

**REPORT OF THE REVIEW OF SPECIAL EDUCATION  
ROCHESTER CITY SCHOOL DISTRICT**

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# REPORT OF THE REVIEW OF SPECIAL EDUCATION ROCHESTER CITY SCHOOL DISTRICT

## INTRODUCTION

### **Purpose**

Barbara Deane-Williams, Superintendent of the Rochester City School District (RCSD) requested a review to provide an update and current state of special education that encompasses the district's services for students with disabilities and respective recommendations to improve support and systems, address the high rate of special education identification and the overall low performance of students with disabilities.<sup>1</sup> Given the comprehensive audits (e.g., Council of Great City Schools, 2009) and reports (e.g., Tydings, 2013) that have been issued over the years this review sought to not only conduct a status check of compliance, service and supports for students with disabilities but to seek reasons as to why past recommendations have not been sustained and/or implemented. This report is designed to help RCSD achieve its goal and to maximize the district's capacity to educate all students effectively.

The purpose of the review is to:

- a. Identify current practices and systems in RCSD that guide the provision of special education and related services for students with disabilities;
- b. Identify areas where improvement is needed for systemic compliance with federal and state laws and regulations relating to education of students with disabilities; and
- c. Develop specific recommendations to address systemic issues in RCSD that are barriers to improving teaching, learning, and accountability for students with disabilities.

### **Scope of the Review**

The scope of the RCSD special education review included an examination of school district data (see Appendix A) and information collected from three days of on-site interviews and focus groups conducted with district personnel (see Appendix B for schedule of meetings).

### **Methodology**

**Data Review** – Data were requested of the district (see Appendix A). These data served as a baseline of current performance across critical indicators of compliance and performance for students with disabilities.

**On-site Interviews and Focus Groups** – A total of three full-day interview and focus group sessions were held with district administrators, school principals, special education teachers, related services personnel, school based CASEs and various special education personnel. I provided RCSD written instructions on who should be made available for the interviews and

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<sup>1</sup> For the purpose this report, students with disabilities are those students eligible for special education and related services.

focus groups. The district selected and coordinated the participants for the focus groups. (see Appendix B for the schedule and list of interviewees.) It is unfortunate that general education teachers were not made available to meet with. Several requests and communications made by special education district administration did not result in a convening of general education teachers, which is unfortunate. In addition, two opportunities to meet with parents were arranged however neither resulted parent attendees. Therefore the report is absent the voice and perspective of general education teachers and parents. At any time this report can be amended to include both of these groups.

The data analyses, along with the interviews, concerned four areas critical to the provision of comprehensive special education services in RCSD. These represent areas in which improvement is necessary in order to ensure both compliance and adequate service delivery in the future. Critical Issues, Observations, Areas of Concern, and Recommendations comprise the four sections of the report. The report leads with the Review Summary and ends with Section 5, an aggregate list of recommendations from Sections 1-4.

## **Review Summary: Conclusions and Recommendations**

### **Section 1: Performance of Students Receiving Special Education Services**

#### **Section 2: Organizational Structures to Support Special Education**

- A. Standard Operating Procedures to Ensure Practices and Compliance with IDEIA and New York State Education Regulations
- B. Central Office Alignment, Collaboration and Support to School
- C. School-based Oversight of Special Education Services

#### **Section 3: Instructional Practices, Supports and Special Education Service Delivery**

- A. Staffing Patterns & Usage
- B. Professional Development and Support for Special and General Education Educators
- C. Instruction, Intervention and Supports

#### **Section 4: Accountability, Compliance and a Continuum of Services**

- A. Initial Referral and Evaluation for Special Education Eligibility
- B. Suspension and Interim Alternative Education Services (IAES)
- C. Continuum of Service Delivery Options

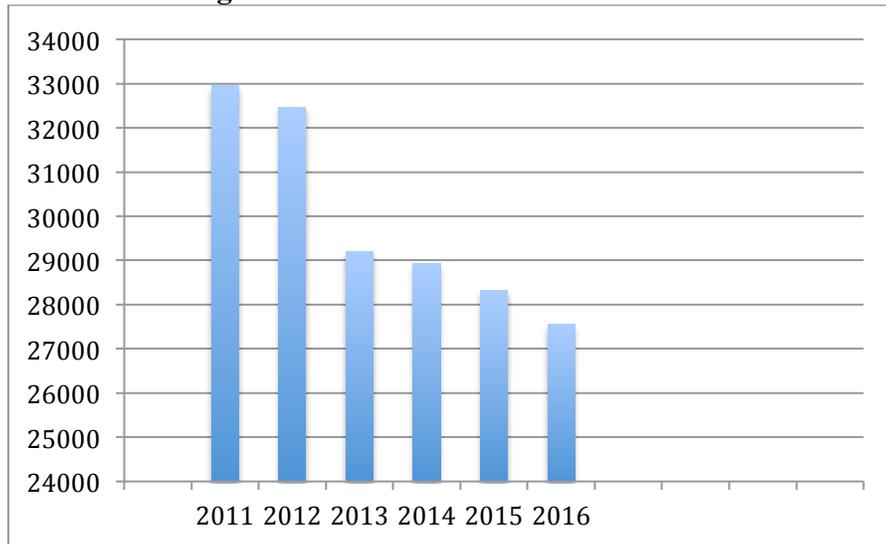
### **Section 5: Summary of Recommendations by Section**

## ABOUT ROCHESTER CITY SCHOOL DISTRICT (RCSD)

**District Demographics.** RCSD is located in Rochester, New York and consists of 50 schools in the following configurations: 23 K-6, 12 K-8, seven 9-12, four 7-12, one K-12, one K-2, one 6-8, and one 7-8. The current Kindergarten – twelfth grade student enrollment is 27,552. Fifty-one percent of the current student population is male and 49% is female.

Fifty-eight percent of the population is African American, 28% is Hispanic or Latino, 10% is White, and 4% is Asian or Native Hawaiian or Pacific Islander. Ninety-one percent of the students enrolled are economically disadvantaged. Eighty-six percent of the student enrollment receives Free and Reduced Price Lunch (85% and 1%, respectively). English language learners comprise 13% of the student population. There is a reported 75 languages spoken in the home with Spanish being the majority with 15.9% followed by Nepali with 1.7%.

**Figure 1: RCSD Enrollment 2011-2016**

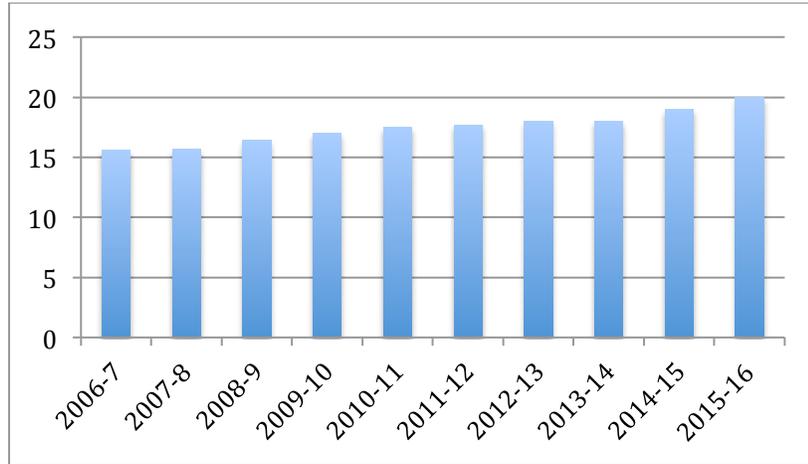


(Source: data.nysed.gov)

Over the past six years, the enrollment of the district has declined 16.4% from a student enrollment of 32,945 in 2010-11 to its present level of 27,522.

Students with disabilities comprise 20% of the student population (see Figure 4). This rate is 4.4 percentage points or 28% higher than the current rate of New York State (15.6%) and 7.1 percentage points or 55% higher than the national rate (12.9%) (IES, National Center for Educational Statistics). The placement rate of students with disabilities has increased 28% over the past ten years from 15.6% of the student population in 2006-07 to the present rate of 20% in 2015-16.

**Figure 2: RCSD Percent of Students with Disabilities**



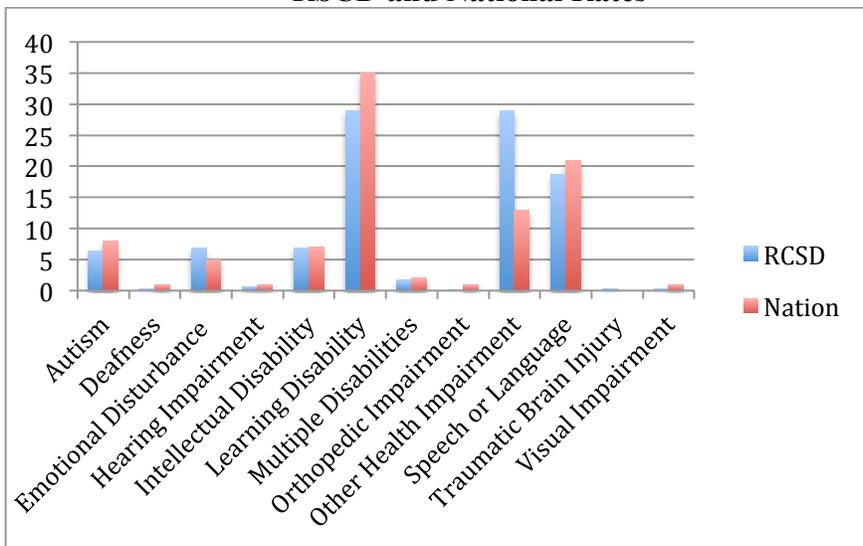
(Source: data.nysed.gov)

The disability areas in which RCSD (see Figure 3) is significantly above the national rate (percent of total number of students with disabilities by category) is Emotional Disturbance (RCSD 6.9, Nation 5%) and Other Health Impaired (RCSD 29%, Nation 13%). RCSD’s rate of identification of students with Specific Learning Disabilities (29%) is below that of the national rate (35%).

