, that includes the use of positive behavior supports, training prior to the start of the school year or within 30 days of the start of school or hire date (once per year for all staff, twice per year for staff that work with special education students and additional program specific training for staff in behavior/self-contained programs), to prevent unnecessary escalation of behaviors and restraints to increase safety for students and staff in schools.

RECOMMENDATION 14: Additional behavior staff/personnel

We recommend funding for additional behavior staff/personnel for each local education agency (LEA) based on student population, special education population and needs, but a minimum of one full-time equivalent (FTE) for a Behavior Specialist or equivalent, for each LEA. This would be tied to a requirement for the use of positive behaviors.

RECOMMENDATION 15: Grant program for attraction and retention

We recommend implementation of a grant program for attraction and retention incentives for current/future teachers that want to be certified in Special Education and work with students with emotional disabilities and to retain current Special Education teachers and paraprofessionals to remain in their positions.

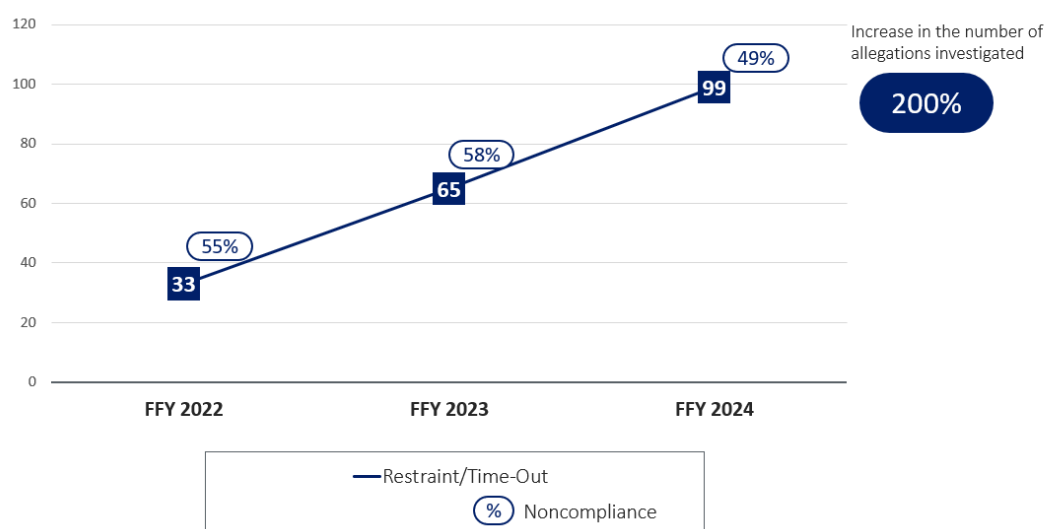
Background

Staff shortages in schools have led to an increase in non-certified staff working with students. In a report to the House Public Education Committee on August 13, 2024, TEA shared that 34% of new hires in 2024 were uncertified in Texas, which leads to teachers entering classrooms unprepared and not trained to handle behavior concerns.

A Disability Rights Texas (DRTx) report, “Harmful Restraint of Students with Disabilities in Texas Schools” found that students with disabilities have been grossly overrepresented in restraint instances. The report adds that over 90% of restraints involved a student with disabilities, despite only

representing 9.8% of total students in that year. This is concerning because physically restraining students can create unsafe learning environments, injury, and even death. The disproportionate representation of students with disabilities in these instances suggests a reframing of how disability is treated in education.

