

THOMAS HEHIR & ASSOCIATES

**San Diego
Unified School District
Special Education
Recommendations Document**

IMPROVING EDUCATIONAL OUTCOMES FOR STUDENTS WITH DISABILITIES IN
SAN DIEGO

Tom Hehir & Nonie Lesaux

OVERVIEW

The following are recommendations for improving educational outcomes for students with disabilities in the San Diego Unified School District (SDUSD) prepared by Thomas Hehir and Associates in accordance with a contract with the district. These recommended actions stem from a comprehensive analysis conducted by the firm of the district's special education program conducted from June 2006-August 2007. That analysis resulted in an "Issues Document" that detailed both program strengths and areas that need attention. (See attached report.)

The issues report documents a special education program with many strengths, and a district with a commitment to improving educational opportunity for students with disabilities. The report also recognized the Community Advisory Council's expertise and willingness to work with the district to improve outreach to parents and to assist in program improvement efforts. The report further identified some significant challenges the district faces. These challenges are shared by many other districts throughout the country as the public education system seeks to become more inclusive of children with disabilities and to improve educational performance of all children. This document focuses on these challenges.

The report is organized first by the seven problem areas that emerged from the program review. Each area has a set of recommendations that the consultants have developed to address the specific issue. These recommendations are based on relevant research, approaches other districts have found successful, the experience of the consultants, and relevant legal implications with input from senior district staff.

Though we have provided a comprehensive list of recommendations for each area, we believe that it is important to recognize that addressing these issues in an isolated fashion is not in the interest of the district for several reasons. First, a number of these issues overlap. This is true of the origins of the problem as well as of their solutions. For instance, the relative lack of involvement and authority within general education for the education of students with disabilities affects virtually every issue identified in the report. Therefore, effectively involving general education in improving educational results for students with disabilities is a single action that hopefully will address several issues. Second, research on organizational change demonstrates that effective change is more apt to occur in organizations that are highly focused around a relatively small number of change initiatives (Bolman & Deal, 1997).

Given these assumptions, the second section of this document provides a proposed set of integrated initiatives that we believe will provide strong focus direction for special education in the district. Finally, as was the case with the issues document, these recommendations are presented to the district in draft form so that the district can share them with important stakeholders before final decisions are made.

SECTION 1. SPECIFIC RECOMMENDATIONS BY FINDING

FINDING 1: SDUSD STUDENT PERFORMANCE ON THE CALIFORNIA STANDARDS TEST (CST) HAS BEEN RELATIVELY FLAT FOR STUDENTS WITH DISABILITIES, COMPARED TO THE ACHIEVEMENT OF STUDENTS IN GENERAL EDUCATION.

Improving educational outcomes for students with disabilities in San Diego is crucial as large numbers are falling below basic and are in danger of not being able to qualify for a diploma and of leaving school with low academic levels in this literacy-based economy. Improving these results, however, is challenging and will require concerted effort by the entire district. The recommendations below are designed to provide direction from pre-school to high school and are based on research and specific considerations particular to San Diego:

(1) Expand Preschool Offerings

It should be noted that many students—disabled and non-disabled—need high quality preschool services. Research on at-risk children, i.e., those from low-income environments or non-English speaking environments, and those with disabilities, has demonstrated that well-designed pre-school programs can significantly increase likelihood of school success. Senior leadership reports that the district has been seeking funds to expand preschool options for at-risk students. Though these efforts have been unsuccessful to date, the city of San Diego should persist in efforts to expand preschool options for all children who may be at-risk for developmental and school difficulties. Significant research supports the need for high quality preschool offerings.

Specifically, Snow and colleagues conducted a research synthesis on Preventing Reading Difficulties for the National Research Council (NRC) that identified characteristics of successful preschool programs. These include but are not limited to the following: close parent program coordination, high language and literacy content including rich opportunities to learn and practice these skills in motivating settings, as well as attention to phonemic awareness (Snow, Burns, & Griffin, 1998). In addition to the research conducted by Snow's panel, another NRC study, *From Neurons to Neighborhoods* (Shonkoff & Phillips, 2000), demonstrates very clearly that early brain development is highly malleable and responsive to stimulating environments. Therefore, high quality pre-school interventions can have lasting effects on children's learning, emotional adjustment and behavior development. It is also noteworthy that effective preschool services geared towards preventing children's difficulties constitute a significant savings in public funds given the cost of providing services for children with established and persistent difficulties (Heckman & Masterov, 2004). A number of states and cities have moved aggressively in this area, including Massachusetts.

Although children who have identified disabilities prior to enrollment in school are entitled to preschool services, most students who will ultimately be identified for special education services are not identified until after they enroll in school. In this case, the preschool entitlement of IDEA is irrelevant to them. Further, many students who are at-

risk of being later identified for special education services do not have access to preschool programs, or the ones they have access to are of low quality (Snow, Burns, & Griffin, 1998). Given the evidence that suggests that those students with disabilities not meeting grade-level expectations are disproportionately poor, improving access to high quality preschool programs for *all* San Diego students at-risk for school difficulties has great promise.

(2) Implement K-3 Response-to-Intervention (RTI) model

Early intervention for students experiencing reading and/or behavior difficulties in the primary grades increases the likelihood that students will perform better in school and dramatically decreases the likelihood they will need special education services. Even for those who ultimately need special education services due to a disability, the earlier students receive targeted support for these problems the better. Designing early intervention classrooms and programs to prevent later difficulties and to promote children's development is formally referred to as the Response-to-Intervention (RTI) model.

