

Testimony of the United Federation of Teachers
Before the
New York City Council
Committee on Education and Sub-Committee on Non-Public Schools
Regarding Special Education Instruction and Achievement &
Int. 0435: Mandating Special Education Services Reporting
October 28, 2014

Good afternoon, Chairman Dromm and Subcommittee Chair Deutsch and the members of the Education Committee and the Subcommittee on Non-Public Schools. My name is Carmen Alvarez, and I am the vice president for special education for the United Federation of Teachers (UFT). On behalf of our union's more than 200,000 members, I want to thank you for this opportunity to offer testimony on special education instruction. We are also pleased to weigh in on your bill, Int. 0435, mandating special education services reporting.

First, we would like to acknowledge the New York City Council for being a leading voice for students with special needs and English language learners. Your oversight is crucial and helps ensure that our children and their families receive the services and supports they need to succeed and thrive.

Secondly, I have to acknowledge Chancellor Fariña for her extraordinary efforts — and successes — in changing the culture of the school system. From replacing the “gotcha” mentality of the prior administration with an expectation that our members will be treated as respected professionals to restoring superintendents as crucial links between the community and schools, the new chancellor has been a breath of fresh air. I am looking forward to supporting my colleagues, the UFT district representatives, as they work with superintendents to improve instruction for students with disabilities and hold schools accountable for implementing students' IEPs.

The Conditions Are Right to Change the Narrative

The instruction and service delivery issues that are before this body today are familiar to most of us. Be assured, I can't wait for the day when I am here at the microphone applauding our collective success with our differently abled students. Realistically, we have some ways to go before that day arrives.

While the UFT cautions against using state standardized test scores to fully understand what our students have learned, the English Language Arts and math test results are sobering — particularly for special education students, English language learners, and

English language learners who need special education related services. For the school year that ended in June 2014, just 6.7% of special education students passed the ELA exam while 11.7% were successful on the math test. Only 3.6% of English language learners passed the ELA exam, while 14% passed the math test. Of New York City's 145,509 English language learners, 35,787 — nearly 23% — are students with disabilities. Currently, there is no public reporting of the achievement levels of this subset of English language learners on the ELA or math assessments. But given what we know about these students, the proficiency rates for this group are likely in the low single digits.ⁱ

Graduation rates for special education students and English language learners are similarly lower than the citywide average.

Despite the challenges, we have the opportunity to change the special education narrative. We now have a willing partner in Chancellor Fariña and her team. We believe they're serious about engaging in this important work. Make no mistake, real education reform can happen when educators work together to support students and teachers. Thanks to the new collective-bargaining agreement between the UFT and the Department of Education, our members now have dedicated time every week to improve their practice through professional development and collaboration and to learn more about their students and how to support them by engaging with their parents. This chancellor brings a real educator's sense of what does and does not work from the classroom up through the districts to DOE headquarters.

The Work That Needs to Be Done

Part I: Pre-service Teacher Preparation

Why are our students with special needs and our English language learners performing so poorly? There are many reasons, but let me start with pre-service preparation. You may have heard me say this before, but it bears repetition. I began my career in the schools as a special education teacher. My undergraduate degree prepared me to work with students with emotional and behavioral challenges. I was fortunate to study for my graduate degree at Bank Street College. There I focused on bilingual education with an emphasis on literacy. My preparation in diagnostic reading instruction allowed me to identify and address the highly individualized needs of my students.

Why am I telling you this? The overwhelming majority of students with disabilities have learning and/or emotional disabilities. Today, the colleges and universities preparing our special educators no longer focus on giving them the skills to work with these students with these challenges. Our state and city certification and licensing systems issue generic special education certificates. They are now tied to content areas and grade levels, but do not ensure that special educators have the expertise to work with our young people with learning and emotional or behavioral challenges. Today's special educators are *jacks-of-*

all-trades and masters of none. Corinne Rello Anselmi, the deputy chancellor for specialized instruction and support services, is aware of this and working to change it. But it will take time. And time is something we don't have, with so many of our young people failing to acquire the knowledge and skills they need to become ready for college or careers.

Part II: Reading

Instruction in foundational reading skills is lacking across the system. At the same time, protocols designed to address behavior issues are largely late and implemented after the fact. We believe these are not independent challenges. Behavior and reading, in our view, are linked in a vicious cycle. Educators find that students who can't read often demonstrate behavior issues during instruction, and likewise students with profound behavior issues most often are poor readers.

Let me start by saying that the increase in the number of students receiving special education services is directly related to what is not available in the general-education classroom.