Notable Changes in Areas of Noncompliance Since FFY 2022



The Texas Education Agency has investigated over 100 cases of educators unlawfully restraining special education students since 2015. As of April 2022, state records reflect there are as many as ten open investigations involving districts across the state. Incidents of abuse of special education students in the news and on social media continue, including:

- Fort Worth ISD staff restrained student with disability who subsequently died (March 2021)
- Killeen ISD teacher assaulted student with disability (April 2021)
- Manor ISD teacher hit student with Autism (November 2021)
- Burleson ISD teacher and aide acted inappropriately with nonverbal students (November 2021)
- Weslaco ISD teacher hit a student with Autism (December 2021)
- Aldine ISD teacher and assistant charged with abusing two young children with autism. (May 2022)

- Hutto ISD director of special education charged with unlawfully restraining a student with severe autism (2020). Pleaded no contest to failing to properly report the incident as a part of a plea deal. (2022)

[DRTx's report on use of restraints on students with disabilities](#) provides the following information:

- The most recent federal restraint data available (SY 2015-16) indicates that, while students with disabilities represented approximately 12% of the student body across the nation, they experienced 77.1% of restraints reported.
- Students with specific disability types:
 - Emotional Disturbance (45.4% of all restraints)
 - Autism (23.3% of all restraints)
 - Other Health Impairments (16.7% of all restraints)
 - Intellectual Disability (6.9% of all restraints)
- Disproportionality by race:
 - Black students are 12.6% of the total student population and experience 26.1% of total restraints
- Students in more restrictive environments experience higher rates of restraint
 - In separate campuses:
 - Students with autism (48.9% of restraints)
 - Students with emotional disturbance (25.7% of restraints)
 - Students with intellectual disability (13.3% of restraints)
 - Students with other health impairments (9.5% of restraints)
 - In separate classrooms:
 - Students with emotional disturbance (43.4% of restraints)
 - Students with autism (25.9% of restraints)
 - Students with other health impairments (12.7% of restraints)
 - Students with intellectual disabilities (8.6% of restraints)

Digital Literacy and Accessibility

RECOMMENDATION 16: Accessible Digital Technology Policy

We recommend that TEA should require through administrative rule that every local education agency (LEA) adopt (or review and revise, as needed) a digital accessibility policy that includes:

- statement of purpose
- scope of policy
- conformance standards aligned with State of Texas practice
- person(s)/role(s) accountable for compliance
- reasonable timelines for implementation and remediation

At minimum, scope must include:

- electronic documents
- audio/visual materials
- mobile apps
- web-based content

whether used as primary, secondary, or supplemental material. The policy must also address procurement of in-scope materials from third parties.

Background

Digital technology is ubiquitous in the lives of today's students, whether inside or outside the classroom. However, students have little control over the software and content that support their learning. Whether developed, chosen, or procured by classroom, campus, district, or other educational staff, without an intentional focus on digital accessibility, there is ample experience that demonstrates students with hearing loss are still provided videos without closed captioning, students that use screen readers are given untagged PDF documents, that students with physical disabilities are referred to web sites incompatible with their assistive technology, among many other examples of barriers to a free and appropriate education. This is not a problem that can be overcome simply by heroic efforts of faculty, staff, and/or parents by a series of one-off solutions. This is a systemic issue that needs a solution that can be scaled to the size of the special education population in Texas as well as the broader population of students with disabilities. A substantive first step is to establish a clear, internally-focused policy that sets organizational expectations and operational processes that help ensure that digital technology, regardless of where and how it was developed, must be accessible when used by and with students with disabilities. The elements put forth in this recommendation are in-line with best practices that have been widely adopted by both the public and

private sectors, including both how to construct a quality compliance policy, the scope of materials that should be included in a digital accessibility policy, and the critical need to address procurement in any such program. For example, in 2022 the State of Maryland passed the "[Equivalent and Nonvisual Access Accountability Act for K-12 Education](#)" that requires LEAs "to provide equivalent access to digital tools for students with disabilities." In addition, numerous resources are available to assist in the development of an accessible technology policy, including but not limited to:

- [Developing Organizational Policies on Web Accessibility](#)
- [How can our school or district go about developing an accessible information technology policy?](#)
- [Guidelines for building a digital accessibility policy](#)
- [How to Build the Foundation Digital Accessibility](#)
- [IT Accessibility Policy Framework - Introduction | Section508.gov](#)

Finally, having an established policy will be a useful resource for LEAs as they work toward upcoming compliance with new [Americans with Disabilities Act Title II regulations](#) for web and mobile app accessibility.

