

**New York City Students With Disabilities Reform:  
Recommendations for ‘a Shared Pathway’ at a Critical Impasse  
By: Barbara Hubert**

*“We’re under this umbrella of constantly having to adapt and do what’s given to you within the constraints of the budget. We’ve taken what we can from cursory meetings and what we’ve gleaned from things we’ve read but there’s been no substantive universal training. We’re just trying to survive and do what’s best for the students.”*

- NYC DOE Service Provider, 2013

Destabilizing change is not a new phenomenon to special education in NYC. The most recent change imparted on special education, “A Shared Pathway to Success” (aSPtS), is a “new” approach that attempts to reduce the continued poor educational outcomes of students with individualized education plans (IEPs)<sup>1</sup>. A Shared Pathway to Success calls for students with IEPs to have greater access to and participation in the general education curriculum while receiving services that provide the appropriate level of support in the least restrictive environment possible in their zoned schools or schools of their choice (“Phase One Data”, 2013). Can aSPtS be *the* reform that finally makes meaningful progress toward improving outcomes for students with IEPs?

### **Inclusion and Early Support**

The inclusive education model or “inclusion” closely reflects components of aSPtS. Characteristics of inclusion include “presumed competence, authentic membership, full participation, reciprocal social relationships, and learning to high standards by all students with disabilities in age-appropriate general education classrooms with supports provided to students and teachers to enable them to be successful” (“Research on Inclusive”, 2011, p.1). Research

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<sup>1</sup> I use the term “Students with IEPs” throughout this paper to refer to students who receive special education services through and by the New York City Department of Education (NYC DOE). NYC DOE literature often refers to these students as Students with Disabilities or Special Education Students. However, through a constructivist lens, I believe those labels are subjective, divisive, and unnecessarily “other” and highlight student deficit.

on inclusion finds academic and social benefits increase for both students with and without IEPs. (Wagner, et al., 2006; Cole, Waldron, & Majd, 2004;McGregor & Vogelsberg, 1998). Conversely, research spanning over 30 years has demonstrated negative effects of secluded settings (Falvey, 2004). In New York City, inclusive classrooms or “Integrated Co-Teaching” classrooms (ICT) are co-taught by two teachers with different backgrounds and training (e.g., a general educator and a special education teacher, or a general educator and a bilingual special education teacher).

Literature supports that it is not only *where* and *how* students with IEPs receive appropriate services but *when*. Child development research has established that the rate of learning and development is most rapid in preschool and early grades. Research on early childhood special education services demonstrates that the earlier a child receives appropriate services, the fewer special education services they receive later in life. They are less likely to be retained and and more likely to be declassified as a student with a disability (Karnes, 1983). It is therefore essential to examine the implementation of aSPtS at the elementary school level, when appropriate services and supports greatly impact the academic trajectory of a student with an IEP.

This policy brief aims to highlight an inherent paradox between the goals, principles and policies of aSPtS. Accordingly, part I of this brief provides the impetus for aSPtS and its current goals and rules. Part I will also discuss implementation of aSPtS and its real-world impact for stakeholders (families, teachers, administrators, etc.). Part II calls for modifying aSPtS, emphasizing conflict between the published and perceived goals of the reform, as well as a conflict between the skills necessary for successful implementation and the breadth and quality of support provided. Part II also discusses the impact of these conflicts when compounded by narrow measures of success and a rushed city-wide roll out on historically underserved students. In light of these concern, Part III presents recommendations for modifying aSPtS.

