



New York State Occupational Therapy Association

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Memorandum of Support

Preschool Special Education Funding

The New York State Occupational Therapy Association encourages the Assembly and the Senate to increase the reimbursement rates for preschool special education programs and evaluations by ten percent in the Fiscal Year 2021 New York State budget.

There are a growing number of preschoolers with disabilities who have a legal right to a preschool special education program under the Individuals with Disabilities Education Act, but who are going without the class they need because inadequate reimbursement rates have created a shortage of these vital programs.

Many preschoolers with disabilities participate in universal prekindergarten classes or other non-specialized early childhood education programs where they receive supplemental services. However, some preschoolers with more significant disabilities may need a preschool special education classroom setting because the school district has determined that a universal prekindergarten class or similar early childhood setting cannot meet their educational needs. Preschool special education classes offer smaller class sizes and have special education teachers trained to educate students with greater challenges.

We know that research repeatedly shows that education related interventions have the greatest impact for children with disabilities when they are in their early years of neuro-development. These early interventions save us money down the road when a child is functioning well and needs less services.

Despite the importance of these preschool special education classes, inadequate reimbursement rates have led to a shortage of preschool special education programs and hindered these programs' ability to open additional classes. Over the past several years, more than 60 preschool special education programs around the State have closed, including more than 30 in New York City. Many of these programs have pointed to the State's insufficient reimbursement rate, making it hard for them to recruit and retain special education teachers and run high-quality programs. Not only are inadequate reimbursement rates forcing programs to close, these low rates are also inhibiting programs' ability to open the additional classes

needed. Therefore, increasing the reimbursement rate is necessary not only to stop more programs from closing, but to help support programs so that they can open more classes for children who are still waiting for a seat in a preschool special education program.

Due to the shortage of programs, children with disabilities around the State are unable to receive the preschool special education they need. For example, even after the New York City Department of Education (NYC DOE) opened new classes last year and this year, New York City continues to have a significant shortfall and is projecting that it needs between 1,028 and 1,932 additional seats in preschool special education classes, plus hundreds more in bilingual preschool special education classes and preschool special classes in integrated settings, in order to serve all of the preschoolers who need seats for Spring 2020. In addition, Rochester's preschool special class seats are entirely full, with no seats available for children identified as needing them over the rest of the school year. Without sufficient seats available, preschoolers have been sitting at home or in inappropriate preschool settings waiting for months to receive a seat in a preschool special education program.

In addition to the lack of seats in appropriate classes, more than one in ten preschoolers with disabilities (12%) do not receive timely evaluations, often due to a shortage of providers. The most recent data available show that in a number of districts around the State, such as New York City and Poughkeepsie, more than 30% of preschoolers were not evaluated within the legally mandated timeframe during the 2017-18 school year—delays that meant children went without the critical services they needed.

Providing these children with the evaluations and classes they need is not only an important policy matter, but also a legal requirement. Under federal and state law, the State is obligated to conduct timely evaluations, determine the special education services a child will receive, and provide every child with a seat in the class recommended on their Individualized Education Plan.

Occupational therapy practitioners in a preschool setting work together with teachers and parents to improve a child's cognitive, motor, and communication skills. They may also address issues to help children develop play and sensory processing skills.

To stop additional programs from closing, address the delays in timely evaluations and the shortage of seats in preschool special classes, and meet the needs of preschoolers with disabilities, we urge the legislature to increase the reimbursement rates for preschool special education programs and evaluation sites by ten percent.