CONCLUSION

Establishing an internal, digital accessibility policy is a first, foundational step to developing and maintaining processes and controls that help ensure that students with disabilities have equitable access to learning opportunities. Although there likely exist generalized non-discrimination policies, organizational change and sustained commitment are driven by clear expectations, specific requirements, and ultimate accountability for results.

RECOMMENDATION 17: Self-Paced Resources for Digital Accessibility Barrier Remediation

We recommend that TEA should identify, at minimum, the top five most critical barriers to the accessibility of digital materials used with and by students. TEA or a qualified designee should create, procure, or identify self-paced resources that assist faculty and staff in the assessment of the level of accessibility and how to remediate. For each barrier, at minimum the resources should include:

1. self-guided training (not to exceed 15 minutes for any one barrier)
2. a job-aid or checklist to assist with thorough assessment and/or remediation

Background

One of the largest hurdles to the design, development, and/or procurement of accessible technology as well as incorporating it into the learning program of students with disabilities is a knowledge gap about accessibility barriers themselves. This makes sense because faculty and staff are domain experts, whether in the subject area they teach or a function that supports education, not necessarily in the latest advancements in technology or even more niche area of accessibility. However, rather than resigning ourselves that this gap cannot be closed, a tractable solution must be found, otherwise the achievement gap for students in special education will persist. A reasonable approach to tackling any large problem is to break it down into more manageable tasks. This recommendation calls for identifying and then initially focusing on the top five most crucial barriers and then creating complementary, self-guided materials to provide the necessary understanding and guidance to educators. These resources could be developed or procured at the state level by TEA or by other capable entities, such as education service centers. As a complement, TEA or a qualified designee could identify third-party resources that provided the recommended resources on an ongoing basis, such as these resources provided by the [National Center on Accessible Educational Materials for Learning](#).

Conclusion

Educator preparation and training on accessibility is key to prevention and removal of barriers to a free and appropriate education. But the entire scope of this need is far more than any single educator can be expected to manage on their own for their student(s) with disabilities. This recommendation seeks to break down the challenge into more manageable tasks by 1) addressing the top five most important barriers to start, 2) to provide for training that is time-limited and self-guided to focus on efficient use of educator time, and 3) to provide for readily available resources that support educators.

RECOMMENDATION 18: Promoting Proficiency with the Correct and Consistent Use of Accessible and Assistive Technology

We recommend that TEA should:

- establish and make readily available to all LEAs a template of procedures and resources to ARD committees for when assistive technologies and/or built-in accessibility features are an integral part of the student's education plan; and
- that sufficient training and other support resources are provided to the student, their support network, and faculty/staff to work toward and

ultimately achieve proficiency with the assistive technology device or service both in school and at home.

Background

Providing the student with accessible and/or assistive technology and the training to use it properly is foundational to their academic success (see: [Myths and Facts Surrounding Assistive Technology Devices and Services](#)). In addition, the ARD committee is a natural way to identify who makes up a student's educational support network and generally defines their roles. Since members of this network may not have direct, practical knowledge of accessible and/or assistive technologies used by the student, a set of best practices for training by role would be an effective way to elevate their knowledge and skills to complement the student's own learning. Such training would be independent of the source of the accessible or assistive technology (e.g., personally-provided, school-provided, etc.). For example, the "[Texas 4-Step Model](#)" provides a foundation for such a template and the [free online training provided by Inclusion in Texas](#)' partnership with the Assistive Technology Industry Association (ATIA) provides role-based information about assistive technology. Packaged for easy availability and use by ARD committees, such a template could significantly improve correct identification and implementation of accessible and assistive technology in furtherance of student achievement.

Conclusion

Preparation and training for the student's entire educational support network is key to their proficiency with accessible and assistive technology and ultimately the student's educational success. While each ARD committee is unique, there is a common need for the student to effectively use accessible and/or assistive technology. There is also a common gap in understanding such technology. Thus, establishing best practices for how this network can upskill will ultimately support the student's goals.