The RCSD rate for Emotional Disturbance is 38% above the national rate. One possible explanation is that this program is being used in lieu of general education services for students with behavior problems. Another explanation is the lack of culturally responsive

**Figure 3: Percent of Students Identified with a Disability by Category of Disability 2015-2016**

**RCS D and National Rates**



Source: RCSD and IES, National Center for Educational Statistics

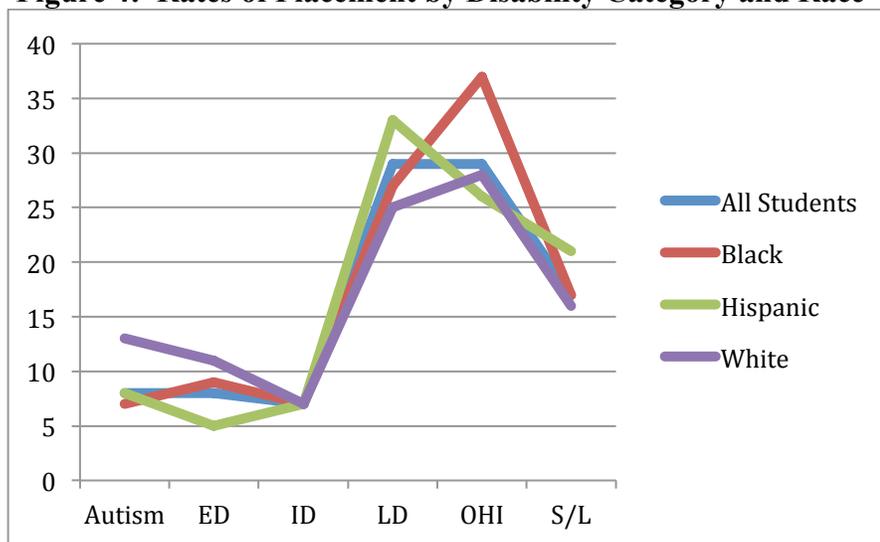
instruction and supports that have resulted in the over representation of Black students in areas of special education, suspension and alternative education programs.

The RCSD placement rate for Other Health Impaired is alarming and is more than 200% higher than the national rate (actual difference is 223%). One viable explanation for these statistics is that the district placing students it finds difficult to school in this category. Another possible explanation (given current suspension rates in this category) is that students who are not eligible for emotional disabilities but present with behavior problems are qualified for special education using this disability category. Finally, it is highly plausible RCSD lacks educational services that are responsive and respectful of the race and cultural influences in its diverse student population. Such educational supports and services would include a culturally responsive multi-tiered system of supports that integrates both academic and behavior factors, well designed alternative programs, wrap around accessible support services that address the challenges Black and Hispanic youth face. The lack of culturally responsive services often lead to over representation in special education, alternative education, juvenile justice systems and that ultimately feeds the school to prison pipeline.

These data, combined with the disturbing and accelerating suspension rates for these students, the majority who are Black (see Section 4), provides a dismal picture of the educational experiences these students receive.

In addition to knowing the rates of placement by disability relative to national rates and expectations, it is important to know the rates of placement by disability by racial/ethnic groups as well (see Figure 4).

**Figure 4: Rates of Placement by Disability Category and Race**



Source: RCSD

In RCSD, White students are identified with Autism (13%) at almost twice the district (8%) and national (8%) rates. Relative to the district placement rate in Emotional Disturbance (6.9%), White students are over-represented comprising 11% of students with disabilities in this category and Hispanic students are somewhat under-represented at 5.4%. Black students are significantly over-represented in the OHI category at 37% compared to the all student

rate of 29%. White and Hispanic students approximate the district rate. This over-representation of Black students in OHI is important to note because the district placement rate for OHI is more than twice the national rate and in RCSD the suspension rate for students in OHI is disproportionate compared to other categories and climbing rapidly. These discerning data for students with disabilities, and Black students in particular, must be taken into account when looking at the suspension data later in this report (see Section 4).

## **SPECIAL EDUCATION REVIEW SUMMARY**

The purpose of the review is to:

- a. Identify current practices and systems in RCSD that guide the provision of special education and related services for students with disabilities;
- b. Identify areas where improvement is needed for systemic compliance with federal and state laws and regulations relating to education of students with disabilities; and
- c. Develop specific recommendations to address systemic issues in RCSD that are barriers to improving teaching, learning, and accountability for students with disabilities.

Students with disabilities are general education students first. The exponential increase of referrals for special education, increased and disproportional placement and suspension rates particularly for Black, poor outcomes for all students, including students with disabilities, the lack of targeted professional development, and the general lack of district-wide monitoring and support for special education shows that RCSD is perfectly aligned for the results it is getting.

There is urgent need and a moral imperative to immediately address the system wide inequities that are evident across students, programs, and academic and behavior outcomes.

### **Conclusions**

1. The referral rate for special education has increased 93% over the past three years in RCSD. Thirty six percent of students referred in 2015-16 were found ineligible.
2. The eligibility rate for special education has increased from 57% in 2011 to 67% in 2015.
3. The district identifies students with disabilities at a rate 55% higher than the national average.
4. The district identification rate for students with Emotional Disturbance is 38% above the national rate. The identification rate of students with Other Health Impairment is 233% above the national rate.
5. Black students both general and special education are suspended at disproportionate rate compared to other students in the district.
6. Students with Other Health Impairment (OHI) are suspended at a disproportionate rate compared to other disability areas. Black students are placed in OHI at a disproportionate rate.
7. The academic and behavior performance of students with disabilities is poor and lags behind the performance of students with disabilities in other districts across NYS.
8. Students with disabilities in RCSD have lower graduation rates and higher dropout rates than general education students in RCSD.

9. The district lacks a comprehensive system of supports to intensify instruction and interventions in general education to meet the needs of its diverse student population and students at risk for failure.
10. The district lacks culturally informed practices to promote equity in access for students of all races/ethnicities. This can be best addressed through sustained and thoughtful professional learning opportunities that inform the relationship between teaching, learning and cultural context in the planning, developing, implementing and evaluating academic and behavior instruction for students from diverse backgrounds.
11. The district lacks a coherent system to accurately monitor, share, and act upon the degree to which individual schools as well as the overall district is in compliance with state and federal regulations.
12. The district does not use its data to act upon or disrupt the current ineffective practices in both academics and behavior for both general and special education students.
13. The lack of a continuum of services within schools has resulted in students necessarily moving to another RCSD school to receive LRE.
14. There is an over reliance on agency placements for students that can be served within RCSD.

## SECTION 1

### PERFORMANCE OF STUDENTS RECEIVING SPECIAL EDUCATION SERVICES

#### **Critical Issues**

- Students with disabilities attain single digit proficiency in English language arts (ELA) or Math and do not meet the criteria for Adequate Yearly Progress (AYP).
- The graduate rates of students with disabilities consistently do not reach either the 4- or 5-year graduation rates when compared to either the state expectation or the district progress goals.
- The dropout rate for students with disabilities remained relatively unchanged moving from 35% for the 2013 graduating class to 31% in 2016 graduating class.

#### **Observations**

In the past two school years, the academic performance rate in ELA and Math for students with disabilities has been abysmal.

While the graduation rate for students with disabilities has increased slightly from 27% in 2015 to 30% in 2016, 70% of students with disabilities are not graduating.

#### **Areas of Concern**

***Performance of Students with Disabilities*** – Few, if any students with disabilities have attained proficiency in the past two years. Barely single digit performance and growth levels in ELA and Math (Tables 1 and 2) explicitly indicate that the impact of instruction and supports has little to no effect on student performance. Table 3 illustrates that no student group in RCSD met adequate yearly progress (AYP), which is not surprising given the poor levels of proficiency in ELA and Math in general education.

The graduation rates of students with disabilities and likewise English learners (Table 4) demonstrate little improvement and continue to miss both state benchmarks and progress goals. While the dropout data of students with disabilities (Table 5) has reduced slightly from 35% in 2013 to 31% in 2016 it remains unacceptable and relatively unchanged in the rate of improvement.

**Table 1: Proficiency Rates for Students with Disabilities, ELA**

	<b>RCSD Special Education</b>	<b>NYS Special Education</b>	<b>RCSD General Education</b>	<b>NYS General Education</b>
<b>2014-15</b>	1 %	5.7%	6 %	37%
<b>2015-16</b>	0 %	7.9%	8 %	44%

Source: NYSED

**Table 2: Proficiency Rates for Students with Disabilities, Math**

	<b>RCS D Special Education</b>	<b>NYS Special Education</b>	<b>RCS D General Education</b>	<b>NYS General Education</b>
<b>2014-15</b>	2%	10.6%	9 %	44%
<b>2015-16</b>	1 %	10.9%	9 %	45%

Source: NYSED

**Table 3: Student Subgroups that Did/Did Not Make Adequate Yearly Progress (AYP)**

<b>Subgroup</b>	<b>2015</b>	<b>2016</b>
<b>All Students</b>	No	No
<b>Black/African American</b>	No	No
<b>Hispanic/Latino</b>	No	No
<b>Students with Disabilities</b>	No	No
<b>English language learners</b>	No	No
<b>Economically Disadvantaged</b>	No	No

Source: NYSED

**Table 4: Graduation Rates for Student Subgroups**

<b>Subgroup</b>	<b>2015</b>		<b>2016</b>	
	<b>Graduation Rate</b>	<b>Met State Progress Target*</b>	<b>Graduation Rate</b>	<b>Met State Progress Target</b>
<b>All Students</b>	51%	(52%) No	51%	(54%) No
<b>Black/African American</b>	53%	(51%) Yes	52%	(56%) No
<b>Hispanic/Latino</b>	43%	(50%) No	44%	(47%) No
<b>Students with Disabilities</b>	27%	(30%) No	30%	(32%) No
<b>Eng. Language Learners</b>	24%	(34%) No	24%	(30%) No
<b>Economically Disadvantaged</b>	50%	(49%) Yes	49%	(53%) No

\*RCS D progress target set by NYSED. The state's graduation target is 80%

**Table 5: Dropout Rates for Students With Disabilities by Graduation Year**

<b>Graduation Year</b>	<b>Special Education Drop-Out Rate</b>	<b>General Education Drop-Out Rate</b>
2016	31%	24%
2015	28%	24%
2014	31%	25%
2013	35%	28%

**Note:** Dropout rates for students for disabilities are taken from the State Performance Plan Indicator 2 data (Indicator 2 for Dropout). Data rates for general education taken from the RCS D Report Card data for each year (Source: data.nysed.gov).