## **Part I**

### **Special Education in NYC: Before the Reform**

Recommendations from two primary reviews of DOE special education structures and services are at the heart of aSPtS. Hehir et al (2005) described NYC's special education system as bureaucratic, unnecessarily segregated, highly expensive, and a separate entity. By 2008 some interesting statistics began to emerge. Steifel and Schwartz (2011) found that the number of students receiving special education services grew 20% between 2002 and 2008. In 2009, an internal review of special education was conducted by Garth Harries, former Senior Coordinator of Special Education, who recommended that "... the Department should increase its focus on long-term outcomes for students with disabilities and empower schools, parents, and DOE staff to collaborate in building successful instructional models and strengthening the culture of inclusion for students with disabilities." (pg. 1). In 2009 Chancellor Joel Klein established the Division of Students with Disabilities (SWD) and English Language Learners (ELLs) to act on the recommendations of the Harries Report. As Deputy Chancellor of the Division of SWD and ELLs, Laura Rodriguez would plan and oversee the implementation of a large scale reform for students with IEPs

### **Phase One**

In 2010, the DOE launched an implementation plan for the reform of special education within a projected one-year timeline to pilot the reform. This pilot came to be known as Phase One. Nearly 260 Phase One schools localized in 10 networks were selected to participate in the reform pilot. Of 260 those schools, 100 of were elementary schools with a focus on articulating grades, such as kindergarten. ("Phase One Data", 2013). Phase One schools were also selected based on their existing "promising practices around special education" (Rello-Anselmi, 2013). Phase One networks and schools were equipped with a "toolkit" to meet the diverse needs of students with IEPs ("Implementation Plan", 2010). Phase One

feedback was used to revise the “toolkit” and reform policies as well as finalize system-wide funding, enrollment and accountability (“Implementation Plan”, 2010).

Phase One was initially slated to be a one year pilot. However, the DOE found itself in a larger shift of power. In January, 2011 Joel Klein resigned as Chancellor and Cathie Black began her 95 day tenure of Chancellor of the NYC DOE. Amidst uncertainty in central leadership and mounting concern from parents and special education advocates, Phase One was extended an additional school year. On the whole, however, the DOE has been parsimonious with specific information on Phase One schools and practices.

### **Citywide Rollout**

In September 2012 the special education reform rolled out citywide under a new brand, “A Shared Pathway to Success: Special Education Reform in NYC Public Schools”. DOE literature and artifacts articulate and highlight a variation of goals. The DOE information webpage for aSPtS states the goals as follows:

- to close the achievement gap between students with disabilities and their peers without disabilities;
- to provide increased access to and participation in the general education curriculum; and
- to empower all schools to have greater curricular, instructional, and scheduling flexibility to meet the diverse needs of students with disabilities. (“A Shared Pathway”, n.d.)

The one-page overview linked on the website states the goal of the reform is to ensure that students with IEPs are:

- Held to high academic standards [by being]:
  - Taught in the same class as students without disabilities as much as possible (known as placed in the “least restrictive environment” that is academically appropriate);
  - Provided with special education services as appropriate for their needs; and
  - Able to attend their zoned school or the school of their choice, while still receiving the support they need to succeed academically (“Raising the Bar”, n.d.)

The DOE articulates a third variation of the goals of aSPtS on the special ed reform reference guide provided to all schools in June 2012 and continuously distributed and referenced by network support into Fall 2012. This reference guide states the DOE intended to implement policy changes that

- Ensure that every school educates and embraces the overwhelming majority of students with disabilities that they would serve if the students did not have IEPs;
- Hold schools and students with disabilities accountable for standards-based goals that reflect the Common Core standards and long-term educational outcomes;
- Leverage the full continuum of services and curricular, instructional and scheduling flexibility needed to meet the diverse needs of students with disabilities;
- Align school accountability measures, funding formulas and enrollment policies and practices with these principles. (“Special Education Reform”, 2012)

At the time of this brief, the most recently released document on aSPtS, the data from Phase One and preliminary citywide data, states the goals of the reform are to ensure that students with IEPs:

- Have access to a rigorous academic curriculum and are held to high academic standards, enabling them to fully realize their potential and graduate prepared for independent living, college and careers;
- Are taught in the “least restrictive environment” that is academically appropriate, and, as often as possible, alongside students without disabilities;
- Receive special education services that are targeted and provide the appropriate level of support throughout the school day; and
- Are able to attend their zoned schools or the schools of their choice, while still receiving the supports they need to succeed (“Phase One Data”, 2013)

While the goals of aSPtS can not be uniformly or succinctly articulated, a guiding philosophy of aSPtS can: “Special Education is a service, not a place” (“A Parent’s Guide”, n.d.).

