

An Act Addressing the Needs of Students with Disabilities Turning 22 During the COVID-19 Emergency H601 (Rep. Gentile) S282 (Sen. Barrett)

- This legislation helps to address the needs of students with disabilities who turn 22 during the pandemic and require compensatory special education services to address the disruption in IEP services caused by the state of emergency.
- This bill would amend the special education circuit breaker statute to allow reimbursement for the costs associated with providing compensatory special education services for students who turn 22 during the pandemic. While circuit breaker funds can currently be used for compensatory services for children ages 3-22, the statute does not allow reimbursement for students past their 22nd birthday. Without this bill, districts would need to rely solely on local and federal funding.
- Special education compensatory services are additional services required by federal special education law when necessary to address a student's loss of skills or lack of progress because IEP services were not provided, or because the student could not access remote IEP services. IEP teams, consistent with federal and state law and guidance, will determine which students are eligible for compensatory services based on each student's demonstrated needs.
- Each of the Commonwealth's 400 school districts will only need to address the compensatory needs of a small number of students turning 22. Statewide, there are approximately 1,000 students turning 22, not all of whom will require compensatory services.
- This legislation is important to ensure equitable access to the compensatory special education services essential to help mitigate the harm experienced by students turning 22 during the pandemic.

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