These data in combination with the aforementioned student rate of placement into special education are disconcerting. Namely, the district continues to accelerate the placement of students into an instructional and support system that has not demonstrated the ability to improve student performance across any important educational outcome indicators. RCSD continues to provide special education services and programs wherein 99-100% of students with disabilities do not attain proficiency and in which 70% of those students do not graduate.

## **Recommendations**

### ***Performance of Students with Disabilities***

#### **It is recommended that the district:**

- 1.1 Examine factors such as instructional time, alignment of specially designed instructional with core instruction and standards aligned instruction to ensure that students with disabilities have access to quality content aligned with the NYS common core learning standards.
- 1.2 Ensure that Individual Education Programs (IEPs) are standards aligned and that support services and universal design for learning strategies are implemented to ensure equity in access to standards aligned content for students with disabilities.
- 1.3 Ensure that special education teachers are supported in their knowing, understanding and teaching both NYS content standards as well as Essences and Extensions for the students that are assessed with the NYS alternate assessment.
- 1.4 Use on a regular basis, formative assessments and early warning indicators to track student progress and identify students with disabilities early who are not demonstrating adequate progress and/or are not on track for graduation.
- 1.5 Identify and support students with disabilities (and nondisabled peers) who are “not on track” to graduate (i.e., have failed more than two core courses during the first year and/or have high absentee rates). To the extent possible, for each student “not on track,” provide research-based strategies that would utilize all available resources, including mentoring (e.g., Check & Connect <http://www.checkandconnect.umn.edu>), intervention services, counseling, tutoring, and other supports that are likely to reverse the student’s performance trend.
- 1.6 Develop targeted and proactive plans utilizing research-based approaches available through the National Dropout Prevention Center for Students with Disabilities at <http://www.ndpc-sd.org/>
- 1.7 Develop and implement a multi-year professional development and support plan to ensure that general and special education teachers have the skills to integrate instruction, align the scope, sequence and pacing of standards aligned instruction

across instructional providers and use student-centered data to develop, implement and evaluate instruction.

- 1.8 Provide and implement a multi-year professional development plan to ensure that building principals are instructional leaders that have the knowledge and skills to facilitate and evaluate instruction provided to students with disabilities in both general and special education environments and to ensure that the instruction is aligned with standards, delivered with fidelity and integrated in both general education and specially designed education.
- 1.9 Ensure that the needs of students with disabilities are considered in the development and implementation of all instruction, curricular and assessment practices.
- 1.10 Collaborate and communicate with parents/guardians to engage parents as partners in the instruction of their children and youth with disabilities.

## **SECTION 2**

### **ORGANIZATIONAL STRUCTURES TO SUPPORT SPECIAL EDUCATION**

#### **A. Standard Operating Procedures to Ensure Practices and Compliance with IDEIA and New York State Education Regulations**

##### **Critical Issues**

- There are no written standard operating procedures for RCSD office of special education.
- There is no codified manual or special education handbook to provide written guidance on policies and practices for schools, parents, or central offices.
- The current and revised Response to Intervention (RtI) Manual (2016) lacks accurate information on the implementation of a multi-tiered system of support for academics and behavior and has resulted in confusion and lack of use systemic use by schools.

##### **Observations**

There is overwhelming consensus on the need for standard operating procedures and a special education handbook to codify and provide written guidance on procedures for implementing the IDEIA and the New York State Regulations of the Commissioner in RCSD.

High levels of variability in knowledge, understanding and implementation of RtI, referral processes and IEPs exist within and between special education teachers and general education teachers.

## **Areas of Concern**

***Standard Operating Procedures*** – Across all interview and focus group participants there was reported confusion, misunderstanding, misinformation and lack of monitoring of policies and procedures for students with disabilities within RCSD as well as with requirements for compliance with IDEIA and New York State Education Department (NYSED) Special Education Regulations. As a result of the lack of an internal set of standard operating procedures, central office staff, school based administrators, special and general education teachers engage in inconsistent practices and must interpret, create, and follow what they believe are the processes to deliver both services and supports to students with IEPs. The lack of codified standard operating procedures has resulted in inconsistent communication and practices between central office and schools, across schools and within schools.

The currently revised RtI manual (2016) for the district needs to be reviewed to ensure it is accurate and correctly details a multi-tiered system of support and service that integrates academic and behavior for all students. Currently there is not emphasis on problem solving or the proactive use of data to drive instructional decision-making or progress monitoring for all students that will benefit from RtI.

## **Recommendations**

### ***Standard Operating Procedures***

**It is recommended that the district:**

- 2.1** Develop a comprehensive, web-based Special Education Handbook that details the standard operating procedures for RCSD. The Handbook should be a compilation of all policies, procedures, standards, and expected practices on the administration and operation of special education/related services. This Handbook should provide links to required forms, that include prompts necessary to complete the forms accurately. The Handbook should include links to important resources necessary to support quality services that are compliant with all relevant regulations. Stakeholders for this Handbook include: all special education and student services staff, building principals, and central office staff. The Handbook should be available, upon request, to parents/guardians and the general public. A link to the Handbook should appear on the district's webpage and updated, at a minimum, annually.
- 2.2** Provide differentiated training regarding all policies and procedures contained in the Handbook to all stakeholders at least yearly. Provide interim updates on any changes that are made to the Handbook and updates on any procedures that appear problematic to stakeholders throughout the school year.
- 2.3** Provide comprehensive initial training on the Handbook to all new employees at the beginning of each year. All new employees should have a designated mentor for at least one year to ensure compliance with all special education procedures and practices.

- 2.4 Conduct a comprehensive review of the revised RtI manual to ensure accuracy in content and detail for implemented tiers of instruction and intervention that increase in time and intensity and ensure the use of data based problem solving.

## **B. Central Office Alignment, Collaboration, and Support to Schools**

### **Critical Issues**

- There is a lack of organizational structures within RCSD with which to deliver, monitor and support special education services with consistency and predictability.
- There has been a “reorganization” of the office of special education almost yearly for the past several years, which has resulted in confusion, at both central office and schools, about roles and responsibilities, lack of coordinated and consistently implemented systems and overall accountability.
- The current organizational structure of the office of special education is not aligned to be responsive to the needs of schools, programs, and service delivery for students with disabilities.
- The lack of organization structures to deliver special education services has resulted in non-compliance with IDEIA and the New York State Special Education Regulations and poor outcomes for students with IEPs.
- There is a lack of district wide use of data to monitor special education services, support and compliance.
- The accountability system to monitor compliance, implementation of services and evaluation of student outcomes is insufficient at best and not present at the school level.

### **Observations**

Interviews with principals, chiefs, school based coordinating administrator of special education (CASEs), special education teachers, related service and central office personnel, revealed a genuine desire for realignment of supports, communication and services to schools.

There was consensus among special education CASEs, directors, central office personnel and related service personnel that realignment of current support structures would yield better support, compliance, and improved student outcomes.

There is a lack of a continuum of programs and services at schools that results in students needing to be transferred to other schools when a more or less restrictive placement is needed.

### **Areas of Concern**

***Office of Special Education*** – There have been several reorganizations over the past several

years that has perpetuated a non system within the office of special education and the district overall. The current and recently revised organizational structure needs further input and development to be responsive to the needs of schools, programs, and service delivery for students with disabilities.

As a result of the myriad of reorganizations, some of which were never implemented, there is wide spread reporting that a lack of collaboration (e.g., “All decisions are top down, with no input from those who actually work, and who therefore understand more intimately what the needs are.”). As one participant reported, “there is no value in the history of what has and hasn’t worked. Things are viewed ‘from this point forward’ rather than implementing past practices that may have been effective and discontinuing/adjusting current protocols that may have been faulty in the past.”

Other participants reported, “People are not uniformly informed of decisions. There lacks a protocol for informing all pertinent personnel of decisions or changes. At least an email summarizing meeting decisions would be helpful.” Other themes across central office personnel included the need for “opportunities for team meetings to discuss relevant issues, cases, and situations.” One focus group articulated that “...conversations are had, solutions proposed, and actions pledged but then nothing happens.”

The lack of a high level administrator (e.g., chief) overseeing special education as well as student support services is problematic as there is little coordination and monitoring of services and outcomes for at-risk students and those needing special education services. Equally important is the lack of voice at the table with other chiefs to facilitate coordination and oversight of programs and supports with principals and schools. The responsibilities of special education are district wide and touch every building, impact operations (e.g., transportation, hiring, staffing, space allocation) and budgets. Currently, there are disconnects in both communication and decision making whereby the chiefs overseeing schools make direct requests/demands of special education personnel in order to remedy a school site issue that may or may not be within the best interest of a student and/or being in compliance of IDEIA and state regulations.