## **Enrollment and Funding Policies**

Based on the variations of published goals, the DOE made changes to its enrollment policy applicable to students entering schools in fall 2012. The enrollment policy changes affected students with IEPs who enter a school through the articulation process and “over the counter” (students who move into the zone of the school in which they are enrolling with a pre-existing IEP). The enrollment policy, under aSPtS states:

- Schools will be asked to serve students in articulating grades from their local communities, regardless of IEP program recommendation.
- Choice, non-zoned, and screened schools will be asked to admit and serve a percentage of students with disabilities equivalent to the percentage of students with disabilities in their district or borough.
- School teams will be expected to meet the needs of students identified for special education services within the context of their school. Students with significant needs (i.e., students in need of specialized programs or barrier-free sites) will continue to be served at schools that have those provisions. (Walcott, 2012).

To align with the changes to the enrollment policy, the DOE also modified funding formulas. In 2008, schools received per pupil allocations determined by fair student funding (FSF). With fair student funding all schools receive grade level based funding to support basic mandated instruction. Schools serving students in grades K-5 in poverty, with IEPs and English Language Learners (ELLs) receive additional funds based on the “weight” of the additional need. Students with IEPs in grades K-5 received additional funding based on the amount of time they spent in special education settings.

Previous to the citywide implementation of aSPtS, students at the K-5 level were placed at schools that supported their program recommendation by a Placement Officer at the Office of Student Enrollment. Based on the anticipated population of students with IEPs in a school, the Placement Officer “opened” classes. Schools received funding for unfilled seats. Thus,

while weighted funded followed each student, schools were ensured enough funds to support the cost of the special education teacher to support the self-contained students as mandated on their IEPs.

Under aSPtS schools receive per-student funding based on the number of periods a day that a student requires special education services. Student funding covers only special education program recommendation services in non-District 75 schools. Schools are funded on a per capita basis for students with disabilities. Schools that received funding for unfilled special education seats in Integrated Co-Teaching and Self-Contained classrooms in FY12 received a transitional support supplement of 0.12 weight per student in FY13, adjusted for changes in their filled seat register (“Fair Student Funding”, 2013).

The funding weights for part-time programming and full-time programming were adjusted to “promote greater consideration of part-time special education services for students” (“Fair Student Funding”, 2013) and greater consideration of ICT services. The table below outlines the shifts in funding specifically for schools that services students in grades K-5 (“Fair Student Funding”, 2013).

<b>Percentage of Day Receiving Special Education Services</b>	<b>FY12</b>	<b>FY13</b>	<b>Change</b>
Less than 20 % (1 period of SETSS, ICT, SC)	0.56	0.56	0.00
21% - 59% (Multiple periods of SETSS, ICT or SC)	0.68	1.25	0.57
More than 60% Self-contained	1.23	1.18	(0.05)
More than 60% ICT Kindergarten	2.28	2.09	(0.19)
More than 60% ICT Grades 1-5	1.90	1.74	(0.16)

### **School-level Vision**

In order for students with IEPs to access the general education curriculum using the full continuum of special education services in the LRE the DOE outlined four core components for

continuing work at the school-level. (1) School-Wide Structure and Resources: schools must utilize staff and resources innovatively; (2) Flexible Programming: schools must use the full continuum of services; (3) Develop High-Quality IEPs: Schools must develop IEPs that provide access to Common Core standards for each individual student; and (4) Instruction: schools should use the Universal Design for Learning (UDL) model to ensure all learners have access to the curriculum as well as the Response to Intervention (RtI) model to support struggling learners comprehensively before they are referred for special education services (“System-wide Special”, 2012).