Dyslexia

RECOMMENDATION 19: List of evidence-based dyslexia programs

We recommend that TEA provide a list of evidence-based dyslexia programs that meet the requirements for a specially designed instruction (SDI).

Background

Although many school districts have excellent dyslexia departments, there are still many school districts throughout Texas with emergent dyslexia departments that are in need of further direction to ensure all aspects of effective intervention are met per State guidance.

According to The Dyslexia Handbook, 2024 Update (Texas State Board of Education), evidence-based dyslexia instruction provides evidence-based, multisensory structured literacy instruction for students with dyslexia. This instruction must be explicit, systematic, and intentional in its approach. This instruction is designed to likely take place in a small group setting (p 38).

Currently, there are a myriad of dyslexia instructional programs available to school districts and it takes individuals with deep knowledge in the area of dyslexia and related disorders to be able to discern the best programs for their students with dyslexia. Some programs are web-based and are absent of direct teacher guidance. Others have students take placement tests and teach mini lessons based on deficient, isolated skills.

Other programs fall short in the intensity and duration required. All of these types of programs lack the explicit, multisensory structured literacy instruction as directed by the Handbook for evidence-based dyslexia instruction. It is therefore recommended that the State provide an approved list of dyslexia programs to be used for the specifically designed instruction (SDI) for identified students. This would be inline with how the State provides approved reading instruments that meet the requirements of TEC Section 28.006 on the TEA website.

RECOMMENDATION 20: Class size for dyslexia instruction

We recommend that class size for dyslexia instruction follow the guidelines of the dyslexia program that meets the criteria of the specially designed instruction per the Dyslexia Handbook.

Background

Due to funding and scheduling limitations coupled with rising identification rates, many providers of dyslexia instruction are left with little choice but to set group sizes outside of the optimal small group setting. This can be upwards of 10+

students in one group, which by definition is no longer a small group, but a classroom setting.

Most evidenced-based dyslexia programs are designed for small group instruction and have those guidelines listed in the preface of their program manuals or website. These programs are research based for optimal therapeutic outcomes and the group sizing is paramount to the success of the stated program. Teaching the program with fidelity includes not only the direct, systematic, and explicit instruction, but requires an optimal number of students as directed by the approved programs. Per the The Dyslexia Handbook, 2024 Update (Texas State Board of Education), an ARD committee must consider "the fidelity statements /requirements that are included with the program, and how those will be delivered and/or intensified for the student (p. 39)." This statement relates directly to the size of groups. A sampling of approved programs would provide recommendations for a suggested limit for small group sizing for dyslexia instruction to be delivered by providers of dyslexia instruction.

Justice

RECOMMENDATION 21: Data on special education students' interaction with the justice system

We recommend that the state legislature gather data on student interaction with the justice system while receiving special education services.

RECOMMENDATION 22: Data on students with behavior intervention plans

We recommend that TEA gather data on how many students with behavior intervention plans via their IEP eventually move to a disciplinary alternative educational placement and how many of those end in a placement in the judicial system.

RECOMMENDATION 23: Data on special education during incarceration

We recommend that the state legislature request data about whether or not students served under IDEA within the Texas judicial system are receiving their special education support(s) while incarcerated.

RECOMMENDATION 24: Data on return-to-school process

We recommend that the state legislature request data regarding the return-to-school process for previously incarcerated students either receiving or eligible for but not yet receiving special education services.

RECOMMENDATION 25: Data on Child Find in the Texas prison system

We recommend the state legislature request data regarding how many individuals within the Texas prison system were missed under Child Find during the years of the special education cap. Additionally, we request that a plan be created with TEA to identify these individuals and offer them appropriate compensatory services.

