



Testimony from the ARISE Coalition on NYSED's proposed amendments to Part 200 of the Regulations of the Commissioner of Education relating to special education programs and services for students with disabilities

I am Maggie Moroff, the Coordinator of the ARISE Coalition, a group parents, educators, and advocates who work together to provide a collective voice for students with disabilities in New York City. The ARISE Coalition has 38 members, both organizations and individuals, and I make this statement on their behalf.¹

I stand before you today specifically to state concerns about the New York State Education Department (NYSED) proposals to amend state regulations that relate to special education for students with disabilities in New York. These proposals threaten to adversely affect special education supports and services, are not justified by the need to save money, and should be rejected.

Let me address two of the proposals briefly:

(1) The proposal to repeal the minimum service delivery requirements for speech and language:

Currently every student receiving speech and language must get at least two 30-minute sessions each week (totaling one hour a week) when those services are identified as related services only. If their Individualized Education Program (IEP) calls for more, they can, and must, get more hours. Repeal of the minimum hours would mean that some students may receive less than an hour of speech and language services each week. We have heard nothing to alleviate our fear that elimination of the minimum requirements will lead to abuse in individual cases, with school districts pressuring IEP teams to reduce services and save money. In addition, as parents, educators, and advocates, we remain skeptical that a significant number of students would benefit from such brief and infrequent service.

While we understand the need to save money at the state level, and even to do so by eliminating money spent on services not actually needed, many children already go without the level of service they require. Repealing the minimum requirements will only amplify the likelihood that students requiring speech therapy will get less than they need.

(2) *The plan to authorize school districts to add two more students to integrated co-teaching (formerly known as Collaborative Team-Teaching or CTT) classes:*

In New York City, CTT/ICT classes may have as many of 40% of their students with IEPs. The classes are already quite large – with up to 34 students in a high school class, 33 in junior high school, and 32 in elementary school classes. There is no question that students with disabilities do better in smaller settings, and raising the number of students with disabilities in a CTT/ICT classroom, even while maintaining the 60/40 ratio, will increase the size of CTT/ICT classes and the number of students in those collaborative classes with special education needs.

While the Department of Education has suggested that the proposals will not significantly impact the quality of special education supports and services available to students with disabilities, nothing has been offered to support that point. No studies, for example, have been put forth to show whether the ratios and class size limits we have now for CTT/ICT are even effective and whether students with disabilities in those settings are making sufficient educational progress. On the other hand, a study done in 1997 by Professors Alter and Gottlieb on the impact of increasing instructional group sizes for resource room and speech services demonstrated a substantial decrease in the reading and math achievement scores of resource room students.

Students with disabilities are among our most vulnerable students. Current outcomes for this population are indisputably unacceptable. Only 25% of students with disabilities graduated in 2009 with Regents or Local Diplomas. Less than 14% of all students with disabilities in the State met or exceeded standards in ELA. There is no way to read these proposals without foreseeing reductions in services for students with disabilities. The ARISE Coalition, therefore, calls for the department to relinquish its pursuit of these changes and abandon all efforts that will set students with disabilities further back. Instead, NYSED should take only actions that move this vulnerable group forward.

Thank you for the opportunity to present comments today. I would be happy to answer any questions you may have.

ⁱ The supporting organizations and individuals of the ARISE Coalition include: Advocates for Children, AHRC New York City, Cathy Albisa, David C. Bloomfield, CUNY, Bronx Independent Living Services, Brooklyn Center for the Independence of the Disabled, Citywide Council on Special Education, John Englert, President, Center for the Independence of the Disabled, The Cooke Center for Learning and Development, Richard and Lora Ellenson, Families Helping Families, Ben Fox, Carol A. Greenburg, Paul Hutchinson, Aurelia Mack, Diana Mendez, Learning Disabilities Association of New York City, Mental Health Association of New York, Metropolitan Parent Center of Sinergia, Inc, National Economic and Social Rights Initiative, New Alternatives for Children, New York Branch of the International Dyslexia Association, New York Charter Parents Association, New York Lawyers for the Public Interest, New York Performance Standards Consortium, Jaclyn Okin Barney, Esq., Parents for Inclusive Education, Parent to Parent of New York State, Parent to Parent of Staten Island, Raphael Rivas, Resources for Children with Special Needs, Cathy Rikhye, Ed. D., Department of Curriculum and Teaching, Teachers College, Columbia University, Iriss Shimony, Jo Anne Simon, P.C., United Cerebral Palsy of New York City, United Federation of Teachers, United We Stand, and RueZalia Watkins.