### **Resources and Support**

As of 2010, all schools receive their instructional and operational support from a team called a network. Principals partner with one of 59 networks who support their mission and community. Networks are organized into five clusters of about 11 networks each. Cluster teams oversee and support networks and work closely with the Department of Education’s central leadership. Two new staff positions were created at the cluster and network level to support schools during the transition under aSPtS. In total, five Cluster Senior Instructional Facilitators and 59 Network Special Education Achievement Coaches manage the bulk of support and training opportunities stemming from aSPtS for the 1700+ NYC schools (“System-wide Special”, 2012).

Topics of trainings included developing high-quality IEPs, building flexible programs, incorporating universal design for learning, and offering positive behavioral supports. However, the 59 networks ultimately make the decision on what professional development opportunities they provide for their 25+ schools. (Walcott, D., March 20, 2012). The DOE also partnered with The Teacher’s College Inclusive Classrooms Project and Goldmansour & Rutherford to provide support on adaptive materials and supports.



The DOE also issued a “CORe Checklist”, a step-by-step tool to “align utilization of resources with the needs of all learners” (“Using the CORe”, 2012). The CORe Checklist was intended to “assist schools in decision-making” and identify “where discussions are needed” (e.g., budget, enrollment, behavioral supports, instructional supports, and human resource). At multiple points, the checklist required that schools review “the appropriateness of the IEP” (“Using the CORe”, 2012) despite that teams of professionals evaluated and worked with the student before developing the IEP.

### **Measures of Success**

Measures of the success and successful practices of Phase One schools are scarce. Data from Phase One schools are available from only two sources. The Fund for Public Advocacy study in July 2011 examined the DOE’s efforts at implementation from the perspective of central office, cluster and network leaders. Interviewees expressed concerns that there are too few staff at all levels, including classroom teachers, with adequate knowledge and expertise to adequately lead and implement the principles of aSPTs. Changes in enrollment policies created concerns about equity and service delivery to schools. Changes in funding formulas and “across the board” budget cuts reduced school-level funding compounded equity concerns. They cited a reduction in the number of students referred “inappropriately,” an increase in the number of students moving to a less restrictive environment and/or creating flexible programs, and an increase in student achievement (Perry and Associates, 2012).

The only other source of data on Phase One schools comes in a report released from the central office of the DOE. The report released in March 2013 compared Phase One schools to a comparison group in various measures. Using a statistical procedure called Propensity Score Matching, the DOE matched each Phase One school to a comparison school based on each school’s demographics, baseline achievement in New York State Math and English assessments, and location prior to Phase One (“Phase One Data”, 2013). Phase One schools,

however, were selected based on their existing “promising practices around special education” (Rello-Anselmi, 2013). Using this methodology, the DOE asserts Phase One schools saw their test scores improve more, their attendance rates rise and suspension rates fall more than the students with IEPs at comparison schools. Phase One schools also moved more students to less restrictive settings, especially in articulating grades (“Phase One Data”, 2013).

## **aSPtS: A Reality**

### **The Media**

A Shared Pathway to Success has made both national and local headlines with mixed representations based on the source. An early NY Times article concludes the reform is the DOE’s response to a difficulty meeting the needs of a growing number of students with IEPs and increased special education spending (Medina, 2010). A later NY Time article describes a successful Phase One with a reform goal of increased graduation rates for students with IEPs (Baker, 2012).

Local media outlets point out to different goals of the reform. GothamSchools asserted the goal of aSPtS was to integrate students with IEPs into general education classrooms (Cromidas, 2012). CityLimits reported the stated goals of the reform were to improve access to more challenging academic curricula and to achieve better outcomes for students with IEPs by enrolling more special education students in community schools (Moroff & Sweet, 2012).

### **Stakeholders**

A Share Pathway to Success finds itself with no shortage of stakeholders. Parents, disability advocacy organizations, the teachers’ union and school-level implementers of the reform have discussed their experience with the citywide implementation of aSPtS.