The roles, responsibilities, and assignments of student support services must be reviewed to achieve better coordination and alignment with special education as well as other office/department staff roles and responsibilities. For example, all support services should be coordinated, aligned and report to an executive director; all special education to an executive director of special education. The most commonly used structure allocates two different personnel responsible for these offices. Regardless of title, Executive Director or Director – there should be one full time equivalent (FTE) responsible for special education and another FTE responsible student support services. Both of these positions report to a Chief of Student Support and Specialized Services. Currently, departments that provide support services are spread across central offices and personnel (e.g., homeless services, credit recovery, social workers, alternative education programs) and are not coordinated to provide coherent services to all students, including students with disabilities. See Appendix C for a draft organization chart.

***Zone Directors*** - At the time of this review, there were three Zone Directors. Two have direct

oversight of all the schools and district-wide programs and the third is responsible for central services and central CSE comprised of compliance monitoring and oversight, related services, behavior specialists, long-term suspension manifestation determination and interpreter services, and autism team (See Appendix D for current structure). The support for this current structure has very mixed reviews by all interviewees and focus group participants. Under the current division of labor, it is virtually impossible for two Zone directors to support, oversee, and monitor special education given the number of schools and programs they are assigned. It is not reasonable to expect these two personnel to perform administrative duties as well as provide school-based support to the CASEs.

Under the oversight of Interim Executive Director Theresa Wood, the district moved to codify, align, and implement procedures that were significantly lacking (e.g., overseeing/monitoring processes including referrals, random checks of IEPs, manifestation determinations). The tightening up of these procedures, while needed and necessary has been met with consternation at the central office level.

Given that work and structure was implemented in Fall 2016, it may be too early to determine whether data show that it has resulted in improved compliance and service delivery for students. Change is difficult and it behooves the district to ascertain whether the consternation is due to change itself or differences in leadership style and ability. Regardless it must be addressed to ensure that it does not create a barrier to the delivery of services and supports to students.

**Central CASEs** - Central CSE personnel (n=5) are responsible for supporting and chairing IEP meetings and CSE meetings at agencies, private, parochial and charter schools. There is a reported lack of communication within special education departments and across personnel that work in the office of special education and these positions. In general this group feels that the recent reorganization has created chaos and more issues around communication, collaboration and compliance. There was consensus that several high level administrators in the office of special education “do not respect the process of special education and due process.”

**Related Services** – While RCSD has generously staffed related service personnel, it lacks someone to oversee, supervise, provide guidance and professional learning opportunities and monitor caseloads. There is no oversight for position control or the ability to shift personnel when the needs or occasions arise. This may be best evident in the generous staffing allocations for related service personnel (see Appendix E for district ranking and Section 3 for discussion). In addition, there are number of students at the secondary level that have speech only IEPs, which is unusual. When queried about this practice one speech language provider shared “if I declassify kids then I will become itinerant” which raises concerns as to whether students receiving speech services truly need them or are receiving them because of adult agendas. It also raises concerns as to how students receiving speech language services are being evaluated annually. Other providers shared that some speech only students are being served in self-contained classrooms – “I have an SLI student who is in an ED classroom.” A review of these practices should be undertaken immediately.

There was discussion of a formerly used and reportedly successful program called *Great Beginnings*, which used a “push in” service delivery model for speech/language. It was granted funded and ended when the grant was completed. In addition there was discussion of language enriched co-teaching classrooms that reportedly are being successful but are few in number and not able to meet the needs of more students. Both of these examples speak to the need to realign and rework speech services for early elementary grades at a minimum. This also raises the opportunity to explore more coordination and collaboration between speech/language providers and early intervention reading teachers.

Related service providers indicated a need to calibrate the knowledge and understanding of they do to ensure there is equity of and consistency with services. One focus group member offered “we say what we do but is it implemented differently across schools.”

Another team in the area of related services is the MATCH team (Management and Assistive Technology for Children). There are 4 staff that provide medical management and assistive technology evaluations for students with complex medical needs and manage changes in mobility and specialized transportation needs. The MATCH team provides consultation and consideration for assistive technology (AT) devices for students with 504 plans and IEPs. The team provides on-going support and/or consultation for the implementation of any of AT devices. They also attend to agency placements, charters and parochial school students.

Of concern is the loan inventory for the district. If a student is in need of a device or piece of equipment the loan inventory is checked. If none are available the MATCH team submits an order to an administrator and they “eventually” get it. However, no one was clear on the budget process or the preferred vendor list that is to be first consulted when requiring a purchase of equipment. The refresh of equipment used by students “does not happen” and the ordering or replacement of chrome books or needed computers are “super delayed.”

There is a general sense of the lack of communication between the team and special education and the sentiment of “no one knows our team.” This team works, in general, with high need and low incident students and shared that the support for accountability and resources directed for these students was eliminated two years ago. Hence the transition process for these students both into and across the district, elementary through high school, is challenging. It was shared that the district does not have the services to support low incidents students so they are placed in agency (e.g., BOCES) or private placements. The lack of a continuum of program options for students in programs like GEM (Growth and Education for Students with Multiple Disabilities), results in students being placed outside of the district.

There was consensus among interviewees and across focus groups that Edison high school is a facility that has great potential to provide educational programs, as it did in the past, for high need low incident students. It is currently under utilized and does not provide a wide variety of vocational programming and work-study opportunities for students with disabilities. Across all groups it was mentioned that Edison could be the facility that provides a full continuum educational and vocational options for NYSSA students.

***School Psychological Services*** – The school psychologist advisory reported that little if any RtI is going in schools. It was reported that CASEs make the final decision on students, “CASEs believe it is their decision to make the final decision.” It was reportedly unclear to whom psychologists should speak to when sensitive site issues arise. It was also reported that there were many new school psychologists this year. The lack of a district lead school psychologist begs the question as to who is orienting, supporting and mentoring these new personnel to RCSD.

When discussing the increased rate of classification in the district, several focus group members raised issues around the process. One member shared “if it is a parent referral the CASE takes the letter and makes an automatic referral.” In this manner, school psychologists are not provided the opportunity to meet with the parent and discuss concerns. There appears to be tension between school psychologists and school based CASEs as one focus group member alluded that “CASEs have said ‘I am doing this regardless of what you say.’” This is problematic since school psychologists currently report to CASEs. The lack of monthly meetings or coordination/communication of the district school psychologists have left them a relatively isolated group.

In 2010, it was reported that the CSE process was decentralized. Prior to this change the process was more controlled and centrally managed. Annual reviews, CSE meetings, initial referrals, declassification, and “anything that cost more money,” went to central. There was consensus that this process was “better and more controlled” in a positive way. There were concerns raised that recent changes at central, specifically, initial referral review for quality control and consistently had created “chaos” and time delays which impact timelines to completion of evaluation. When asked about the monitoring of timely CSE meetings, triennial evaluations, annual reviews and parent requests, the focus group uniformly reported that there is not a consistent approach across the district – “sometimes it is done with the psychologist and CASE and sometimes just the CASE does it.”

There was uniform consternation regarding the current lack of a continuum of services that results in, for example, a “5<sup>th</sup> grader needs CT and we don’t have it at our building so she has to move to another school.” In addition, the lack of reading teachers in elementary schools results in too many students being referred for evaluation when they simply need to be taught how to read.

The district’s work in restorative practices was viewed as positive. However, there was uniform concern of absence or discontinuance of de-escalation training. A bright spot noted was 504 that is now managed electronically by school psychologists.

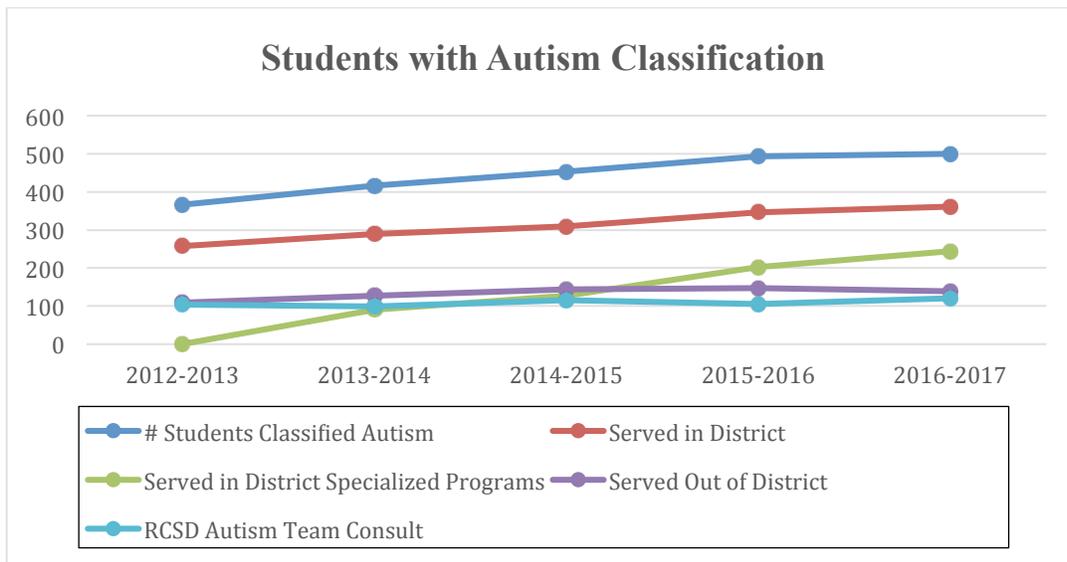
***Behavior Specialists*** – There are currently 7 behavior specialists that are predominantly spending their time supporting students with IEPs. They do not serve in a preventative manner or support the establishment of school wide behavior support. They report that a majority of what they do is crisis management rather than proactive planning and support. There is a lack of knowledge and understanding on the part of school personnel to implement and progress monitor behavior intervention plans (BIPs) and therefore students are moved based upon opinions of adults rather than data. There is a lack of a curriculum for behavior in

some of the more restrictive classrooms (e.g., 8:1:1). While *Second Step* was reportedly used in some classrooms, there is not a standard protocol approach to providing instruction on behavior in classroom with students with more significant behavior need.