Background

For many years advocates and experts nationwide have been concerned about youth involvement in the justice system, especially for students who may need access to and/or receive special education services. Previously incarcerated individuals and education advocates anecdotally report that many individuals enter the judicial legal system via their school, and that IEP plans, 504 plans, etc. are not followed and services are not provided as outlined in IDEA. The people of Texas need data in order to see how wide a gap in services we have created, and what the effects are on current students, students who were underserved, and adults who should have been served during the years of the artificially imposed limit on

special education services (cap). Additionally, data is needed on what happens when students who have been previously incarcerated or in disciplinary alternative education placements return to schools in their communities. An unknown number of individuals could have been missed during the Child Find capped process and then ended up in the judicial system. Although we cannot design a foolproof plan to provide identified individuals the services they now need, attempts must be made to seek out as many as possible. TEA should work with the appropriate criminal justice agencies to form a plan to find and serve these individuals so that they can live more fully to their potential.

Appendix

Health and Safety

- [House Bill \(HB\) 785: Frequently Asked Questions](#)
- [Governor's Committee on People with Disabilities](#)
- [Why criminally charged special ed staff still work at Texas school | KXAN Austin](#)
- [Texas teacher, school aide charged with abusing students with autism](#)
- [Increased Arrests of School Staff for Violent Restraint of Texas Students](#)
- [Texas special education employees plead no contest in unlawful restraint case](#)
- [How to Request a Camera in Your Child's Special Education Classroom - Disability Rights Texas](#)
- [Harmful Restraint of Students with Disabilities in Texas Schools](#)
- [Restraint and Seclusion - Texas | State Policy Database](#)

- **Health and Safety**
- <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=88R&Bill=HB166>
- Epilepsy Protocol Implementation
- <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=88R&Bill=SB1506>

- **Swallowing Protocol**
- <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=89R&Bill=HB1011>
- <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=89R&Bill=SB154>

Pediatric Feeding Disorders

Defined as impaired oral intake that is not age-appropriate, and is associated with medical, nutritional, feeding skill, and/or psychosocial dysfunction (Gooday et al., 2019)

**Amend the Texas Education Code
to required
safe feeding and swallowing plans
to be provided
by public schools for students with
pediatric feeding disorders
to protect
students rights for a Free and Appropriate
Public Education (FAPE)
under the
Individuals with disabilities Educational Act
(IDEA)**



**Prevalence
1 in 3 kids with disabilities
has a feeding disorder
(Desai et al., 2022)**

Long Term Consequences



**Aspiration
Choking**

CAN BE LIFE THREATENING

**Gastrointestinal complications (reflux,
vomiting, constipation) Undernutrition /
Malnutrition
Dehydration**

Need for alternative nutrition

Oral aversion / Food aversion

**Trouble focusing due to hunger and
thirst**

**Psychosocial impact on family and peer
relationships**

**TAKE ACTION:
Students with feeding
and/or swallowing
disorders need school
safety plans.**

Educational Relevance

- Students must be safe while eating in school.
- Students must be adequately nourished and hydrated.
- Students must be healthy to maximize their attendance at school.
- Students must develop skills for eating efficiently during meals and snack times.

Staffing



RESEARCH MEMORANDUM

To: Dr. Aaron Bangor, Texas Continuing Advisory Committee for Special Education

From: Sydney Blodgett, Project Manager, sblodgett@csg.org

Andrew Johnson, Policy Analyst

The Council of State Governments, Center of Innovation

Re: Your request for an analysis of state policies addressing the special education teacher shortage.

Date: November 14th, 2022

Please note The Council of State Governments (CSG) is a nonpartisan organization and therefore takes no position on state legislation or laws mentioned in linked material, nor does CSG endorse any third-party publications; resources are cited for information purposes only. CSG provides unbiased research that is based on evidence-informed and objective analysis.

Executive Summary

Analysts at The Council of State Governments (CSG) conducted research on state policies addressing the shortage of special education teachers (SETs).