One the ground level, almost every stakeholder in ASPtS has brought a different interpretation of aSPtS goals with an unanimous list of concerns. Interestingly, a significant number of concerns expressed by stakeholders in 2013 echo the findings from the Fund for

Public Advocacy study in 2011. The UFT and Special Education advocates worried the DOE rushed into the citywide rollout without examining whether the change could be implemented in a better way. Scarce data on Phase One students, results and practices compounded advocate concerns (Cramer, 2012). The Legal Aid Society and CityLimits, representing families and students, added that students were not being sufficiently supported in locally zoned schools (Baker, 2012) and students subject to the early shifts in placement would not receive effective instruction or appropriate supports and services (Moroff & Sweet, 2012).

The concerns of the UFT and special education advocates are not overly cautious. Real and serious issues are manifesting in the experiences of families and school-level staff. In the summer of 2012, months after schools were trained on the policy requirements of aSPtS, Advocates for Children received more than 40 calls from parents of incoming kindergarten students with IEPs whose zoned schools made clear they would not be able to provide the type of class recommended on the student's IEP (Moroff & Sweet, 2012). Families have reached out to the ARISE coalition with concerns.

We are now hearing about students with disabilities pushed out to the Citywide District 75 program where they might be well-served, with the right supports, in a community school because the schools do not feel prepared for all that is being asked of them. To the opposite extreme, we are hearing about students require specialized settings but in the name of the reform their parents are being told that will not be an option for them next year. Essentially they will have to accept what they can get at the school for their children, and only that much. (Moroff, 2012)

While these experiences are representative of only a small percentage of families, only a small percentage of families make their way to advocacy organizations. The elected parent council for District 2 in Manhattan asked the DOE to “slow down the reforms until more information is available the impact and schools’ readiness to move forward.” (Cramer, 2012).

School-level experiences are similar across Phase One schools and beyond. Phase One participants moved students to less restrictive settings and saw increases in student

achievement. But many staff members came away feeling discouraged because, while more was being asked of them, they received no more time or money to accomplish their goals. Schools vocalized unclear expectations and confusing messages with incorrect information even before citywide rollout (Cramer, 2012). School-level staff continue to echo the confusion and decentralized message in May 2013.

At the onset of the citywide rollout, schools across districts reported they were struggling to accommodate students with IEPs entering the school in kindergarten and “over-the-counter”. Many principals reported feeling unprepared to provide a quality education to a broad spectrum of learners with IEPs. Though each network is assigned a special education coach to look at classes, assess needs and provide resources, principals and teachers report that monitoring is not happening (Cromidas, 2012). School staff interviewed for this brief described support and professional development as “unfocused”, “sporadic” and “somewhat irrelevant and poorly delivered”. One teacher commented,

I'm not being exposed to information that is new in PDs [professional developments]. It's the same PD on ICT we've been getting for years. And the time and intensity required in a training to understand and utilize UDL methods adequately is just not provided. The PDs on the reform generally go over in depth what the principles might look like in practice. That just helps me begin to understand what is expected of me. It doesn't help me feel equipped to do it. (Interview with teacher from CFN 412, May 2013)

Interestingly, school-level interviews were conducted with staff under the support of a CFN that, on its webpage, touts the achievements of a highly-effective rating and a rank of 11 out of 60 networks.

The funding changes and incentives of aSPTS are making their way into IEP programming decisions more than ever. Administrators are struggling with budgeting for flexible programming and new admissions with IEPs.

The needs of the students are primary but fundings is definitely a concern. We were projected and funded for 6 ICT full-time kinders so we hired a teacher but only 2 enrolled. We're at a deficit now because of it. It's also been a challenge to shift resources in the middle of the year when a new student comes in with a program you don't have the capacity to serve. These are definite considerations when we make recommendations next year. (Interview with administrator, May 2013)

School-level struggles with implementing aSPtS are already impacting the youngest students. Parents of bilingual students were promised bilingual speech services in their zoned school. Students in schools without a bilingual speech provider have not received speech services all school year. In one district in Brooklyn, no providers were available through the independent contractor alternative either. The DOE acknowledges a general shortage bilingual speech providers throughout the city (Rello-Anselmi, 2013).