Currently, the behavior specialists’ work only with a few schools that have the most behavior needs leaving other schools without support. There is a reported lack of written protocols for crisis intervention, responding to gang related incidents, and lethality threats. There is a need to align the current work of the behavior specialist with the current job description. There is a need to provide recertification for personnel whose CPI certification is about to expire, as well as new training for others. Crisis prevention institute (CPI) training is a nonviolent crisis intervention approach that utilized de-escalation strategies to address and resolve critical situations.

It is reported that the use of RtI as a preventative and intervening system for academics and behavior is not present in schools.

**Autism Spectrum Disorder Team** – Given the size of the district and the steady increase of students with autism it is striking that there are only two personnel to work district wide. The Autism team dwindled from 4 FTE to 2 FTE. The role of the team is to conduct observations and evaluations for the CSE for student placement as well as at transition ages, support current autism classroom teachers including making materials for them as needed.



While there has been a steady increase in the number of students with autism, the district is to be commended for maintaining and the current trend of providing students services within the district programs rather than in external programs (e.g., decrease of out of district from 147 in 2015-16 to 138 in 2016-17). This steady trend can be attributed to a number of things including the dedicated, although dwindled autism team that has worked to build and support a continuum of autism classes as well as provide consult to schools for students with autism.

Of note is the lack of district wide program in applied behavior analysis (ABA), an evidenced based and nationally used approach for students with autism. When district administration was queried on this, the response was “the district doesn’t subscribe to any one program.” However, there is no early intervention or research based practices proven to be effective with students with autism in place across these classrooms. The primary role of ABA is to teach play, communication, self-help and academic skills to children with an Autism Spectrum Disorder. Additionally, there is no Board Certified Behavior Analyst (BCBA) that works with the autism team. BCBAs have extensive training and experience in designing, developing, implementing, and evaluating a wide range of ABA programs for individuals with autism and other developmental disabilities.

Finally there is no program such as TEACCH (Treatment and Education of Autistic and Communication related handicapped Children) a research-based program for individuals of all ages and skill levels with autism spectrum disorders. At the core of TEACCH is the idea of structured teaching that is a research-based approach in instructing children with autism.

In general, a disconnect exists between the building CASEs and the placement of students within autism classes. The autism team is not consistently consulted with for guidance on these placements or the appropriateness of placement. It was reported that it is not unusual for CASEs to consider placing a student in a classroom specifically designed for students with autism that clearly does not have autism.

***Bilingual Education*** – There is a significant shortage of certified teachers for the district. At the time of the review (December 2016) there were 23 vacancies for Spanish. While there are a variety of bilingual, dual enrollment, one way programs in the district what is most disconcerting is the lack of support for newcomers that are Spanish speakers. Older students that move into the district who speak Spanish are placed in English only classrooms with an aide who may speak Spanish and whose job is to translate instruction for the student. This is particularly prevalent in upper elementary through high school. As a result students are facing significant challenges both academically and behaviorally.

The district has the Rochester International Academy (RIA) that is deemed the newcomer center and services students with interrupted/inconsistent formal education (SIFE). Therefore Spanish-speaking students that may enter RCSD from Puerto Rico for example, are not provided services via RIA. It was noted that students entering from Puerto Rico are considered like any student that enters RCSD from any other part of the United States and are not seen as eligible for newcomer services. The district would be wise to analyze this practice to ascertain the reality of students entering from Puerto Rico. It is unwise to assume they may not qualify for district services under SIFE.

There are seven bilingual programs at elementary, including one that is K-8 (School #12). These elementary programs feed into one secondary bilingual program grades 7-12<sup>th</sup> housed at Monroe. Approximately 180 6<sup>th</sup> graders feed into 75 city wide available seats. Currently, there are only three sections available at 7<sup>th</sup> grade (one at School #12 and two at Monroe).

It is reported that there are over 400 low English language proficiency general and special education Spanish speaking students enrolled in the district. Students without IEPs, not RIA eligible, and unable enroll Monroe or School #12 are placed in available seats across the district in a general education program with only ENL support 2 periods a day. The rest of the day they attend English only classes without support.

English learners with IEPs that are serviced within the CT or ICT program options and are not fortunate to be enrolled in these three sections are placed all over the district in available seats with an aide and not supported in a bilingual program.

It was shared that there are significant social emotional and mental health issues for English learners new to RCSD, regardless of origin (e.g., Puerto Rico), that are not receiving the appropriate language and cultural supports.

Finally, RCSD enrolls students Spanish speaking students grades 7-12<sup>th</sup> throughout the year that test at a low or entering level of language proficiency. It is reported that many of these students are placed around the district without any additional supports.

It was reported that 70 bilingual students have been referred for special education since the start of the 2016-2017 school year. The district currently does not have the bilingual psychologist capacity to complete the testing. There are currently four bilingual school psychologists – three are assigned to schools. Therefore students are being assessed by monolingual English speaking school psychologists with the use of an interpreter that is not familiar with educational testing and terms. The seriousness of this situation raises significant issues regarding the validity and reliability of the referral and assessment processes as well as federally required prior to any student being referred for special education. In fact, this current practice is non compliant with federal IDEIA law.

In other words, ENL students are not being provided equitable access to bilingual language and cultural supports within general education and therefore are defaulting to a referral for special education.

There is space at RIA that would allow a comprehensive expansion of the program to include SIFE and newcomer Spanish speakers. However, the space is currently being used as a ‘swing school.’ A review of the current and recent past performance data for English learners students is at zero to single digit proficiency on NYS performance tests for ELA and math, thereby again evidencing the lack of teaching, learning and support for these students. The lack of appropriate programming and certified personnel compounds the need to expand RIA to support all newcomer students, including Spanish speakers.

The district is commended for its’ partnering with Brockport to develop a ‘grow your own’ program where seniors enroll in the college, become certified, and return to RCSD to teach bilingual education. However, the current magnitude of teacher shortage remains unfilled. It would be most prudent to investigate specific support in this area by Teach for America that has focused on creating teachers in hard to staff areas such as special education and English learners.

***Career and Technical Education (CTE) programs-*** There is a lack of CTE programs for students with disabilities in the RCSD. A comment was made by one interviewee that the “district needs to align the NYSSA student to what is available in the district” which is disconcerting at best. While there is an administrator that oversees career pathways for the district, there is an apparent lack of urgency, advocacy, creativity, and planning to provide coherent district wide programming for all students including students with disabilities.

There is an award winning exemplar of CTE programming in the Buffalo City School District. The graduation, completion and CDOS (Career Development Occupational Studies) data shows the impact and success of a well defined and planned, resourced, and supervised CTE program for middle and high school students.

RCSD staff and teachers are encouraged to at a minimum visit the district website [http://www.buffaloschools.org/Career\\_Technical.cfm](http://www.buffaloschools.org/Career_Technical.cfm) to see the vast range of opportunities, successes and possibilities that can be created for all students including students with disabilities.

RCSD has Edison High School that has the vast capability to be the campus within which CTE programs are built and expanded for all students. There are currently two staff at the site that oversee and manage the NYSSA students housed on campus. However, the utilization of the plant and the lack of expanded program opportunities for students are severely lacking. It was repeatedly stated that the “state made us close the ‘WEP’ program,” no staff could articulate why and what efforts were made to remediate the states concerns. Rather the program was shut down. For example, there is an unused green house that has potential to be a career pathway as well as fundraiser for the school. When queried as to why it was not used, again, the message was “the state said we couldn’t keep the program.”

In observing several classrooms it was clear that the programs are not operated at the level they could be. For example, the culinary program does not provide students with the opportunity to cook, serve, or learn vocational skills that would make them employable. Students had adorned aprons and were gathered around a table learning how to use a nutcracker. The café was festively decorated for the holidays, tables set but no culinary services that included cooking or serving were available to the students.

***Early Learning/Preschool -*** There is a need to integrate early learning programming in general education special education preschool into one department. The recent decentralization of preschool to kindergarten (4GO5) has caused great concern among many central staff. The critical transition from 4GO5 to general education or CPSE and CPSE to CSE was of concern. There are 23 schools that have preschools that transition preschoolers into kindergarten. The lack of centralization for such a large program given that preschoolers can be transferred to a variety of building across the district makes it difficult to manage enrollment numbers for schools. In addition, the municipality pays for ages 3-5 programming and it is reported that many of these students come into the RSCD Committee on Preschool Education (CPSE) for special education evaluation or with an identified disability. To address the reportedly large number of students entering the district with an evaluation for special education completed, the district should work with NYSED to garner

permission to allow all preschool evaluations of students not enrolled in RCSD early learning programs to be conducted by the district.