Analysts identified 19 pieces of legislation enacted since 2005 concerning the special education workforce, specifically as it relates to recruitment and retention, as well as compensation and workload considerations. States policies are:

- 1) expanding recruitment and retention efforts through supporting school districts and teacher preparation programs in their recruitment and retention efforts, and providing scholarships, loans and/or loan forgiveness opportunities for potential SETs.
- 2) implementing incentives for SETs, including,

- a) compensation
- b) workload support

Method of Research

CSG analysts conducted research on state policy considerations to address the teacher shortage specific to special education (SPED). Studies identify a variety of solutions to the wide-spread SET shortage. Notable considerations include:

- [focused bonuses and loan forgiveness](#) programs are proven to successfully reduce attrition of SETs,
- [providing scholarships](#) for SET credentialing can reduce barriers to recruitment,
- [supporting the workload](#) of SETs, especially beginning teachers, can support retention, and
- [increasing compensation](#), i.e., salary increases, bonuses or differential pay, can grow the workforce and notably [attract already credentialed teachers](#).

Analysts identified examples of state actions that can impact the special education teacher (SET) shortage through a scan of bills with provisions relating to teacher shortages or recruitment and retention, including incentives and pipelines to address shortages. Relevant bills focus on policies related to SETs specifically.

Findings and Analysis

This analysis identifies 19 policies with provision that directly or indirectly address the special education teacher (SET) shortage. Policies either (1) sought to support recruitment and retention efforts, including scholarship and loan opportunities, or (2) implemented incentives, such as compensation or workload support, for SETs.

- 1) States are legislating an **expansion of recruitment and retention efforts**. Some states, such as **New Mexico** and **Virginia** are asking state agencies to study and evaluate specific teacher shortages and solutions. Others are providing funding to school districts and institutions of higher education directly, or funding programs to provide scholarships, loans or loan forgiveness to potential SPED credential seekers.
 - [Arizona](#) provided specialized loans up to \$7 thousand to students pursuing a teaching degree. Loan recipients must agree to teach math, science or special education. [Senate Bill 1040](#) modifies eligibility from the agreement to teach in a specific content, rather, candidates must agree to teach at a low-income, rural or Native American reservation.
 - In [Assembly Bill 1808](#), **California** allocates funds for grant programs to address teacher shortages; funding is used for financial incentives and scholarships.
 - *Local Solutions Grant Program*: \$50 million is allocated to provide grants to local education agencies to address the need for special education teachers. Grantees can allocate \$20

thousand per-teacher for supports. Funds can be used for various efforts to recruit and retain SETs, including teacher career pathways, mentors for existing teachers, professional learning communities, service awards, teacher service scholarships, student debt payment, and living stipends/signing bonuses for newly credentialed teachers who earn an education specialist credential. Allocations provided are to be matched 100%.

- *Teacher Residency Grant Program*: \$75 million is appropriated for grants to address shortage areas, \$50 million specific to SPED. Grantees can allocate \$20 thousand per-teacher for supports. Allocations provided are to be matched 100%
- [Assembly Bill 130](#) expands the program. Appropriations rise to \$350 million and removes the specified requirement of fund allocation for SPED. Per-teacher allocation is expanded to \$25 thousand, and grantees are only required to match 80% of funds.
- **California's** [Assembly Bill 130](#) also allocates \$15 million to support grants to special education teachers through the [Golden State Teacher Grant Program](#).
- [California](#) also requires the Commission on Teacher Credentialing to award grant to colleges/universities to support the creation of four-year integrated preparation programs leading to more credentialed teachers, emphasizing shortage fields such as special education.
- [Illinois](#) awards 250 special education teacher scholarships annually. Scholarships are available to certified teachers seeking additional licensure in SPED, as well as students seeking initial certification. Awardees must teach for at least two out of five years upon exiting the preparation program. Teaching requirement can be met in a state public, private or parochial school, and includes preschool.
- [New Mexico](#) requests a taskforce to convene that will evaluate pipelines and incentives for shortages, specifically teacher preparation programs for SETs and compensation incentives such as salary differentials.
- [North Carolina](#) reestablished the [North Carolina Teaching Fellows Program](#) that recruits and trains college students to be effective STEM or SPED teachers. The program provides forgivable loans. Participants are required to teach for one year at a state public school identified as low-performing or two years at a public school not identified as low-performing. Loans of \$8,250 are awarded on a competitive basis. Various individuals are eligible to apply, including state high school seniors and individuals with a bachelor's degree seeking STEM/SPED teacher licensure.
- [Ohio](#) provides grant funds to schools and districts to help implement various innovations, such as using incentives to recruit SETs.