The RTI model emphasizes high quality, appropriate instruction for *all* children from an early age and directly addresses the problem of high rates of special education placements, especially for minority children, and (mis)placement in special education due to lack of exposure to appropriate instruction. The premise behind the RTI model is that at-risk students should receive effective instruction with progress monitoring *before* being considered for special education; for those children with difficulties, the model emphasizes a careful match between the difficulty and the intensive, classroom-level instruction prior to consideration for identification for special education placement (Fuchs, Fuchs, & Speece, 2002; Fuchs, Mock, Morgan, & Young, 2003).

The data on student achievement emerging from urban, mainstream classrooms suggests that for many learners, typical classroom instruction is not enough to promote the skills needed for school success and that although their skills continue to develop over time, many learners “slip through cracks” with low achievement and rates of growth that are not fast enough to keep up with grade level expectations. This is often the case for at-risk learners. Therefore, a cornerstone of the RTI model is *ongoing assessment* to monitor student progress during the academic year and across the kindergarten and primary grades. Within this ongoing assessment system, those children who are not meeting benchmarks are flagged and receive supplemental, classroom-level support in the form of small group and 1:1 instruction.

While typical early literacy screening batteries focus on print awareness, phonological awareness, and letter-word identification, they often do not include a measure of vocabulary knowledge or oral language proficiency. However, learners with low vocabulary knowledge must be identified as early as possible and provided with effective, explicit instruction in vocabulary and especially academic vocabulary—the language of print and content area knowledge. Thus, classroom teachers—and those who support them—need training on language and literacy development in the context of a

kindergarten RTI model that includes a comprehensive language and literacy screening and assessment system.

There are two important positive consequences of effectively implementing the RTI model. First, the model places an emphasis on early identification of children in need of different or more intensive instructional approaches. That is, districts are to provide support as early as possible in order to determine those learners who, with intensive effective instruction, develop age-appropriate skills and those who continue to struggle and are in need of further assessment and intervention to address their significant difficulties. Second, an emphasis is placed on *school contexts* with higher rates of children in need of targeted instructional attention to promote their literacy skills and academic development, rather than just focusing on individual children. This creates the opportunity and the need for conversations about school-level models of prevention of difficulties to meet the needs of diverse populations of learners. Given that development, socioeconomic status, and opportunities-to-learn are strongly linked, applying the RTI model in San Diego has great promise in promoting best practice in the district.

(3) Promote Effective Access to Challenging Curriculum

One of the reasons for the low test scores many are experiencing in San Diego is undoubtedly lack of access to challenging curriculum. Children cannot be expected to perform well on tests if they have not been taught the subject matter nor exposed to high quality literacy and language. Also, the high level of segregation of students with disabilities may also be a factor in low test scores. Integration into challenging academic classes is associated with better outcomes for students with disabilities (Wagner).

Regardless of the environment in which children are educated, it is important that they get meaningful access to the curriculum. For many students, this means that they receive appropriate accommodations. Our observations in San Diego lead us to conclude that many students may not be getting readily available accommodations needed to access the general education curriculum but may instead be receiving significantly modified curriculum (i.e., lowered expectations).

Further, we found virtually no use of “text to voice” screen reading technology. This technology can enable students such as those with learning disabilities to access print material that may otherwise be difficult for them read but is crucial for their conceptual knowledge and language development. These relatively new technologies have great potential to expand access for students with disabilities and others such as English language learners and are relatively low cost or, in many cases, no cost. It is far more desirable therefore to allow disabled students to get the accommodations they need to access the curriculum than modifying expectations.

The district should begin an effort to promote the use of appropriate curricular accommodations and minimize the use of modifications. For example, it is completely appropriate to modify the reading curriculum for a child with dyslexia because that child cannot read at grade level. Her disability precludes her from doing so. However, her instruction in the rest of her subjects should be accommodated to address her access

needs given her dyslexia. Too often this is not the case. For instance, these children often receive curricular modifications in content areas like science, because they read and write below grade level, which results in their not learning the same content as their peers. The cumulative effect over the years likely precludes them from ever passing the state science test. In California, this could mean they would be denied a diploma. A far more appropriate response to her needs might be to provide her science book on tape or through a screen reader on a computer thus enabling her to acquire grade level curriculum and ultimately to graduate from high school and better prepared for the future.

San Diego should provide staff development to teachers on making appropriate decisions for students in modifying and accommodating curriculum for students with disabilities. This should be coupled with introducing teachers with the range of accommodations available in the digital age. It is recommended that this training first be provided to special education teachers due to their direct role in IEP decisions. In addition, San Diego should also consider enhancing its computerized IEP system to track the level of curricula modification being determined for students with disabilities. Such tracking could enable administrators to intervene where over-modification seems to be occurring, which has the potential to translate into lowered expectations. San Diego should also analyze its existing data concerning “non-diploma” students, which is tracked by the computer system, and act accordingly by ensuring that there are decision criteria and data in place to suggest that this is indeed an appropriate classification. It should only occur for a very small number of children.

Finally, it is important to highlight the need for children to be exposed to instruction in vocabulary and academic language in order to develop the knowledge and skills needed for sophisticated reading and writing and success on tests of achievement. By middle school, the great majority of ELs rarely need instruction in basic English, yet along with their native-speaking peers, many lack the academic English vocabulary to support learning from texts. In fact, many ELs with academic challenges have been enrolled in US schools since kindergarten, and by the upper elementary years do not have a formal designation for language or academic support. Instead, they are learners who have been identified as having sufficient English proficiency for participation in mainstream classrooms without specialized support; they typically have good conversational English skills, but still lack much of the academic language that is central to text and school success. Again, this problem exists among many native speakers who are experiencing academic challenges.