## **Recommendations**

### ***Office of Student Support and Specialized Services***

#### **It is recommended that the district:**

- 2.5** It is highly recommended that the district conduct an analysis of current positions, unfilled vacancies and structures at the school level and within the office of special education with an eye toward repurposing and reallocating positions, roles, and responsibilities that currently are not resulting in a return on investment. This analysis will provide the ability to create those that will support and be aligned with the necessary work needed to develop a cohesive and coherent system of special education.
- 2.6** Create the position of Chief of Student Support Services and Special Education Services that oversees both the office of special education and the office of student support services. Create one executive director for special education and one for student support services that report directly to the chief.
- 2.7** Have the executive director of student support services oversee nurses, social workers, counselors, psychologists, long term suspension, attendance, alternative education, homeless services, credit recovery, placement and the bilingual assessment team.  
Have the executive director of special education will oversee all aspects of special education and personnel therein (e.g., director of due process, coordinator of transition services, three administrators of specialized teaching and learning, director of related services, professional development, Frontline IEP Direct, and director of early learning and CPSE).
- 2.8** Create three to four Administrators of Specialized Learning to replace the current Zone Director positions, housed in central office and whose role is to provide administrative support for programs, services, teaching and learning for students with disabilities.
- 2.9** Consider repurposing the position of school based CASE and allocate funds to central oversight. Create Team Leaders (teachers on special assignment – TOSAs) whose role is to be in classrooms supporting the delivery of specially designed instruction, and providing technical assistance to teachers and schools on the implementation of student IEPs. Hire 4-5 Team Leaders for each Administrator of Specialized Learning. Both the Administrator of Specialized Learning and the TL report centrally to the executive director of special education.

- 2.10 Create a position of director of due process that would oversee manifestation determinations, mediation, state complaints, dispute resolution, impartial hearings, self-reviews and corrective action plans for the department. This position will allow central office and school based personnel to become more consistently focused on teaching, learning and support at the site. This position will work in conjunction and close collaboration with the newly created special education parent ombudsmen.
- 2.11 Create a full time position of director of related services that supervises, coordinates, and oversees speech, occupational and physical therapists; audiology, behavior, MATCH team, and Medicaid billing and reimbursement.
- 2.12 Create a full time lead speech position to oversee and support all speech and language therapists, monitor and assign caseloads according to school and student need, provide and coordinate monthly professional learning, coach and mentor.
- 2.13 Create a full time lead psychologist position to oversee/supervise all school psychologists' assignments, monitor and assign caseloads according to school and student need, problem solve issues that arise, provide and coordinate monthly professional learning, coach, and mentor.
- 2.14 Create a lead occupational/physical therapist lead that is .5 lead and .5 direct service to support and coordinate OT and PT personnel, caseloads and coordinate relevant professional learning opportunities for staff.
- 2.15 Create a coordinator position to oversee para educators/teaching assistants, the hiring, sharing, shifting and use of these staff. Currently, there is not one centralized person in charge of this large group of employees that continue to grow each year that result in the district having to contract with external providers to supply personnel.
- 2.16 Consolidate the office of early learning and special education preschool service and CSPE into one department. This position can report the executive director of special education.
- 2.17 Consider moving the office of placement under the executive director of student support services.

### ***Autism Team***

#### **It is recommended that the district:**

- 2.18 Develop a fully functional autism team that represents the needs and exponential increase of students in the district. At a minimum the district should reallocate the 4 FTE back to the autism team.
- 2.19 Develop a BCBA component and respective personnel to work with autism team. Currently one behavior specialist is becoming certified on his own accord. There

should be at least one or more dedicated BCBA personnel assigned to the autism team.

- 2.20 Explore a partnership with Strong Memorial Hospital and the University of Rochester to support the development of a full array of programs and services for students with autism.
- 2.21 Provide a written protocol for “embedded service delivery” to allow for more push in delivery of speech and language services within the classroom.
- 2.22 Consider aligning the autism team under the office of related services to provide a coordinated home base with other providers that they work regularly with. At present they are adrift without connection to other special education service providers.
- 2.23 Provide the opportunity for the autism team members to be trained in TEACCH, a research-based and nationally used methodology for successfully working with students with autism.
- 2.24 Design a full continuum of autism programming Pre K -12 that includes communication, functional and life skills.
- 2.25 Ensure that any change of placement that concerns autism classrooms, either more or less restrictive necessarily includes a member of the autism team to confirm the appropriateness of the placement.
- 2.26 Work to have autism classes exempt from teacher transfer day to ensure the most highly trained and experienced work with this population of students.
- 2.27 Work to have autism classes exempt from para-educator transfers to ensure the most highly trained and experienced work with this population of students.
- 2.28 Ensure that parents of students with autism are provided the state required 4 one hour training and counseling sessions.
- 2.29 Ensure that all CASEs and school psychologists are trained in autism spectrum disorder to further develop their knowledge of the intricacies and needs students with autism. This may reduce the reportedly inappropriate placements being put forth without consideration of the composition of autism classrooms.

### ***Bilingual Special Education***

**It is recommended that the district:**

- 2.30 Conduct a financial analysis of the number of English as a new language (ENL) teachers and aides for secondary newcomers in order to repurpose the funds to create a district wide newcomer academy for Spanish speakers 7-12<sup>th</sup> grade.

- 2.31** Expand RIA to become the district's newcomer center for all languages. Move the current swing school to another site and replace it with a program that supports students of all languages including Spanish. If this is not immediately feasible, a new space for Spanish speaking newcomers should be planned for SY2017-2018.
- 2.32** Conduct a data analysis of students that transition out of RIA to other comprehensive school campuses to ascertain their success as well as needs to support such transitions.
- 2.33** Conduct a data analysis of the elementary and secondary programs serving English learners to problem solve and ascertain current needs and supports that result in the creation of and equitable access to instructional programs to improve the academic achievement of ENL students.
- 2.34** Conduct a data analysis of all ENL students, including those with IEPs, elementary to and through high school. Review academic and behavior performance (e.g., attendance, office referrals, detention, suspension, tardies etc.), on track for graduation, and graduation. Cross-reference these data with the types of program and services provided and ascertain the rate of success or the lack thereof for students enrolled in them. Use the results of the analysis to redesign district wide programs for ENL students.
- 2.35** Using the above data, analyze the rates and grade levels by which ENL students are referred for special education to assess whether the lack of equitable access to robust language and support programs are the default to a referral.
- 2.36** Contract or hire qualified bilingual school psychologist to conduct any and all assessments for ENL students referred for special education eligibility to ensure they are appropriately assessed in their native language.
- 2.37** Assign all ENL referrals for special education assessment to the four city wide bilingual school psychologist.
- 2.38** Put instruction, intervention and respective progress monitoring systems in place to ensure that ENL students are not referred due to the lack of equitable access to general education and mandatory language and cultural support.
- 2.39** Contact Teach for America to explore a partnership to fill the numerous vacancies across the district for teachers of ENL students.
- 2.40** Ensure that parents who speak other languages than English are fully informed in their native language of their rights and safeguards that special education provides students with IEPs. Ensure written correspondence is in the parent's native language and assistance is available to support the full understanding of such.

### ***Career and Technical Education (CTE) programs***

#### **It is recommended that the district:**

- 2.41 Create a work group charged with developing a 3 year phased plan to develop Edison into a comprehensive CTE program that utilizes the facility and the opportunity it provides. The plan should entail a budget, curriculum, pathways, CDOS opportunity and the like.
- 2.42 Work toward developing Edison into the facility where all students eligible for NYSSA attend and are provided career and vocational education opportunities as well as work-study.
- 2.43 Visit Buffalo City School District's CTE program to learn the history, challenges, budgeting, and proactive planning for a well rounded program to be implemented in RCSD.
- 2.44 Work with current administration and staff at Edison to provide more robust learning opportunities for students with IEPs that attend the school presently.
- 2.45 Create a position of coordinator of transition services for students with IEPs to specifically oversee the development, placement and success of pathways, CTE, community based learning and CDOS programming for students with IEPs.

### ***Related Services***

#### **It is recommended that the district:**

- 2.46 Review all Speech only IEPs, especially at the secondary level, for proper classification, appropriateness of service, and program placement. Review and examine all students enrolled in self-contained classrooms to ensure that speech only students are not inappropriately placed.
- 2.47 Hold monthly speech language provider meetings, facilitated by the lead speech language staff person recommended in 2.12, and utilize early release days for professional development.
- 2.48 Explore the realignment and coordination of speech/language providers and early intervention reading teachers to provide more proactive and early intervention to a great number of general and special education students.
- 2.49 Create a protocol, including timelines, for ordering AT devices and other needed equipment as a result of MATCH evaluations.
- 2.50 Conduct an inventory of the AT devices and other equipment in the loan inventory to ensure standard and regularly requested items are available and ready for use by students.

### ***School Psychological Services***

#### **It is recommended that the district:**

- 2.51** As aforementioned in 2.13 create a lead psychologist position.
- 2.52** Train school psychologists to serve as the quality control agents for new referrals for evaluation. Central office staff can then conduct random checks of these quality control reviews to ensure integrity to the process.
- 2.53** Ensure that all school psychologists are systematically given the opportunity to review and respond to parent referrals received at the school.
- 2.54** Utilize early release days to provide targeted and relevant professional development for school psychologists.
- 2.55** Ensure school psychologists are highly trained and supported in the RTI process for learning disability identification for K-4 per NYSED regulation.
- 2.56** Empower and support school psychologists to coach schools to be held accountable for the delivery of robust intervention with data driven progress monitoring prior to any referral for special education evaluation.

### ***Behavior Specialists***

#### **It is recommended that the district:**

- 2.57** Clarify the role, function and expectation of the behavior specialist position
- 2.58** Conduct a ‘boot camp’ on behavior for all CASEs, special education staff, teaching assistants and administration.
- 2.59** Create an online behavior module that can be archived and use consistently as a resource to schools, new personnel and the like.
- 2.60** Develop standard written protocols to address crisis intervention, gang related behavior and lethality. Train and disseminate to all school personnel.
- 2.61** Ensure the consistent use of nonviolent crisis intervention through the continued use of CPI (Crisis Prevention Institute). Identify personnel whose certification is expiring and support the recertification.
- 2.62** Work to adopt a district wide curriculum and consistent behavior management system classrooms that serve the most challenging students.

