

To: The New York City Council Committee on Education
From: Nina Lublin, Program Coordinator, Resources for Children with Special Needs
Date: October 27, 2014

RE: Oversight hearing on special education instruction and student achievement

Thank you to the City Council's Education Committee and to the Subcommittee on Non-Public Schools for scheduling this hearing. My name is Nina Lublin and I am the Early Childhood Specialist at Resources for Children with Special Needs. I have been with RCSN for 21 of our 30 years of existence. I have been in the field of Special Education since 1975.

For over 20 years RCSN has been a United States Department of Education Parent Training & Information Center. We also conduct the New York State Department of Education Special Education Parent Technical Assistance Centers for the NYC boroughs of the Bronx, Manhattan, Brooklyn and Queens, and since October 1 the regional Rehabilitative Service Administration Transition Parent Center for New York State. Our parent centers provide NYC families and young people with special needs with information, confidence and skills to make informed decisions, navigate complex public systems, and participate effectively in the special education process. We speak with parents every day and work to increase their voice and their role in the special education process and provision of services. Because of this, we are in an excellent position to comment on the proposed legislation and the questions the committee has posed.

We have been eager supporters of the Special Education Reform initiative by the DOE, even while we assist parents to push back against some of the rigid requirements, especially those related to home zoned schooling issues and the school enrollment process. Keeping students with disabilities in integrated and mainstream environments and providing maximum exposure to general education curriculum and standards is exactly the intent of IDEA. We fully support the DOE's efforts to move the system in this direction and towards compliance with State and Federal law.

But we know that to do this successfully requires enormous systemic efforts focused on professional development, capacity building, and resources. On a school level it requires "buy-in" from professional staff, evidence-based practices, collaboration, and creation of a school culture based on inclusiveness and a common sense of belonging. On a student level it requires individualized scaffolding of academic support, related services, technology and on-going assessment. It also requires an avenue for genuine parent involvement and decision-making.

Our concern is that many of these requirements, on the system level, the building level, and the student level, are not in place, and that without these things the success of the reform is in question. In our work with parents we have seen many situations where the

(over)

school does not have the services or supports needed by a student. The changing of IEPs to reflect what a school “has” as opposed to what a student requires is commonplace. Related services and assistive technology are not distributed equally across the system, and without these supports, many students struggle and the gap between performance and grade expectations widens. In other situations, schools have an abundance of resources which are unavailable to outside students based on geography. Schools are not equally equipped to provide all services. This undermines student achievement and the success of the reform efforts. It also erodes parental trust in the system.

Our message is simple. Decades of research and examples of comprehensive implementation have shown that school success is not impossible and its components are not elusive. The ingredients are extensive professional development, well-funded and resourced schools, evidence-based practices and extensive and robust engagement with parents to include them in all aspects of their children’s education. I do not suggest these components are easy to provide, only that they are commonly recognized and generally agreed upon

One frustration experienced by parents is a lack of clarity about escalating requests for changes in services and supports. Certainly there is a legal pathway to “open” an IEP at any time. New evaluations can be requested or obtained from the outside and submitted to the CSE. But there exist many roadblocks to this happening. Teachers, administrators, and CSE members routinely push for a calendar that recognizes only annual reviews, a “wait and see” attitude, and a postponement of decisions until “after test results are in,” or, “after he/she has adjusted to the program.” We then see extended periods of academic and social struggle. When this happens, the recommendation is often made to repeat the grade, further demoralizing students and parents. Our advocacy efforts focus on increasing communication between parents and schools so that the topic of discussion at IEP meetings is not about what the system can offer but “what can we do to support this student” and “how can additional resources be assembled to help this student succeed.” These are the kinds of conversations that will establish trust from parents.

We support the proposed legislation requiring the reporting of information regarding students receiving special education services. This certainly advances the cause of openness and transparency, both of which are priorities for this administration and the DOE. Reporting of information will increase accountability at the system level, the school level, and the student level. Parents (and the Council) will have access to information about how the DOE is accessing its efforts and how the implementation of the reform can be strengthened.

Thank you for your time and your consideration.