Many young people do not learn to read intuitively. These students need explicit reading instruction in the five foundational areas (phonemic awareness, phonics, fluency vocabulary and comprehension). This instruction is most successful when provided before Grade 3, but older students who have not learned to read need it as well.ⁱⁱ Currently, there is no systemic infrastructure to support this type of instruction. We need to create this infrastructure in all of our schools — elementary, middle and high — and in all of our instructional settings — District 75, District 79 and programs for incarcerated youth.

While all students benefit from a sound core reading program, there will still be students who continue to struggle. Response to Intervention (RTI) is an excellent research-based instructional approach that provides students with “interventions at increasing levels of intensity to accelerate their rate of learning,” while carefully monitoring and assessing student progress. RTI enables informed decision-making when applied in “both general education and special education, creating a well-integrated system of instruction and intervention guided by child outcome data.” Under regulations adopted in 2007 to implement this unfunded mandate, schools are legally required to provide RTI prior to determining that a child in grades K-4 has a learning disability in reading.ⁱⁱⁱ Currently, only a small handful of educators in the central DOE are responsible for spreading the RTI throughout our system. Again, there is no infrastructure to support this necessary intervention.

I cannot overstate the urgency of the need for our schools to address literacy with proven reading programs and interventions, with an emphasis on providing access to early learners and English language learners. The UFT, as you may know, is a member of the ARISE coalition. The coalition recently outlined critical literacy goals in a letter to the

chancellor. Among other things, the coalition is asking the DOE to provide a plan for ensuring that all students, by the end of second grade, are reading on grade level and that students not reading on grade level receive additional evidence-based, targeted intervention with ongoing monitoring on their progress. Chancellor Fariña has said that this is her expectation. Universal prekindergarten is an important first step, but how do we provide this instruction and support across all levels to students who are not reading?

We at the UFT are stepping up our efforts to get critical information to our members. This week, tomorrow and Thursday to be exact, we are cosponsoring two literacy workshops with the DOE. Part of the Literacy Intervention Toolkit Series, participants will receive a full day of training and materials to use in their schools for the *Recipe for Reading* program and *Really Great Reading*. We also regularly host workshops for teachers and service providers in the highly acclaimed ASD NEST program. The special education resource page on our website² provides information and links to a number of free online literacy supports. We highlight programs like *Newsela*, a leveled reading comprehension tool that uses daily news stories, and *Make Beliefs Comix*, a tool that helps students articulate their thoughts and feelings through creating comic strips from a diverse cast of characters, scenes and emotions while gaining critical literacy skills.^{iv}

Part III: Behavior

Challenging behavior is the next critical pathway to special education for many young people across the country. I have been looking to help members find more effective ways of responding to challenging behaviors since I became a UFT vice president 25 years ago. Some of you know about the Institute for Understanding Behavior, a partnership between the UFT, the DOE and Cornell University. Our newest partner is the Museum of Tolerance. Using the Cornell Therapeutic Crisis Intervention in Schools curriculum, staff in participating schools examine their own attitudes and beliefs about behavior and gain the competencies to manage their own emotional responses to behavior.^v The IUB practices focus on helping school staff identify behavioral issues *before* they escalate and become crises. The thing that is especially compelling about the IUB approach is its intensive, ongoing professional development and on-site school support and its insistence on obtaining 100% buy-in from the entire school community, with all educators and other staff members working together. Chairman Dromm understands the need and has been a vocal supporter. We thank you, Chairman Dromm, for your support.