Like many districts across the nation, SDUSD faces the challenges of large numbers of students entering middle school with poor reading comprehension skills. In a recent descriptive study, Lesaux & Kieffer examined the skills of over 600 sixth graders in mainstream classrooms in six SDUSD schools (5 middle schools and 1 K-6 school). They found that over half of the students assessed struggled to comprehend grade-level texts and that these difficulties were not limited to ELs. Although a larger proportion of ELs were found to struggle with comprehension (nearly 60%), approximately 40% of native English speakers in the same classrooms also struggled to understand sophisticated middle school texts. An in-depth diagnostic assessment of the sub-set of students who

struggled with comprehension found that the overwhelming majority had limited vocabulary knowledge and academic language.

Many skills and factors are wrapped up in the notion of academic language, the language of text. These include but are not limited to the following: vocabulary knowledge (including the multiple meanings of many English words), the ability to handle increasing word complexity and length over time, interpreting figurative language and idiomatic expressions, understanding complex sentence structures and the corresponding syntax of the English language. Academic language becomes increasingly important with increasing years of schooling, as students read to acquire concepts, ideas and facts in content-areas, such as math, science and social studies. In reading, students encounter many words that are not part of everyday classroom conversation; these are words, such as *analyze*, *therefore*, and *sustain* that are more likely to be encountered in print than orally, yet are key to their comprehension and acquisition of knowledge from text.

(4) Time Devoted to Learning May Need to be Increased

Time is an important accommodation for many students with disabilities. However, beyond giving students extra time to perform in certain instructional or testing situations, some students with disabilities may need extra time to learn important academic subjects even with high quality instruction. This is an important distinction. For instance some students with disabilities have difficulty learning math concepts due to a number of reasons. A deaf student may not have learned the language needed to understand mathematical concepts as may be the case with a student with across the board language based learning disability. It is not that these students cannot learn the concepts and associated operations and applications; it is just that they may need more instructional time. This can be a problem with many mathematics curricula that move at a very rapid pace. For example, a qualitative study, conducted by a Harvard doctoral student, of an inclusive mathematics program utilizing the Investigations curriculum illustrated the problems many students with disabilities and their teachers experience with fast-paced “constructivist” curriculum (Mutch Jones, 2004). The students in this study had various disabilities, mostly learning disabilities or hearing impairments. They were taught in inclusive classrooms by both general and special education teachers; the researcher focused on how these teachers delivered the curriculum. Of the many interesting findings, a salient one was the need teachers felt—particularly for the students with disabilities—to “loop back” to concepts taught earlier in order to teach new concepts. The teachers spoke of their frustration in not having enough time to work with students who were on the verge of grasping important concepts. The failure of these students to master concepts had a cumulative effect on their mathematical development. We heard similar comments from some San Diego educators. Thus, in some cases, even with high quality instruction, students simply need more instructional time to learn important concepts than a given program suggests.

San Diego is not alone in needing to increase instructional time to learn important subject matter; this must be addressed if we are going to improve academic performance and increase the number of students who pass high stakes tests. For many students, this may mean participating in extended school year programs. IDEA has required that in certain

situations school districts must provide extended school year programs in order to prevent regression and decrease the instructional time spent on recouping skills lost during summer vacation. In general, most school districts have provided these services to their most severely disabled populations. However, the demands brought about by standards-based reform should cause a re-examination of how and to whom extended year services are provided.

For many students who simply require more time to learn important subject matter, extended year options may make all the difference. After-school programs may also be effective option. Another option that San Diego may consider is lengthening the time within the school day for certain subjects. Of course, such an approach will involve tradeoffs involving other subject areas that will receive less attention. Such tradeoffs may make this option undesirable for many students. Extending the school day itself may thus be a preferred option for many students who need extra time to learn important concepts. Many urban schools are currently moving towards an extended school day.

(5) Grade Retention Should Be Avoided

Several administrators voiced concerns over what they believed was an excessive use of grade retention. This is a common response that some districts use to address the issue of students who have not learned grade level curricula are to retain them. This practice should be resisted. There is little evidence that retention works as a general policy, and there is considerable evidence that this practice is associated with dropping out of school. (Insert from Heubert) Retention should thus be avoided as a strategy to improve academic outcomes for students with disabilities.

San Diego should enact a policy that prior to considering retention for a student with a disability the student be offered an extended time option, such as after school programs, summer school programs, or individual tutoring, and ensure that appropriate instruction has been provided .

(6) Instructional supports must be in place to reduce the overplacement of minority groups in special education

Our analysis found that ELs are approximately 75% more likely to be referred to special education than non-EL Latinos. English learners (ELs) represent one of the fastest-growing groups among the school-aged population in this nation. In the last two decades, the population has grown by more than 60 percent (NCELA, 2006) and is currently about 9 million in size. In SDUSD, almost one-third of students is classified as EL, and thus arrive at school with levels of English proficiency that are not sufficient to benefit from the “mainstream” academic curriculum. Many more come from homes where the primary language is not English but are not formally classified as EL. Although the majority of EL students come from Spanish-speaking backgrounds (80%), there are in fact 64 languages other than English spoken in San Diego children’s homes. When compared to their native English-speaking peers in all grades and content areas, the subgroup with a formal LEP/EL designation lags behind. There are many possible sources of reading difficulty for ELs, which include, but are not restricted to, limited proficiency in English,

inadequate opportunities-to-learn, and/or the presence of a reading disability. Among students in U.S. schools, these learners may be the most vulnerable to the challenges that urban districts face in providing effective schooling for all learners.