## ***Preschool***

### **It is recommended that the district:**

- 2.63 Consolidate early learning and special education preschool and CPSE into one department to report to the executive director of special education.
- 2.64 Engage with NYSED to garner permission to conduct all preschool evaluations/referrals for special education, regardless of where students attend preschool.
- 2.65 Revert back to centrally run 4GO5 to CPSE to CSE transition meetings. Hold all meetings at the school site of the preschool.

## **C. School-Based Oversight of Special Education Services**

### **Critical Issues**

- The organization of the current office of special education school-based support model has resulted in disjointed communication, ownership, and inconsistent implementation of special education requirements and oversight of teaching and learning for students with IEPs.
- There is an over-reliance on the CASEs to handle all school-based special education issues that arise.

### **Observations**

School based CASEs spend the majority of their time scheduling, holding IEP meetings and handling paperwork. They have no clerical support.

There has been an increase in the rate of referral and placement of students with disabilities in special education since the school based CASE positions were initiated on or about 2010.

Students with IEPs are moved, on a regular bases, to more restrictive placements within the current system.

There is little to no in classroom support of special education teachers.

Realignment and differentiation of special education personnel roles, responsibilities, and support structures would improve ownership and accountability of programs and outcomes for students with IEPs.

### **Areas of Concern**

***Ownership of Students with IEPs*** - Special education central office staff, related service providers and special education teachers consistently reported that there is a lack of ownership, support, and inclusivity by school administration for students with disabilities in RSCD. However, RSCD is perfectly aligned for these results with its current practices for an initial referral for evaluation, annual review (AR) process and its use of the CASEs. The

processes (initial referral and AR) are supervised, coordinated, and conducted by school based CASEs. While school-based personnel must have the knowledge, input, collaboration and ownership in the instructional and intervention/supports processes to provide quality services for students, there are few checks and balances at the site level to ensure sufficient and necessary supports and services are provided to students prior to the referral for special education evaluation. Recent efforts have been taken to review all initial evaluations for completeness. These reviews are conducted centrally. In addition, the principal is a critical party in ensuring that the recommended actions and services can be delivered in the building, however, under the current model, they reportedly participate minimally in these processes but support the referrals to special education. Hence the CASEs are left to handle and coordinate all IEP decisions.

***School-based CASEs*** – It is reported that the majority of these personnel are new this year. There is consensus within this group as well as across other focus groups that there is a pervasive lack of understanding of special education processes and procedures that is disconcerting since they have the responsibility of implementing IDEIA and NYSED regulations for the district. There is an urgent need to calibrate and coach these personnel to ensure that they have support they need to do their jobs. There was group consensus that their centrally run CASE meetings should be professional development instead of a logistical meeting.

In the focus group with CASEs they described themselves as “secretaries – we address envelopes.” When asked who is responsible for students with disabilities meeting standards there was consensus from the group that “we are responsible for students with disabilities meeting grade level standards; ...or the vice principals or principals,” when in actuality teachers, both general and special are responsible. The group discussed that “anything special education comes to me.” It was reported, “...any kid slightly different in any way is ours.”

While the group shared that every building is different, there was consensus that “principals don’t have an understanding of special education;” “they are not required to have a base level of information about special education,” “it is ok for them not to know about special education.” Interestingly one CASE shared that a mere 20 minutes into our focus group she had received “...8 texts in the last 15 minutes about special education kids and 8 calls.” One focus group participant emphasized that this is the constant reminder of the pervasive belief and practice that “these are not **our** kids they are special education kids.”

When asked about the high rate of classification in the district the uniform response from the group was “...because general education is not working and most referrals are behavior.” The group shared that all they do is “put out fires” and do not have time to get into classrooms to support teachers. In addition, they are conducting APPRs on special education teachers in their building, which is certainly not a good use of time given all the needs. It was shared that when the position was change to more administrative they are seen as an extra pair of hands to help with teacher evaluations at the sites. There was uniform desire to be in classes supporting teachers in delivering specially designed instruction.

Response to Intervention was described as a “mess;” “never rolled out properly;” and “...RtI is driving students into special education instead of intervening.”

That lack of written procedures, accountability, and oversight for special education has resulted in inconsistent practices that often result in personnel being “pressured” to move a student out of the building or place a student into special education in order to move them out of a building.

There is an apparent disconnect in regard to placement options for students. The group talked about the lack of knowledge of placement options in the district when they are in IEP meetings that require a decision. They indicated they make a decision and it goes back to placement and they have to wait for the information about which school the student will attend. However, in a lengthy discussion with the special education placement personnel, it was shared that a newly developed district wide automated database for special education classrooms now shows available. Efforts this year have been to move from paper to the electronic system.

***Annual Reviews (AR)*** – A subcommittee of the Committee of Special Education (CSE) at each school site conducts all ARs. The CASEs chair the school-based ARs. In RCSD, most ARs are conducted between January and June. A better system would be to hold the AR on the actual anniversary date of the IEP, a nationally used practice, allowing the caseload of these IEPs to be spread out throughout the year. The result is twofold – CASEs would be available to support their schools more consistently and principals, school psychologists and other designated personnel, after receiving training, could chair and share the responsibility of the ARs as meetings could be calendared and planned for throughout the school year.

## **Recommendations**

### ***Ownership of Students with IEPs***

#### **It is recommended that the district:**

- 2.66** Provide school-based personnel with professional development each year on the IEP process, including writing an IEP with appropriate goals aligned with state standards, the conduct of initial referrals for evaluation and the annual review processes.
- 2.67** Consider creating an online IEP training module that can be accessed throughout the school year.
- 2.68** Provide CSE chair training to principals, assistant principals, school psychologists and other service providers to extend the involvement, responsibility, and ownership of students with IEPs at respective schools.
- 2.69** Provide district-wide training on the purpose and parameters of special education services (to deliver specially designed instruction to mitigate the effects of a disability) that results in increased understanding and knowledge of the need for

equitable access to grade level content through the use of RtI and academic intervention services (AIS), in addition to IEP services.

- 2.70 Create and follow a written communication protocol to notify school principals when a new student with an IEP (e.g., new to special education, new to the district, or in need of a change of placement) is being enrolled at their school.

### *School-based CASEs*

#### **It is recommended that the district:**

- 2.71 See 2.9 for the recommendation regarding the repurposing of this position. The recommendations that follow are based on the position, as it currently exists.
- 2.72 Move the current responsibilities of initial referrals and more restrictive placements to central office special education personnel. Annual reviews can be conducted at the school site and shared across administrators, school psychologists, and others trained to chair these meetings. Thus allowing CASEs to get into classrooms to support teaching and learning. Alternatively, convert the CASE position back to a teacher on special assignment position.
- 2.73 Redesign the position and respective responsibilities whereby CASEs spend the majority of their time supporting and coaching teachers that work with students with disabilities.
- 2.74 Establish a school-based position for a special education lead teacher. Delineate their role, responsibilities, and any fiscal implications (e.g., stipend, reduced case loads, etc.). Lead teachers facilitate consistent implementation of special education across the school and immediate problem solving of issues that arise at the site. The position serves as a department head (e.g., special education department head for secondary) or grade-level chair for special education staff in the building. Under the new suggested organization structure, lead teachers would work with CASEs and report to the school principal. Building the capacity of school-level special education lead teachers/department heads leaves less reliance on CASEs and creates a system where ownership of students with IEPs and the processes to provide immediate supports and services is more prevalent.
- 2.75 Move the responsibility of APPR for special education teachers back to the principal and vice/assistant principal.
- 2.76 If maintained, provide clerical support the school based CASEs.
- 2.77 Deliver required professional development, on a consistent basis throughout the school year to all building administration, CASEs and chiefs on a variety of special education topics to include by not limited to basic compliance procedures, processes, and timelines. In addition, provide professional learning opportunities on beliefs, expectations and teaching and learning for students with IEPs.

- 2.78 Develop an intentional plan to ensure application of the professional development/learning, follow up to that learning, and specific means to measure and account for its implementation.
- 2.79 Move all initial referrals for special education back under the purview central office.
- 2.80 Move any request for more restrictive placements back under the responsibility of central office administration.
- 2.81 Communicate, train and clarify the use of the new digitized placement options to avoid the delay of students waiting for placement.

### ***Annual Reviews (AR)***

**It is recommended that the district:**

- 2.82 Redesign the AR process to become more efficient and inclusive of school administrators, special and general education teachers at the school site. School-based personnel, once trained, rather than special education CASEs, should chair CSE subcommittee Annual Reviews.
- 2.83 Move the ARs to the anniversary date of the IEP. Holding meetings throughout the year alleviates personnel workloads and in the case of RCSD involve more site-based personnel (e.g., principals, assistant principals, psychologists) in chairing the meetings. Plan and establish a process for phasing in the meetings prior to due dates and phasing in annual review meetings throughout the year.
- 2.84 Ensure that general education teachers are given advanced opportunity to prepare, participate, and provide input on students' ARs in a meaningful way.

## **SECTION 3**

### **INSTRUCTIONAL PRACTICES, SUPPORTS, AND SPECIAL EDUCATION SERVICE DELIVERY**

#### **A. Staffing Patterns & Usage**

##### **Critical Issues**

- While RCSD's per pupil expenditure is about the average for similar districts in New York, its special education staff ratios are generous. The outcomes for students with disabilities, across multiple measures, are far below what would be expected given these significant personnel investments.

##### **Observations**

Per pupil expenditures in RCSD are relatively equivalent for general education and higher for special education compared to similar districts across NYS.

The RCSD has above-average staffing when compared to 69 surveyed urban school districts.

**Areas of Concern**

***Per Pupil Expenditures*** - The outcomes for students with disabilities given the staffing and per pupil expenditures are far below where they would expect to be given these resources. A review of per pupil expenditures across similar districts within NYS shows that RCSD spends approximately the same amount per pupil for general education is \$10,983 (similar districts \$11,170). However for special education it is \$29,591, which is approximately \$4,700 more per pupil than other similar sized districts (e.g., Buffalo, Syracuse, Yonkers).

