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2022-2023 Cohort of New Hampshire-Maine Leadership Education in Neurodevelopmental and
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Individuals with Disabilities Education Act (IDEA) Workforce Shortage

Produced by the 2022-2023 Cohort of New Hampshire-Maine Leadership Education in Neurodevelopmental and Related Disabilities (NH-ME LEND) Program Trainees.

The Individuals with Disabilities Education Act (IDEA), our nation's special education law, ensures special education and related services to children with disabilities. The Education for All Handicapped Children Act (PL 94-142) was created in 1975 to ensure that children with disabilities are able to access free and appropriate public education (FAPE) in the least restrictive environment (LRE). This act was reauthorized as IDEA in 1990 (USDoE, 2023). The four parts of IDEA cover general provisions (Part A), funding for special education services for school-aged children (Part B), funding for early intervention services for infants and toddlers (Part C), and national activities to support the infrastructure to sustain the conditions required by IDEA through competitive grants (Part D) (IDEA, 2004). These Part D activities include: state personnel development; personnel preparation, technical assistance, model demonstration projects, and dissemination of information; and support to improve results for children, including parent training information centers (Dragoo, 2019; IDEA §1450, 2004).

One in every seven students in the United States receives special education services through the IDEA, requiring a large, highly qualified special education workforce to support students' rights to FAPE (NCES, 2022; Putnam & Gerber, 2022). Highly qualified personnel provide specialized instruction, positive behavior support, and interventions targeting specific areas of development, which help students with disabilities make progress on their annual Individualized Education Plan (IEP) goals. Without a highly qualified workforce, children with disabilities cannot access and participate in their education or make significant progress in targeted areas of development, leading to detrimental effects on their learning and education (Billingsley & Bettini, 2019; USDoE, 2021). Special education personnel shortages and attrition rates also negatively affect access to FAPE for children and youth receiving special education services – a civil protection under the IDEA. These shortages are directly related to inadequate pay and training which, in turn, leads to difficulty in recruiting and retaining interdisciplinary IEP teams (Putnam & Gerber, 2022; Billingsley & Bettini, 2019). The most vulnerable, including children with disabilities, children of color, and children living in poverty are disproportionately impacted by teacher and staff shortages, deepening inequality among the nation's youth (Billingsley & Bettini, 2019; Hawkins, 2022; IES, 2022).

The 2004 reauthorization of the IDEA committed up to 40% of the total average special education cost per pupil. As of 2018, federal support per pupil is only approximately 18%, with local schools expected to fulfill the remaining financial need (NCD, 2018). Sustained investments in IDEA funding will be necessary to address critical personnel shortages and improve access and participation for students with disabilities in our nation's schools. Nationally, 65% of public schools report their special education departments are understaffed and 71% of impoverished schools report to be understaffed in special education. Additionally, schools report a 57% increase in the need to use teachers outside of their intended duties, leading to decreased core lesson time for all students and increased burnout and discontentment of all staff (IES, 2022). Alarming, teachers with special education licensure are 11% more likely to leave the classroom and 72% more likely to change schools than other teachers (Espel et al., 2019; Putnam & Gerber, 2022).

Children with disabilities, their families, and educators are significantly impacted by the workforce shortage. These shortages have a direct effect on the accessibility and quality of education for children with disabilities. One of the most common procedural violations made under IDEA is a failure to train staff and paraprofessionals in the child's area of disability (Berney & Gilsbach, 2017; Singh, 2022).

To ensure the success of FAPE, Part D of the IDEA is responsible for providing robust training and professional development for all educators (Dragoo, 2019). Professional development has been shown to increase educator confidence and effectiveness in managing inclusive classrooms and is crucial in the implementation of IEP interventions and informing parents on best practices regarding their child's developmental progress (Aguiar et al., 2014; Ewe & Aspelin, 2022; Lasisi et al., 2017). Training also leads to improved recruitment and retention in these critical roles. Research suggests designating special education as a high need area and funding incentives such as tuition assistance, loan repayment, and sign-on and retention bonuses lead to improved workforce retention (Pham et al., 2020; Yesilirmak, 2019; Theobald et al., 2020). Only seven states recognize special education as a high need area (Putnam & Gerber, 2022).

National organizations invested in children's education maintain the necessity for federal policy to focus on the individual educational needs of every child so they can succeed in all domains of development. Federal policy improvements such as creating greater opportunities for special education personnel training and funding for services, fostering an increased quality of care for children with disabilities and their families, and increasing equity for overall educational success are necessary steps to ensure that all students' needs are being met. Organizations that support such efforts include The National Coalition on Personnel Shortages which is comprised of 30+ participating member organizations dedicated to addressing the issue of shortages in special education

and related service personnel and the Consortium for Constituents with Disabilities (CCD) which is comprised of approximately 100 member organizations working together to advocate for public policy to ensure self-determination and independence of children and adults (CCD, n.d.; NCPSSERS, n.d.). The Education Task Force of CCD monitors federal legislation and regulations that address the educational needs of children with disabilities and their families, including the Individuals with Disabilities Education Act (IDEA) programs (CCD, n.d.).

In summary, the impact of the workforce shortage in education has severe and devastating consequences for all students, and especially those with disabilities. Even though, under federal law, these students are entitled access to FAPE, the crisis in staffing special educators is leading them to miss out on months, potentially years, of this fundamental right. The impact on these children and families is long lasting and will have inevitable negative effects on the development of children with disabilities (Garcia et al., 2022; McVey et al., 2019; Ronfeldt et al., 2013).

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