There is no basis—moral or empirical—for the notion that disabilities should occur more in some subgroups more than others. In addition, this is a population that is more likely to be retained a grade level, a practice that is only very rarely effective in promoting a learner’s subsequent success and one that can be detrimental to their social-emotional development. Twenty years of research suggests that in most districts there are fewer intervention services for ELs, which has a negative impact on their academic success.

One of the most salient and most striking findings emerging from research on ELs and their classmates in urban settings, including San Diego, is that many of these learners have very low vocabulary and reading comprehension scores in spite of well-developed word reading skills. We are seeing this profile as early as first grade, and persisting through the middle school years when vocabulary knowledge and academic language is the most important predictor of proficient reading. For example, in one study conducted with a sample of 90 Spanish-speaking speaking ELs in San Diego schools followed from fourth through sixth grade, English word reading scores (accuracy and efficiency) were around the 50th percentile whereas English reading comprehension and vocabulary scores were about the 20th percentile. Similarly, in the study (previously described) with a large sample of 6th grade ELs *and* native English-speakers with low academic achievement, word reading accuracy and efficiency were very well developed (between the 50th and 60th percentile) whereas vocabulary was around the 20th percentile.

Taken together, these statistics and findings suggests that the typical classroom curriculum is not sufficient to promote ELs’ academic success and reinforce urban schools serving ELs must make curricular adjustments to meet their needs, namely explicit and intensive instruction in vocabulary and academic language, beginning as early as pre-K with ongoing assessment (see RTI discussion) to monitor progress and provide supplemental support for children who need it. It does not appear that simply with time and more school “readiness” and exposure these learners are likely to thrive academically, in mainstream classrooms; they are a group in need of explicit support and a curriculum designed to address their weaknesses. While it is likely that eventually many of the learners who participated in these studies could qualify for special education services, this classification is inappropriate given the high rates of learners who are failing. Here, we refer the reader back to our discussions of the RTI model and the need for vocabulary and academic language instruction to be central to San Diego children’s academic experience.

(7) Restructure High School Options through Effective Transition Planning

High school is the time high stakes consequences are apt to have their most profound effect: the failure to graduate with a diploma. Thus, the allocation of instructional time in high school is central to assuring student success. A qualitative study of urban students with disabilities who were taking a graduation test in Massachusetts captured the resentment these students felt when they were not taught the content upon which they

were held accountable for graduation (Katzman, 2004). In this study students who had not been taught geometry when they were tested in the tenth grade were given an early “signal” that they may not graduate. This signal, coupled with its perceived injustice, may in fact be a catalyst towards them dropping out of school. This policy, testing students on material they have not been taught, thus risks robbing these students of the “effort optimism” they will need to achieve the curricula standards. Though some might argue that this signal is appropriate, because it might motivate them to work harder in school, their failure to learn geometry is a problem that resides at the school-level. Given the phenomenon in SDUSD of designating students as “non-diploma bound,” it is likely that there are students with disabilities who have not been taught the material necessary to pass the California diploma exam.

A more effective approach for these students would be to informally assess their acquisition of curricula standards at the beginning of their high school career and develop their IEPs to assure appropriate opportunities-to-learn. This process must take a long range view and provide a road map that will span the high school years. For some of the students in Katzman’s study and possibly many students in San Diego, this process may have resulted in a decision that they receive three years of intensive math instruction before they take the state-standards tests to increase the likelihood that they will be successful. Indeed Boston has changed its policy administering the tenth grade exit exam in a more flexible manner to enable instruction before testing. Also, it may be necessary for some students to spend more than four years in high school or to participate in summer or after-school programs in order to meet the standards. It is important that students be directly involved in these decisions because they need to be aware of, and take responsibility for, the difficult work that may required for them to meet the standards. However, as Katzman’s research indicates, the students are motivated to stay in school and learn, and they understand the importance of standards. It is up to educators and parents to provide the opportunities that help assure their success.

FINDING 2: SDUSD INORDINATELY SEGREGATES STUDENTS WITH CERTAIN DISABILITIES, PARTICULARLY THOSE WITH COGNITIVE DISABILITIES.

The lack of inclusive educational opportunities in SDUSD is a significant issue among parents and is depriving students with disabilities and those without of important learning opportunities. As reported in the issues document, this is particularly true for students with cognitive disabilities, such as mental retardation or autism. Further, the relatively high rates of segregation for students with other disabilities may also be resulting in the low academic performance levels of many students with disabilities (See Issue 1). Moving to a more inclusive system for all students will require a good deal of effort over time. The following recommendations are offered:

(1) Establish a high-profile effort to promote effective integration for students with cognitive disabilities

Promoting greater inclusive opportunity for students with cognitive disabilities will require a significant “cultural” shift within the SDUSD. The fundamental principles of inclusive education is that students with significant disabilities should by and large be

served in the same school they would attend if they were non-disabled, and they should have more opportunities to be educated alongside their non-disabled classmates. This will require a major shift in thinking among district personnel and will result in significant changes to how and where children are educated. Further, the frustration experienced by parents seeking this type of placement for their children has resulted in strained relationships with the district.

A strong signal should be given by the SDUSD that more inclusive practice will be supported by senior district leadership. Toward that end, a senior administrator should be hired to spearhead this effort. This person should be given sufficient discretionary resources to provide needed training and program development. Though this might be viewed as an additional expense, we believe this can be achieved through the reallocation of existing resources within the special education budget. Further, this effort could be further supported by savings accrued through reduced transportation costs as a result of more “home school” placement.