In at least one instance personally known to the author, a school has struggled to provide the services on a kindergarteners IEP. The issue was elevated through the network to the cluster. Using the CORE checklist the final advisement from the network and cluster was to "reconsider" and "revise" the IEP of two students new to the school for a less restrictive program that the school could better flexibly support. The two students attended the school for less than two months. Currently, one of the students is now being reevaluated because the revised IEP program did not meet his needs. He received inadequate support for the better part of his kindergarten school year.

## **Part II**

Paradox underscores the intersections of the philosophy, policies and implementation of "A Shared Pathway to Success" that instead creates to a conflicted pathway to unclear goals, questionable measures of success and inadequate support that subsequently becomes a social justice issue. 10 findings emerge from the policy brief and are organized into five areas.

## **Findings and Analysis**

### **GOALS: Real, perceived and implied**

*1. Specific goals of aSPtS vary widely within DOE literature. The DOE presents principles and policies as goals of aSPtS, as if they are interchangeable. The media and stakeholders interpret the primary goals of aSPtS differently because the DOE presents an unclear and consistent articulation of goals.*

This interchange occurs when not only when presenting aSPtS goals to different external audiences (parents, media, etc.) but across internal publications as well. Interpretations of primary goals varied between local and national news sources, advocacy groups, parents and school staff. These interpreted goals are drawn from inconsistent and decentralized DOE messaging.

### **PROFESSIONAL COMPETENCIES FOR ADEQUATE IMPLEMENTATION**

*2. aSPtS requires competency in vastly different skills to adequately meet its mandates and recommendations. The three fundamental competencies are traditionally developed in distinct school staff.*

In order to meet these mandates of aSPtS schools must be adept at: (1) Supporting the school community in creating an authentic culture of inclusion (2) Developing teacher instructional practices (3) Innovatively using staff and resources to flexibly program within budgetary realities.

Administrators are traditionally responsible for and trained in developing school culture. Teacher practices in IEP development, Common Core fluency and universally designed learning experiences are developed over time with ample practice and expert support of instructional coaches. An organizational and resource strategist is needed to collaborate with administrators and instructional coaches to manage resources and programs in an innovative manner that fully supports students.

*3. Appropriate implementation of aSPtS requires schools to have staff that is proficient in the three fundamental competencies with a focus on educating learners with diverse needs.*

Schools must have staff proficient in the three fundamental competencies in order for students with IEPs and students without IEPs to get quality instruction in a supportive environment. Many schools do not currently have staff with adequate expertise and knowledge.

Moreover, the contrast in skills required to meet the overarching goals of aSPtS sets up schools to fail. With principles guided by a “nurturant parent” in conflict with policies carried out by a “strict father” (Lakoff, 2002), aSPtS becomes almost impossible to adequately implement within a singular school ecosystem.

### **RUSHED CITYWIDE ROLL-OUT**

*4. Citywide policy changes and funding restructuring was fully implemented before substantive and reliable Phase One data was released.*

Extremely limited Phase One data was released before the citywide rollout of aSPtS. Accountability indicators cited a reduction in the number of students referred “inappropriately,” and an increase in the number of students moving to a less restrictive environment or flexibly programmed as measures of success. The data suggest schools are following “letter of the law” but not the intent. There are no measures of the quality of instruction or levels of support within the new environment. The DOE also references increases in student achievement and attendance but using unreliable methods. The Propensity Score Matching method was used to determine the comparison groups. Literature on propensity score matching in social science research reveals a methodology fraught with errors in estimation, conditioning and reporting (Thoemmes & Kim, 2011) Additionally, the procedure did not take into account pre-existing special education practices in the Phase One schools and comparison schools. Phase One schools were selected based on their existing “promising practices around special education” (Rello-Anselmi, 2013).

