



**Recommendations from the ARISE Coalition  
In Anticipation of the DOE's Next Re-Organization of Special Education**

Outcomes for students with special education needs in NYC are abysmal: 19% graduate in four years; and less than 5% of those youth who receive their services in self-contained, or segregated classrooms graduate at all. Another re-organization of the Department of Education (DOE) is upon us (see "Education Officials Rethinking How Schools Get Support, Again," by Anna Phillips at Gotham Schools, January 20, 2010). Some of it will be very specific to special education. To make a significant difference in outcomes and experiences for students with disabilities and their families here in NYC some very specific things must change. The DOE must immediately:

- Improve accountability pertaining to: outcomes for youth with disabilities; access to programming designed to meet the needs of students; and compliance with laws and regulations regarding the delivery of special education services. This must happen at every level of the DOE from the Central offices to the school staffs;
- Increase transparency of all relevant information for families of students with disabilities and those who work on their behalf;
- Significantly increase professional development opportunities and requirements to foster meaningful planning for students with disabilities;
- Provide sufficient resources to support the delivery of special education services in all schools; and
- Foster a system-wide culture that respects families of students with disabilities and works with them as true partners.

Success of any reform to special education will require strong leadership and a full commitment from the Department: from the Chancellor's office, the Chief Achievement Office of Students with Disabilities and English Language Learners (CAO), all Central DOE offices, the districts, the expanding Children First Networks, and each and every one of the City's 1,400 public schools. Working on behalf of our students, with or without disabilities, every staff person, led by a well informed and committed principal, must be part of a unified effort to bring about long-lasting, systemic reform.

**The recent history**

In 2009 Chancellor Klein asked Garth Harries, a senior aide, to review and recommend systemic changes to the way that New York City educates over 170,000 children with disabilities. After engaging multiple stakeholders, within and outside of the DOE, Mr. Harries released recommendations in early July. On that same day, the Chancellor created a cabinet level position, appointing Laura Rodriguez as CAO. The Chancellor and CAO's response to the Harries memorandum, along with their implementation plan are expected very soon. Therefore what follows are recommendations for change that the ARISE Coalition ([www.arisecoalition.org](http://www.arisecoalition.org)), a group of parents, advocates, and educators, believes necessary to foster significant and positive reform to the badly broken special education system in NYC.

### **Improved accountability and transparency**

To measure the success of any changes the DOE may initiate, significantly improved accountability measures will be essential for everyone working for the DOE from the Central offices through to the principals and their staff.

The DOE must begin to track and publically disseminate metrics with regard to student performance and outcomes for all students, including those with disabilities regardless of how they are assessed. The DOE already collects data on student outcomes and shares some of it. However, what is presented to the public is packaged in pie charts and graphs, and does little to move accountability forward. Instead that data needs to be shared in an unadulterated form. Specifics for all students, including those with the most profound disabilities, regarding graduation rates broken down by length of time to graduation and type of diplomas obtained must be made public. Data on all students' performance on state tests or alternative assessments must be released as well. In addition, the CAO must have the power to hold individual principals accountable for compliance with Federal and State special education requirements – something that is next to impossible at present.

It is our firm belief that the reports now published by the DOE, such as the school progress reports and the Special Education Service Delivery Reports do not accurately reflect schools' failure to educate significant numbers of students with disabilities, particularly those who take alternate assessments. No progress reports are currently issued for District 75 schools which educate approximately 23,000 of NYC's students with the greatest special education needs. They need to be. Progress reports issued for community schools rely heavily on standardized test scores and, therefore, leave out many of their own students with disabilities. Special Education Service Delivery Reports used by the DOE to provide the public with details on each school's provision of support for students with disabilities omit a number of valuable factors and use accounting measures we find questionable.

### **Professional development to support IEP development**

Mr. Harries recommended, and we support, an effort to match short-term educational planning for students with disabilities to long-term goals. However, we have made clear to the Department and reiterate here that to achieve this, pre-existing institutional challenges at every level of the DOE will need to be addressed. We recommend that the CAO mandate that appropriate and on-going professional development specific to this goal be made available and required for all educators and administrators regardless of whether they are currently working with students with disabilities. In addition, sufficient and appropriate resources must be provided to those responsible at all levels – classroom, school, principal, district, and central DOE – to make the professional development above meaningful. Without these, Mr. Harries' recommendation will yield nothing more than a form of routine list-checking.

### **Resources for program development and building capacity at the school level to design successful instruction for all students with disabilities**

We believe that another of Mr. Harries' goals, empowering schools to design successful educational programs for students with disabilities, recognizes the dire necessity to address how students with disabilities are instructed at the school level. To do this the DOE will need to:

- Increase and significantly expand the base of research available to guide program development, and tie that research to practice;
- Allow for innovation, and then document and share novel approaches that work;
- Provide information to all staff about which schools are most successful in educating all students, including those with a range of disabilities;
- Implement ways for schools to share information about promising practices; and

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- Provide educators and administrators responsible for program development with support and give them time to observe and interact with staff in successful programs at their own and other schools.

There is no need for each school to develop their tools from scratch. Instead they should be provided with a briefcase, or toolkit of proven and promising practices from which to choose.

Needless to say, as schools design and develop promising programs, the DOE will need to create clear pathways of access to ensure that the very students with disabilities who need these innovative programs can attend these programs.

### **Respecting families and working with them as true partners**

Finally, but perhaps most important, with regard to parent engagement and participation in the special education processes, while we recognize there is a spectrum of parent ability to participate in intensive planning and progress for their child, the fact is that most parents want to be fully included in the process. It is the task of the DOE to provide information about educational rights, programming options, and a wide range of ways for parents to participate in the process of developing IEPs and selecting appropriate programs for their children. To move the DOE and parents to a place where parents are welcome and where they can more frequently contribute to the planning and support of their children with disabilities, we call for the Central DOE offices to oversee and assure:

- Better distribution of all information for parents, with full descriptions of their rights in the special education process, details of programs and services available in their home schools, districts, high schools, and outside settings when those services are unavailable within the public system;
- Fleshed out descriptions of what the majority of children are expected to know and be able to do at every grade level;
- Community-wide and frequent public discussion forums for all parents, including parents of students with disabilities;
- Improved usability and accessibility to the DOE website for parents of students with disabilities; and
- Access to all the above in the means of communication and language preferred by the parent.

Special education is a hotbed for antagonism in the current system. Clearly, more effective mechanisms for resolving recurring conflicts between families of students with disabilities and the DOE need to be explored and implemented. We suggest:

- At the school level IEP teams should be empowered to think creatively and include services on an IEP to benefit individual students, regardless of how uncommon those services may be (e.g. significantly expanded use of assistive technology, and use of paraprofessionals or Special Education Teacher Support Services to support students in Integrated Co-Teaching settings);
- Administrators assigned to participate in resolution sessions need to be appropriately trained and authorized to settle hearing claims in accordance with the IDEA;
- In cases involving authorizations to seek outside providers for mandated services, administrators must have authority to authorize increased rates ; and
- The Central DOE offices supporting special education need to analyze impartial hearing requests to identify and address systemic concerns and begin to formulate comprehensive principles for addressing these concerns by creating an educational structure parallel to, and as powerful as, that of general education.

We wait eagerly to hear the specifics of the DOE's plan for reform.

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