(2) Serve the vast majority of students with disabilities in home schools

Unlike the current student assignment system, which places many students with disabilities outside the school that they would attend if they were non-disabled, the district should change its student assignment policies to promote “home school” placement. Under the proposed policy, it should be assumed that the vast majority of students with disabilities will be served in their home school or in schools parents are allowed to opt into for their non-disabled children, such as charters. (See Finding 5 regarding charters.)

Coupled with this policy is the requirement that all schools develop the capacity to serve students with mild to moderate disabilities and on a case by case basis those with less common disabilities. The vast majority of students with disabilities have common conditions occurring in over one percent of the general population. These conditions include Learning Disabilities, Mental Retardation, Emotional Disturbance, Attention Deficit-Hyperactivity disorders (ADHD), as well as Speech and Language impairments. Together, these four disabilities account for approximately 90 % of the special education population (US DOE). Given the frequency of these conditions, each school should have the capacity to serve them with being in predominately integrated programs. Further, some students with less common disabilities, such as autism or orthopedic disabilities, can also be served in their local schools on a case by case basis. The only children that should not be attending their home school are those who have unusual and complex conditions whose needs cannot be met in that school and require a placement elsewhere. However, when this happens, it should be done only based on the child’s needs with the parent and school district hopefully in accord.

Most suburban and rural schools have operated for years under the assumption that the vast majority of students are served in their home schools. However, many urban school districts like San Diego have clustered large numbers of their disabled students in certain school within programs that serve students with the same disability category. Some like Los Angeles have opened large numbers of segregated schools. Fortunately, San Diego does not place large numbers of students in segregated schools but like many other urban

districts it still clusters large numbers in certain schools. The problem with this practice is that it removes students with disabilities from their natural community, often separating children from friends and siblings. Further, when large numbers of students are clustered in a given school the opportunities for integration become less feasible due to numbers of students with disabilities compared with those who do not have disabilities. Finally, clustering often results in high transportation costs.

Several urban districts have moved away from this practice of clustering and segregation. These include Las Vegas (Clark County), Miami Dade, Chicago, and Long Beach. San Diego should do the same. Those districts that have moved in this direction report that such change takes several years to accomplish. Therefore, San Diego should begin an initiative that requires each principal (including charter school principals) to work with the special education department to develop their capacity to serve these students. Implementation should take place over a three year period beginning this school year.

One final note is important here. The requirement that students be served in their home schools and in as integrated environment as possible is strongly supported by the LRE provisions in IDEA. Therefore, principals cannot be given discretion over whether they participate in this initiative; all should be required to participate. However, each school is different and principals should be given relatively broad discretion over how they develop their building-based services. A number of principals with whom we talked would welcome this direction.

FINDING 3: BUILDING PRINCIPALS AND THEIR SUPERVISORS ARE INSUFFICIENTLY INVOLVED IN OPERATING SPECIAL EDUCATION IN THEIR BUILDINGS, AND ARE INSUFFICIENTLY HELD ACCOUNTABLE FOR SPECIAL EDUCATION IN THEIR SCHOOLS.

The second recommendation under the previous finding—building school based capacity to serve students with disabilities in each school— will go a long way toward greater involvement of principals in the education of students with disabilities. In addition, the following recommendations should help to further address this issue.

(1) Provide training to principals on their role as instructional leader for students with disabilities

Though many principals know a good deal about how to provide effective education for students with disabilities, many may need staff development. Issues, such as effective approaches for integration, behavior supports, making good instructional decisions involving accommodation and modification, and implementing effective RTI programs (See Finding 1) and relevant laws, are all areas involved in meeting school site responsibilities toward children with disabilities. The district should offer training in these areas. Given the variability of knowledge about these areas among the principals, these sessions should be voluntary.

(2) Develop school site data reports for principals

Principals assuming greater responsibility for the education of students with disabilities should be assisted in this effort; data management reports can assist them in making proper decisions. Thus, school based data reports should be generated on a monthly basis to provide the following information: the numbers and types of disabilities served in their building, budget, the status of their special education evaluation and IEP, the degree to which students are receiving modified instruction, suspension data, performance of students on assessments, and other information deemed appropriate. These reports should be made available in a concise and easily accessible format.

(3) Consider the effectiveness of principals' management of special education in their performance evaluations

Principals' performance should be judged in part by how well they serve students with disabilities in addition to non-disable students. Therefore, their performance evaluations should specifically highlight this responsibility and take this into account.

(4) Provide training for all district leadership personnel on improving their effectiveness in supporting the education of students with disabilities

As our report indicates, we found relatively little assumption of responsibility on the part of non-special education leadership personnel regarding special education. This needs to change, and in order to do so, it begins with clear expectations and staff development. Thus, in order for principals to more effectively lead and be involved in the education of students with disabilities they need to be supported by other district personnel who are responsible for leading and managing schools.

(5) Consider the effectiveness of leadership management of special education in their performance evaluations

Just as is the case with principals, all leadership personnel should be held accountable for their performance concerning the education of students with disabilities.

(6) Reorganize the central special education department to better support the principals and other leadership personnel in meeting their obligations to students with disabilities

As our report indicates, management of special education is inordinately centralized and segregated. If the system is going to move to a more integrated and instructionally accountable system, the special education department needs to support this movement. Most importantly, it must be reoriented to provide principals with the support they will need to serve the vast majority of students in home schools and to improve educational performance of students with disabilities. This will require both a change in culture and structure.