*5. Citywide policy changes and funding restructuring were fully implemented before Phase One schools could turnkey promising practices or troubleshoot unintended consequences.*

After a two year pilot, promising practices from Phase One schools are not present in citywide trainings or professional developments. Conversely, troublesome unintended consequences of aSPtS surfaced during Phase One and now more pervasively. Budgetary constraints are making their way into IEP service recommendations. Bilingual students are not receiving critical services. Kindergartners are being underserved or rejected from their neighborhood school. Schools are directed to revisit and change the IEP recommendations for new students they have scarcely worked it. It is difficult to believe that Phase One schools did not have to troubleshoot similar issues.

*6. Citywide policy changes and funding restructuring were fully implemented without considering recommendations of a study that, despite its limit in scope, expressed a significant number of concerns.*

Although the only interviews conducted in the Fund for Public Advocacy study occurred with high level administrators, recommendations addressed broad concerns. The only modifications the DOE made before the citywide rollout was the addition of a .12 FSF transition weight for some schools and a publicized information line for parents.

## **INSUFFICIENT SUPPORT AND RESOURCES**

*7. Following a rushed citywide rollout, schools were provided insufficient training and professional development to carry out the lofty goals, principles and sweeping policy changes of aSPtS. The network is not an adequate central support system and is out of touch with needs of its constituent schools.*

aSPtS strongly urges schools to consider LRE settings for students with IEPs. Subsequent policy changes incentivize and dictate actions of administrators who repeatedly report feeling unprepared to carry out the changes. School level staff report the related training has been unfocused, sporadic, irrelevant and poorly delivered.



Central office and cluster leaders rely almost solely on the networks' capacity to lead and support schools in implementing aSPtS. The Fund for Public Advocacy study and school level staff raise doubts about the networks' adequate knowledge and expertise to lead and support the aSPtS transitions. Although the DOE created new cluster and network level positions to support schools, networks do not have the capacity for the level of intensive, individualized support required by aSPtS. This results in overgeneralized and ambiguous professional development that is not specific to the strengths and needs of a school.

*8. Schools are insufficiently funded to support the initial structural, cultural and instructional shifts necessary carry out the goals, principles and policies of aSPtS.*

Large-scale changes require initial heavy investments that can be scaled back once promising practices develop from training and support. Schools at all phases of the reform struggled to balance the new funding policy with the needs of their students with IEPs. Budgeting worries are dangerously trickling into IEP recommendations.

## **ASSESSING SUCCESS OF aSPtS**

*9. The assessment measures are scarce, overwhelmingly quantitative and misrepresentative.*

As previously discussed, the methodology used to establish comparison groups is faulty. The DOE used limited quantitative data to imply causal relationships between Phase One school practices and increased test scores. The qualitative data from the Fund for Public Advocacy study only represented the voice of higher level administrators within the DOE during the first year of Phase One. School-level staff, parents and students are critical voices in measuring the progress of aSPtS.

*10. Current measures of success are almost exclusively long-term focused and student-outcome centric limiting the modifications that can help better school-level implementation in the short term.*

With unclear goals, conflicting principles, limited and unreliable pilot data, weak accountability measures and unprepared staff, aSPtS runs the risk of having a devastating impact on students with IEPs, an already vulnerable population where historically underserved groups are disproportionately represented (Artiles, et al.).

### **Part III**

A Shared Pathway to Success is at a critical impasse. The nascent citywide roll out of aSPtS creates a small window of opportunity for change. It is crucial we consider the following recommendations to minimize the impact of unprepared adults and maximize the quality and benefits of inclusive education for students.

### **Recommendations**

*1. Maintain support towards a culture of inclusion that calls for students with IEPs to be educated in the least restrictive settings alongside peers without IEPs.*

Inclusion is principally about a child's right to participate and the school's duty to accept the child. Inclusion supports full participation by students with IEPs and brings their social, civil, and educational rights to the forefront of discussion. aSPtS is far from full inclusion. However, its policies guide schools away from the dominant culture of special education and practices of segregating students with IEPs.

*2. Clearly articulate goals, principles and policy changes that are consistent across all internal and external DOE literature to garner broad understanding and support.*

First, a distinction needs to be made between goals, principles and policies. A new document entitled "A Shared Pathway to Success: Clarifying the Vision" should be distributed to all families, schools and the public via a press release. It should also be available on the DOE website.