- [Utah](#)'s Public Education Job Enhancement Program provides scholarships and cash awards to secondary STEM teachers, SETs and grades 4-6 teachers with math endorsements. The program includes an award up to \$20 thousand or a scholarship to cover the tuition costs for a master's degree, endorsement or graduate education in the specified areas. Award recipients are required to teach in the specified area in the state for four years.
 - [Virginia](#) funds scholarship loans of up to \$10 thousand for full-time students (prorated for part-time) seeking certification in critical shortage areas, such as special education, or for minority students seeking any teaching certification. Recipients are obligated to teach in a school in a critical shortage subject or a school with more than half of students eligible for free or reduced lunch. For the scholarship loan to be fully forgiven, recipients must teach for two years.
 - In [Senate Bill 1288](#), **Virginia** added developing and maintaining a strategic plan for recruiting and retaining SETs to the duties of the state's Department of Education. The plan is to consider strategies such as tuition assistance, differentiated pay for SETs, and expanding SET mentorship programs. [House Bill 1800](#) allocates \$395,991 to help school divisions with significant teacher recruitment and retention challenges and implement the state wide.
 - [Washington, D.C.](#) provided a grant of \$350 thousand to support a teacher preparation program that provides training for SETs, intending to create a pipeline of highly effective special education teachers to work in the district.
- 2) States also are implementing various **incentives** for special education teachers.
- a. Increasing or providing additional **compensation**
 - [Hawaii](#) established a shortage differential salary incentive program to support licensed teachers who provide instruction in special education, Hawaiian immersion and hard-to-staff locations. SETs were paid an [additional \\$10,000](#) annually. In [House Bill 2401](#) (2022, failed sine die) the legislative findings present data from the Department of Education highlighting the impact of the pay differentials. The findings identify the percentage of special education teacher vacancies dropped by 45% during the 2020-2021 school year, with 43% more teachers choosing to move into a special education teaching line than the year before.
 - [Maryland](#) recognized there was a pay disparity between SETs in public and nonpublic schools. The bill requires a 4% increase for Fiscal Year 23 to support direct classroom related services, and general support positions.

- [Ohio](#) provides an educational pay supplement of 5% of the employee's classification salary base may be applied when the employee is performing as a special education teacher.
 - [Utah](#) provides salary bonus to eligible teachers (both general and special education) in high poverty K-8 schools who meet specified performance requirements in student assessments.
 - [West Virginia](#) considers fully certified and full-time special education teachers to have three additional years of experience for the purposes of salary schedules. Gifted and talented teachers and special education co-teachers are considered to qualify for the salary schedule step increase.
 - [Wyoming](#) adds special education teachers and related service providers that provide services to children with disabilities necessitating education outside of the regular classroom to the list of extra hazardous employment under the Wyoming Worker's Compensation Act.
- b. Reducing or supporting special education teacher **workload**
- [Minnesota](#) requires the development of a streamlined data system for uniform statewide reporting of required due process compliance data. The system is intended to also reduce the amount of paperwork burdening SETs, which can provide them more time to focus on teaching students with disabilities.
 - [Utah](#) provides SETs with stipends for additional days of work. Stipends are set at \$200 per day, for 10 days. The 10 additional days are to be before/after the school year, outside the regular contract days. They are for duties related to the Individual Education Plan (IEP) process. The purpose is to recognize the added duties and legal regulations of working with students with disabilities and the need to attract and retain qualified SETs.

<https://capitol.texas.gov/BillLookup/History.aspx?LegSess=88R&Bill=sb1474>

Digital Literacy and Accessibility

<https://capitol.texas.gov/BillLookup/History.aspx?LegSess=88R&Bill=HB2177>