Primarily, the department will need to reorient its “mind set” away from thinking that they “run special education” toward a role that seeks to support the entire system in meeting its obligations to children with disabilities and their families. Structurally, this change in role will require the department to develop its capacity to assist the principals in developing their own capacity to better serve students with disabilities. A model that has been shown effective in other large urban systems is organizing the special education department in such a way that principals have one person assigned to them who is responsible to assist them in their special education efforts. This creates a “one-stop shopping” capacity where principals can get their needs met effectively and efficiently by a person who knows their school. In school districts employing this model special education administrators typically serve a number of schools with similar needs, either geographically or by level. At the same time that the district special education is moving toward a more generic, school based model, it is important to maintain specialized expertise within the department concerning low incidence disabilities, such as autism and deafness.

FINDING 4: MOST CHARTER SCHOOLS ARE SERVING VERY FEW STUDENTS WITH DISABILITIES AND MOST ARE NOT SERVING STUDENTS WITH SIGNIFICANT DISABILITIES.

(1) Incorporate all charter school principals in the district’s efforts to provide more integrated educational opportunities in home schools for children with disabilities

Charter school principals should be given the same training opportunities and be held to the same levels of accountability as district principals as it relates to serving students with disabilities (see previous section).

(2) Provide clear policy direction that charter schools must serve students with disabilities in an equitable manner.

As our analysis revealed, the “non-conversion” charter schools are serving vastly fewer students with disabilities than their regular public school counterparts. Further, they are serving a negligible number of students with significant disabilities. Given this failure, the San Diego Board of Education should issue clear policy requirements to its charter schools concerning their obligations to equitably serve a diverse population of students with disabilities.

(3) Monitor and enforce compliance with federal and state law in charter schools

The low numbers of students with disabilities being served in charter schools coupled with federal law, which prohibits charter schools from discrimination against students with disabilities requires immediate attention. The district should conduct an investigation to determine whether charter school admissions processes and ongoing operations discriminate against students with disabilities and their families. The Board should take appropriate action to end any discrimination found. A further step the Board could consider is to financially sanction charter schools that fail to serve equitable

numbers of students with disabilities. Charter schools receive comparable funding to regular public schools in San Diego; that funding assumes the cost of special education.

FINDING 5: SDUSD DISPROPORTIONATELY PLACES AFRICAN AMERICAN STUDENTS IN PROGRAMS FOR STUDENTS IDENTIFIED AS EMOTIONALLY DISTURBED AND LEARNING DISABLED.

Our report documented over-placement of African American students in programs serving students with learning disabilities as well as those serving students with emotional disturbance. The over-placement of African Americans in programs serving students with learning disabilities will likely be best addressed by implementing the recommendations under Finding 1. However, for several reasons, the over-placement of African Americans in programs serving students with emotional disturbance requires concerted attention.

First, this over-placement is much more extensive than in the learning disabilities category, with over three times the likelihood of placement of than students who are not African American. Second, this practice potentially carries more negative consequences for the student and the district; there is significant stigma attached to these programs which in turn may result in low self esteem and discrimination. In addition, these programs are likely to be segregated and not in the child's home school. Finally, these programs are often very expensive. The fact that newly revised IDEA is requiring states to improve their monitoring and enforcement in this area adds further urgency to this issue.

(1) Implement Home School Placement (*see Recommendation 2 under Finding 2)

Implementing "home school placement" policies for students with disabilities as recommended (see Finding 2) should aid in the effort to reduce the frequency of placement of African American children in emotional disturbance programs. One frequently cited cause for this over-placement of students is the tendency of some site administrators to want to get troublesome students placed outside of their building. To some extent, the current special education placement process in SDUSD may be providing a perverse incentive to inappropriately label and segregate these students. While some students with severe problems may need to be placed outside their home school, this should only occur when all other options for supporting the child within their home school have been exhausted.

(2) Conduct a compliance review of the records of all African American students placed in programs serving children identified as emotionally disturbed

The Los Angeles Unified School District faced a similar problem of over-placement of African American students. In order to address the problem, they began with a comprehensive "folder review" of each placement to determine if the student's basic procedural rights under IDEA (proper notice, evaluation and placement procedures) had been adhered to. They found that the vast majority of students in these programs were not appropriately evaluated and placed (Independent monitor office, Chanda Smith). This

review effort and the subsequent monitoring of new placements have resulted in a decrease in over-placement. Given the similarity of the problem, this same process is highly recommended for SDUSD in order to ensure the equitable treatment of all children.

(3) Continue to implement mental health services in schools

Our report documented a commendable effort on the part of SDUSD to implement mental health services in schools. This effort should be supported as well as increased. It is much more appropriate and preferable to provide children experiencing mental health problems with mental health services than to inappropriately place them in special education.

(4) Consider implementing Positive Behavior and Support (PBS) Programs in the schools where over-placement is occurring

One of the main reasons students are referred to programs for the emotionally disturbed is their problem with behaving within acceptable norms at school. This is the case for many students who have emotional disturbance as well as those who may be referred inappropriately to special education.

Suspensions, expulsions, and transfer to alternative programs are among the strategies that schools and districts frequently employ in response to antisocial behaviors. However, in a synthesis of relevant research, leading researchers in this area, George Sugai and Rob Horner (2002) concluded that many traditional disciplinary approaches used in schools do not work well for the students who experience the most difficulty conforming to behavioral norms of the school. These approaches tend to be based on sanctions, such as suspension, and/or inappropriate segregation, such as placement in special education programs. “Ironically, when these types of solutions are used with the students with established histories of severe antisocial behavior, increases in intensity and frequency of antisocial behavior are likely” (p.25). Although these responses are common, Sugai and Horner point out that these responses lack validation as effective ones.