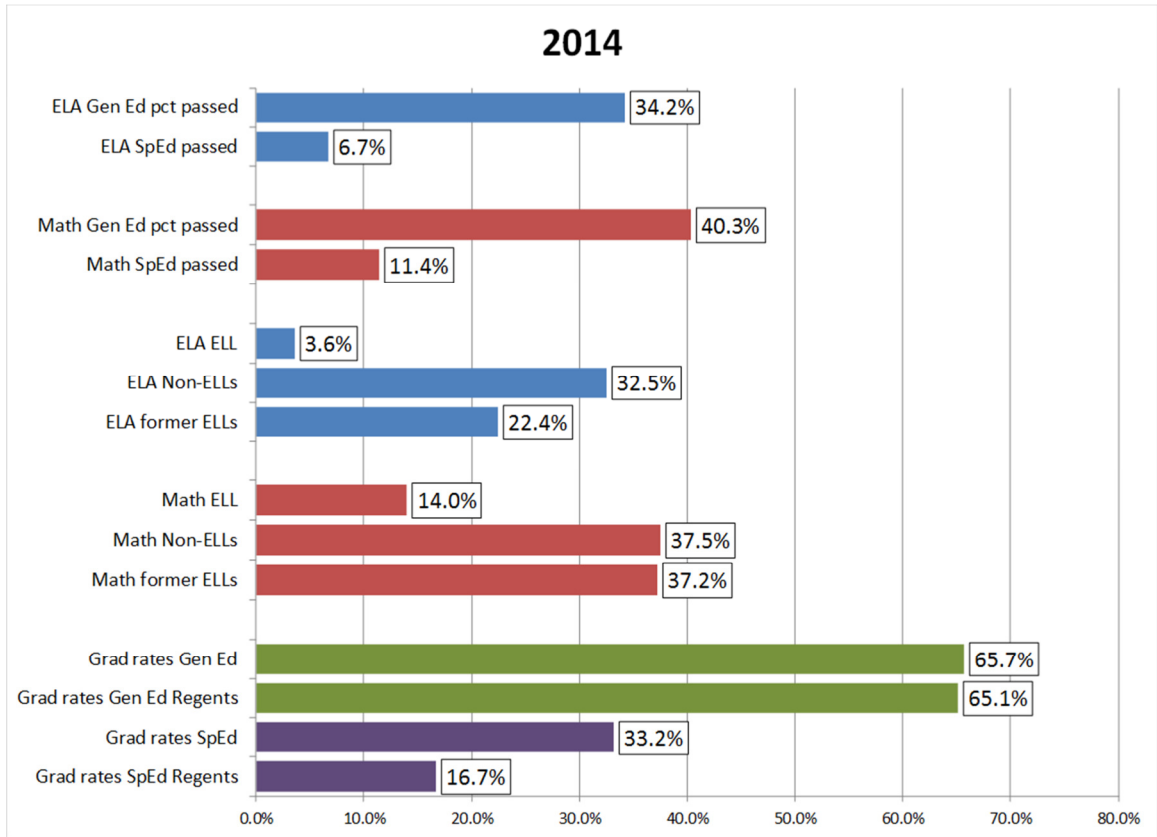
We are starting to gather data from our participating schools and what we are seeing confirms the power of this program to transform schools. Staff members feel far more confident in addressing challenging behavior, they are more engaged with the school community, and they feel more valued. Our goal is to implement this program in as many schools as possible. But to do that, we need more financial support from the City Council, the State Education Department, the federal government and the private sector.

Int. 0435: Making Special Education Data More Transparent

We want to thank Chairman Dromm and the other sponsors of this bill for their efforts to bring greater transparency to information about students receiving special education services. Int. No. 435 is an excellent start. We think that there are ways that the bill can be strengthened. For example, educators, parents and other stakeholders would like to know what's working to improve outcomes for students with disabilities and what's not working. We would like to explore the potential for tapping existing DOE data systems such as ARIS and SESIS to collect, synthesize and report information about special education services and student progress. We have a number of other suggestions that we would be happy to share in staff-level discussions. We will reach out to you next week to set that up.

Summing Up

We need an infrastructure to support literacy instruction and interventions and behavior support in our schools. Building an infrastructure involves a lot of pieces — leadership, resources, professional development and accountability mechanisms, to name a few. But the most important piece is dedicated, well-trained educators in every school to guide and assist school staff as they learn and implement new methods of reading instruction and new positive and proactive ways of supporting appropriate behavior. I think many of our Special Education Teacher Support Services (SETSS) teachers, IEP teachers and paraprofessionals would be ready for this challenge if they received the time and professional development. The UFT stands ready to work with the Department of Education to make this happen.



ii “Rethinking Learning Disabilities,” Lyon, Fletcher, Shaywitz, Torgesen, Wood, Schulte and Olson, Chapter 12 in *Rethinking Special Education for a New Century*, Finn, Rotherham and Hokanson, Eds., May 2001

iii Use of Response to Intervention When Determining if a Student in Grades K-4 Has a Disability in Reading, New York State Education Department, July 2012,

<http://www.p12.nysed.gov/specialed/RTI/implementation712.htm>,

Response to Intervention: Overview for Parents and Families, NYCDOE, November 2012,

<http://schools.nyc.gov/NR/rdonlyres/6002B557-EE35-42DA-9842-61F7E4AF77/0/RTIFAQParents.pdf>;

New York City requires schools in K – 5 to use the RTI model. See,

<http://schools.nyc.gov/Teachers/TeacherDevelopment/Response+to+Intervention.htm>

iv United Federation of Teachers, <http://www.uft.org/teaching/special-education-resources>

v “Educators’ Social and Emotional Skills Vital to Learning,” Stephanie M. Jones, Suzanne M. Bouffard, and Richard Weissbourd, *Phi Delta Kappan*, May 2013; vol. 94, 8: pp. 62-65.