*3. Develop an appreciation of inclusion for staff and students through a disability studies lens.*

Creating a culture of inclusion is critical in meeting the long term goals of aSPtS. CUNY faculty and Urban Education doctoral students have an opportunity to be a valuable resource during the transition into aSPtS. Doctoral students and faculty dedicated to fully inclusive education will partner with the DOE to develop the “Reframing Inclusion” project. The Reframing Inclusion project would develop and deliver ongoing, intensive support to clusters, networks and, in some cases, individual schools. The project would be primarily funded by DOE contract and budgeted from cluster and network funds.

The Reframing Inclusion project will also develop a disabilities studies program aligned to the Common Core standards. The program will be infused into the K-12 curriculum during the ELA and Social Studies periods. Disability studies is a key component in creating inclusive classroom communities. To cultivate an appreciation for all learners we need to incorporate discussions of the meaning and experience of disabilities into the course of study for all children. Understanding the nature and variety of diversity helps defuse the power of stigmatizing labels. A disability studies curriculum becomes a tool for social justice.

*4. Raise transitional funding weight and scaffold it out over 6 years. Transitional funding must be spent on developing an authentically inclusive culture and inclusive instructional practices and programs.*

It is the belief of the author that all students can succeed in inclusive settings and benefit from more time with their peers. However, the training and support should come BEFORE full incentive funding is implemented. A scaffolded funding structure should be implemented to fully support the transitional needs of the schools while putting students at minimal risk. Studies conclude six to seven years is necessary for solid inclusive structures and practices to take shape (Burstein, et al., 2004). We must prioritize functioning structures and developing adult beliefs and practices before they impact student. Increased transitional funding can be used for

targeted support provided beyond the networks including hiring a part-time experienced staff person to strengthen innovative resource management practices.

*5. The central office of DOE, clusters and networks must reexamine their existing instructional support methods, content and audiences and fund additional support staff during the early stages of aSPtS.*

Network instructional support includes delivering the basics of Universal Design for Learning (UDL) and discussing models of Response to Intervention (RtI), differentiated instruction and co-teaching. While these topics represent key areas of instructional development, network support in these areas is problematic.

Networks offered training to all educators but their focus has been on special educators. Instructional training should be provided to all educators with more attention given to general educators. Special education teachers have more experience in supporting diverse learners through preservice coursework and classroom practice.

The training must be focused, practice-based and consistent over time with ample opportunity for feedback and follow-up. With a single network staff person responsible for 25 schools meaningful training becomes a challenge. It is difficult to build on existing school strengths and provide individualized support. During the early stage of aSPtS leaders from Phase One schools should be utilized to turnkey best practices. Schools should identify areas of strength and need to focus instructional development. They can use transitional funding to partner with organizations outside of the DOE, such as the Reframing Inclusion project.

*6. A five-year mandated review of A Shared Pathway to Success should be put in place now with a commitment to implementing a portion of the recommendations. The review must include quantitative and qualitative measures of progress with input from all stakeholders.*

The DOE must establish a timeline for a comprehensive citywide independent study on the progress of aSPtS. The study must consider both quantitative and qualitative indicators beyond student achievement. In a deviation from the Fund for Public Advocacy study, this study

must also include voices of school level staff, parents and students. It must also include a broad sampling of schools, not simply those with pre-existing inclusive practices and cultures.

## **Conclusion**

I believe that the change we hope to see in special education can be realized. However, we are at both a dangerous and critical impasse. The consequences of the conflicts in goals and policies, while perhaps unintended, are real and materializing. Students of color and ELLs are disproportionately represented in special education and thus will disproportionately feel the impact of aSPtS.

In a reform where a disproportionate number of students of color run are at risk for undereducation or overt segregation it is urgent we consider the recommendations in this brief along with future research on the broader interests served by this reform. Because, in a final paradox, while the rhetoric around aSPtS is on supporting students with IEPs, the ground-level realization tells a different story.

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