Sugai and Horner also assert that these measures may create a false sense of security for educators. “Environments of authoritarian control are established. Anti-social behavior events are inadvertently reinforced. Most importantly, the school’s primary function—to provide opportunities for teaching and academic engagement—decreases.” Thus, under traditional discipline codes, the reality that emerges for many of these children is one of frequent suspension and expulsion from school with the high risk of placement in an alternative program that may or may not more effectively approach their behaviors. Even those with the most intrinsically associated negative behaviors, such as those experienced by some students with autism, need concerted approaches designed to develop more socially appropriate behaviors if our goal is family and community participation.

Fortunately, over the past two decades, researchers have worked collaboratively to develop effective universally designed school discipline and behavioral support systems to deal more effectively with student behaviors while improving the overall learning

climate. Most noteworthy is that, together with their colleagues at the University of Oregon, Sugai and Horner have developed a school-wide approach to discipline, referred to as Positive Behavior Support (PBS).

PBS is based on the body of research that demonstrates that effective behavioral systems developed for individual students can be implemented as a school-wide approach, emphasizing collective behaviors, working structures, and standard, routine approaches to behavioral support (Sugai & Horner, 2002). The key features of PBS include:

- a.** outcomes (e.g. academic achievement, social competence, employment options) that are uniquely defined and valued by stakeholders (e.g. students, families, teachers, employers);
- b.** a behavioral biomedical science of human behavior that provides fundamental principles for the design of support;
- c.** empirically validated practices for achieving identified outcomes in applied contexts;
- d.** the implementation of validated practices in the context of the systems-level change needed for durable effects.

(Sugai & Horner, 2002, p.29)

Within this framework, PBS calls for school-tailored efforts supported by a strong leadership team, informed by school based data and research. Much like the RTI model for academic skills previously discussed, a school-wide approach to behavioral support that aims to increase the baseline, prevent difficulties, and reduce inappropriate placements in special education. It is similarly helpful to identify, as early as possible, those students who are in need of the greatest support. As in the RTI approach for academic skills, students with the most significant behavioral issues will need more than just school-wide interventions. They will need more individualized and specialized supports. However, efficient school-wide systems are essential for those who need the greatest support: “a school’s ability to implement a specialized group program for the 3% to 7% of students with high risk behaviors is directly related to its capacity to provide meaningful and proactive school-wide discipline program for the remaining student body” (Lewis & Sugai, 1999). The small number of students with greatest behavioral needs is not well served in a chaotic and poorly disciplined school.

According to Sugai, the PBS approach is being implemented and evaluated in over 500 schools nationwide with support from his research team (Harvard talk summer of 2003). Some of these schools have experienced reductions in office discipline referrals by 50-60%, while at the same time providing the opportunity to focus on the most needy students. Urban school districts that have reported success with this approach include New York City, Chicago, and Worcester, MA. This is an obvious direction for San Diego given the need to reduce the numbers of children with behavior problems, particularly African Americans, being placed in programs for the emotionally disturbed and inappropriately placed in special education.

FINDING 6: SDUSD DISPROPORTIONATELY PLACES LATINO ENGLISH LEARNERS (ELs) IN SPECIAL EDUCATION.

-see recommendations under Finding 1.

FINDING 7: SDUSD IS NOT PREPARED TO IMPLEMENT RESPONSE-TO-INTERVENTION (RTI) REQUIREMENTS OF IDEA 2004.

-see recommendations under Finding 1.

SECTION 2. CONSULTANT’S PRIORITY RECOMMENDATIONS

As stated in the introduction, the previous section represents our best thinking on how the district should address each finding assuming ideal conditions. However, we are realists and know that effective school change is slow and dependent upon focus, resources, and organizational competency. Further, as the previous section demonstrates, many of these recommendations overlap. Therefore, we advise that the district focus their efforts to improve special education in three specific directions. These directions were selected on the basis that: (1) they will yield the most powerful results, (2) that the district has the resources to accomplish them, (3) the district has the professional competency to implement them. For each recommendation, we refer the reader to preceding pages and outline what we feel are the key initial steps the district should take towards realizing these recommendations.

(1) Improve the instructional program for students with disabilities

SDUSD student performance on the California Standards Test (CST) has been relatively flat for students with disabilities, compared to the achievement of students in general education. Large numbers of students with disabilities are falling below basic and are in danger of not being able to qualify for a diploma and of leaving school with low academic levels. A series of recommendations to improve the instructional program for students with disabilities is presented under Finding 1.

Actionable Steps towards instructional improvement:

- Provide training on accommodations to improve access to general education. This training should be a priority for special educators and eventually be offered to leaders and teachers in general education.
- Consider an increase in time devoted to learning
- Grade retention must be avoided
- Expand efforts towards integrated literacy instruction across all content areas, K-12

(2) Assure that regular education, including charter schools, takes greater responsibility for the education of children with disabilities

Building principals and their supervisors are insufficiently involved in operating special education in their buildings, and are insufficiently held accountable for special education in their schools. This is a critical step towards improving the education for students with disabilities in San Diego and is discussed in greater detail under Finding 3.

Actionable Steps towards increasing regular education's responsibility:

- Provide training for all district leadership personnel and principals on improving their effectiveness in supporting the education of students with disabilities
- Reorganize the central special education department to better support the principals and other leadership personnel in meeting their obligations to students with disabilities
- Serve the vast majority of students with disabilities in integrated settings in their home schools
- Monitor and enforce compliance with federal and state law in charter schools

(3) Implement an effective RTI model

RTI is discussed under Finding 1; the model provides a focus for improving outcomes for students with disabilities while decreasing the likelihood of sure that inappropriate referrals and placement in special education.

Actionable Steps towards an RTI model:

- Develop assessment plan, K-3 for screening and progress monitoring of academic skills
- Identify instructional benchmarks and instructional strategies and programs for Tiers 1, 2, and 3
- Create professional development initiatives involving special educators and regular educators

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APPENDIX

GRAPHIC REPRESENTATIONS OF THE KEY FINDINGS AND THEIR INTERRELATEDNESS

FINDING 1: SDUSD STUDENT PERFORMANCE ON THE CALIFORNIA STANDARDS TEST (CST) HAS BEEN RELATIVELY FLAT FOR STUDENTS WITH DISABILITIES, COMPARED TO THE ACHIEVEMENT OF STUDENTS IN GENERAL EDUCATION.

FINDING 6: SAN DIEGO DISPROPORTIONATELY PLACES LATINO ENGLISH LEARNERS (ELs) IN SPECIAL EDUCATION.

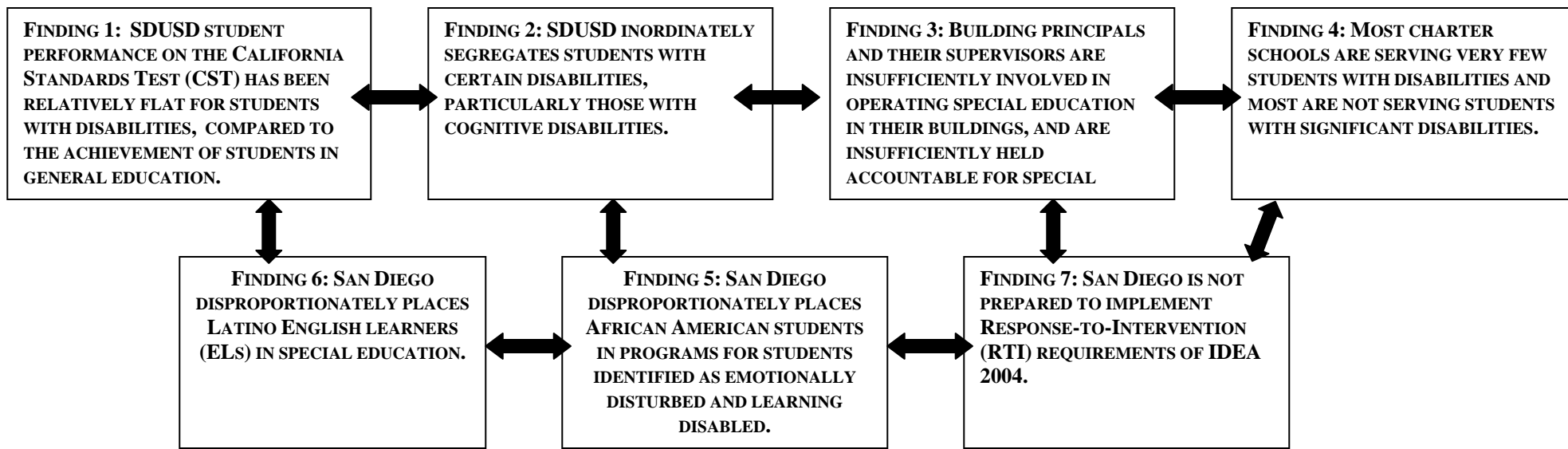
FINDING 2: SDUSD INORDINATELY SEGREGATES STUDENTS WITH CERTAIN DISABILITIES, PARTICULARLY THOSE WITH COGNITIVE DISABILITIES.

FINDING 5. SDUSD DISPROPORTIONATELY PLACES AFRICAN AMERICAN STUDENTS IN PROGRAMS FOR STUDENTS IDENTIFIED AS EMOTIONALLY DISTURBED AND LEARNING DISABLED.

FINDING 3: BUILDING PRINCIPALS AND THEIR SUPERVISORS ARE INSUFFICIENTLY INVOLVED IN OPERATING SPECIAL EDUCATION IN THEIR BUILDINGS, AND ARE INSUFFICIENTLY HELD ACCOUNTABLE FOR SPECIAL EDUCATION IN THEIR SCHOOLS.

FINDING 7. SDUSD IS NOT PREPARED TO IMPLEMENT RESPONSE-TO-INTERVENTION (RTI) REQUIREMENTS OF IDEA 2004.

FINDING 4: MOST CHARTER SCHOOLS ARE SERVING VERY FEW STUDENTS WITH DISABILITIES AND MOST ARE NOT STUDENTS WITH SIGNIFICANT DISABILITIES.



PRIORITY RECOMMENDATIONS

1. IMPROVE THE INSTRUCTIONAL PROGRAM FOR STUDENTS WITH DISABILITIES.

- Provide training on accommodations to improve access to general education. This training should be a priority for special educators and eventually be offered to leaders and teachers in general education.
- Consider an increase in time devoted to learning
- Grade retention must be avoided
- Expand efforts towards integrated literacy instruction across all content areas, K-12

2. ASSURE THAT REGULAR EDUCATION, INCLUDING CHARTER SCHOOLS, TAKES GREATER RESPONSIBILITY FOR THE EDUCATION OF CHILDREN WITH DISABILITIES

- Provide training for all district leadership personnel and principals on improving their effectiveness in supporting the education of students with disabilities
- Reorganize the central special education department to better support the principals and other leadership personnel in meeting their obligations to students with disabilities
- Serve the vast majority of students with disabilities in integrated settings in their home schools
- Monitor and enforce compliance with federal and state law in charter schools

3. IMPLEMENT AN EFFECTIVE RTI MODEL

- Develop assessment plan, K-3 for screening and progress monitoring of academic skills
- Identify instructional benchmarks and instructional strategies and programs for Tiers 1, 2, and 3
- Create professional development initiatives involving special educators and regular educators