**Table 6: Total Expenditures Per Pupil**  
**TOTAL EXPENDITURES PER PUPIL**

THIS SCHOOL DISTRICT	SIMILAR DISTRICT GROUP	NY STATE
\$21,800	\$21,006	\$22,556

Source: Fiscal Accountability Summary (2015-16)  
<https://data.nysed.gov/fiscal.php?year=2016&instid=800000050065>

***Personnel Ratios*** - RCSD has a rich set of human resources available for students with disabilities. Appendix E contains data that compares RCSD staffing ratios to those from other urban school districts. The Urban Special Education Leadership Collaborative and the Council of the Great City Schools, including its team members who conduct school district special education reviews, collected the data reported in the tables.

The RCSD enrollment and staffing for these calculations are from Basic Educational Data System (BEDS) October 2015. The district provided the number of FTE used for comparison from 2015-16.

Data from 70 districts provide a general understanding of staffing levels for special educators, assistants, speech/language pathologists, psychologists, occupational therapists, and physical therapists. Appendix E provides detailed information for each surveyed school district, sorts the data from the smallest students-to-personnel ratios by area, and shows the number of districts with smaller ratios than RCSD.

These data do not give precise district comparisons, and the results need to be used with caution. District data are not uniform (e.g., they may include or exclude contractual personnel) and are impacted by varying levels of nonpublic and public placements (i.e., personnel outside a district provide special education or related services to a group of district students). However, these data are the best available and are useful for a better understanding of staffing ratios for school districts.

As shown in Table 7, RCSD has an overall average of 9.8 students with IEPs (including those with speech/language need only) for every one special education teacher, ranking the RCSD as 7<sup>th</sup> among the 70 urban districts for staffing.

In the area of paraprofessionals (RCSD utilizes teaching assistants), RCSD employs one teaching assistant for every 12.8 students with an IEP, ranking RCSD 25<sup>th</sup> of the 70 urban districts.

**Table 7: Average Number Students with IEPs for Each Special Educator & Paraprofessional**

Areas of Comparison	Special Educators	Paraprofessionals*
Number of RCSD Staff	559	428
RCSD Student w/IEP-to-Staff Ratios	1:9.8	1:12.8
All District Average Ratios	1:14.3	1:14.9
RCSD Ranking Among Districts	7 <sup>th</sup> of 70 Districts	25 <sup>th</sup> of 70 Districts

\*RCSD uses Teaching Assistants

Staffing ratios and district data on the RCSD related-services personnel are summarized below and illustrated in Table 8.

**Speech/Language.** With 148 speech and hearing teachers, there is one for an average of 37 students with IEPs. This average is significantly less than the 70 districts average of 1:114, ranking RCSD 2<sup>nd</sup> in the 70 reporting districts.

**Psychologists.** With 64 psychologists, there is one for an average of 85.5 students with IEPs compared to the surveyed district’s average of 1:156, ranking RCSD of the 7<sup>th</sup> in the 70 reporting districts.

**Social Workers.** With 89 social workers, there is one for an average of 61.5 students with IEPs, compared to the average of 1:184, ranking RCSD 4<sup>th</sup> of the 70 reporting districts.

**Nurses.** With 55.5 nurses, there is one for an average of 98.6 students with IEPs, compared to the average of 1:132, ranking RCSD 20<sup>th</sup> of the 70 reporting districts. However, it should be noted that there are 43 *health aides* that are not included in this ratio and should be considered as additional support to the current generous staffing of nurses.

**Occupational Therapists.** With 29.2 occupational therapists, there is one for an average of 187.4 students with IEPs, compared to the average of 1:426, ranking RCSD 16<sup>th</sup> of the 70 reporting districts.

**Physical Therapists.** With 11 physical therapists, there is one for an average of 497.5 students with IEPs, compared to the average of 1:974, ranking RCSD 15<sup>th</sup> of the 70 reporting districts.

**Table 8: Ratios of Students with IEPs to Staff for Related Service Providers**

Related Service Areas	Speech/ Language	Psychology	Social Work	Nurse*	OT	PT
Number of Staff	148	64	89	55.5	29.2	11
RCSD Student w/IEP-to-Staff	1:37	1:85.5	1:61.5	1:98.6	1:187.4	1:497.5
70 District Average Ratio	1:114	1:156	1:184	1:132	1:426	1:974
RCSD Ranking Among Districts for Student w/IEP to Staff	2 <sup>nd</sup> of 70	7 <sup>th</sup> of 70	4 <sup>th</sup> of 70	20 <sup>th</sup> of 70	16 <sup>th</sup> of 70	15 <sup>th</sup> of 70

\*This number does not include 43 health aides employed

Based on per pupil expenditure and the ratio of staff to students with IEPs, RCSD has the fiscal and personnel resources to deliver a comprehensive special education delivery system.

This level of fiscal and personnel support should result in practices and procedures that are both compliant and result in positive outcomes for students with disabilities. The fact that the current delivery system does not meet state targets in multiple areas, and the fact that the academic outcomes of students with disabilities is far below district and state expectations must be examined.

## **Recommendations**

### ***Review Staff Ratios***

**It is recommended that the district:**

- 3.1** Review the generous special education staffing ratios to problem solve and ascertain the reasons behind the lack of the overall progress on compliance issues and timelines, lack of student performance and the significant increase of students referred to and classified as needing special education.
- 3.2** Conduct a complete review of the usage of staff within the special education delivery system to determine why the generous staff-to-student ratios are not resulting in exponentially improved outcomes for students with IEPs. This review should examine the amount of time students with disabilities receive services, the degree to which those services align with IEP goal and objectives, the manner in which the special education services are integrated with general education standards and instruction, whether or not students are actually receiving the services identified on the IEPs and the way staff are provided supervision, evaluation and support.
- 3.3** Conduct an analysis of the “enriched ratio” for para educators/teaching assistants across the district to ascertain cost and value add.
- 3.4** Analyze the trends and patterns of the high rates of referral of students to outside agency placements and reasons why given the district’s considerable investment in the addition of staff (“enriched ratios”) for self-contained classes.

## **B. Instruction, Intervention and Support for Students with Disabilities**

### **Critical Issues**

- There is a lack of professional development for administrators, school principals, special education and general education teachers and across central office departments, including special education, that focuses on compliance and procedures, teaching and learning for students with disabilities, and the use of data to drive instructional decision-making.
- There is general inconsistencies in knowledge and implementation of IDEIA and NYS regulations across general and special education school based personnel.
- Professional training and coaching opportunities for Integrated Co-teaching (ICT) has not occurred in the past several years.

- Data are not used to evaluate program outcomes or the return on investment of the current practices and supports.

### **Observations**

There is strong consensus from all interviewees and focus groups on the need for on going professional development on the IEP process.

Special education teachers strongly voiced the need for professional development opportunities that would allow them to collaborate on the teaching and learning needs of students with IEPs, both in the ICT model and self contained and mainstreamed service delivery.

Principals voiced the need for on going professional development in the critical areas of compliance with regulations to equip them with up-to-date information that allows them to support teachers and other special education service providers.

In the fall 2016 semester there were several professional development opportunities provided for central office special education personnel (See Appendix F for full list by month)

The use of IEP Direct, the levels of access for input and respective protocols need to be reviewed.

There is consensus on the need to analyze the Integrated Co-Teaching Model (ICT), used for a large majority of students with disabilities, to evaluate its impact on student outcomes and more importantly provide the continuum of service options to students in every building.

### **Areas of Concern**

***Support for Individualized Education Programs (IEPs)*** - Special education teachers, principals, central office special education staff and school based CASEs consistently reported that there is a dire need to provide training on the writing of IEPs. Several school based CASEs raised concern about the general lack of special education teachers' skill to write individualized goals for student IEPs. In addition, providing professional development on best practices for delivering specially designed instruction as well as standards aligned instruction for students with IEPs has not occurred but is desired. One focus group participant shared that "teachers cut and past from last year's IEP to this years" Another participant offered that "...the CASE is writing IEPs because the teacher won't."

***IEP Documentation and Recording*** – New protocols have been put in place this year to ensure that IEPs conducted at schools are complete, grammatically and syntactically correct and spell checked before they are uploaded centrally into IEP Direct. Special education clerical staff (SSAs) ensures the integrity of the documents and are not authorized to make any substantive changes to any IEP. However, there were general concerns about this process in that the lack of a checks and balance system leaves some staff to question whether more substantive changes are being made to IEPs (e.g., changes timelines). While this was not validated, as a matter of concern and to address any uncertainty of the integrity of the process, a protocol and/or communication loop should be developed to ensure any changes in

documents (e.g., corrections for grammar, spelling, syntax and completeness) retains does not alter in any substantive way the information submitted. The IEPs once uploaded are available for the originators to review.

It is unclear why IEPs once completed at the school site are not printed and provided to the parent/guardian at the end of the IEP meeting thereby eliminating the need for central clerical staff to review and upload. Checks and balances at the school site should be put into place for spelling, grammar and the like. The current process seems unnecessary given this day and age of technology.

IEP Direct and Power Schools reportedly do not communicate well together. This has been evidenced in the data relative to charter school students. It was reported that errors occur when a student enrolls in a charter and/or when they return to the district the changes do not appear. This could be due to lack of data input into the system to record changes or system issues. Regardless, this is an area that was raised as a frustration to those working with charter schools and warrants examination. It was reported that there used to be “data flow” meetings where staff would meet monthly to discuss issues that impacted the data around IEPs. These were seen as very helpful.

A general concern included the delay of external change in placements for students. These delays are not due to the district per se, but rather the length of time to secure complete external placements. Packets must be sent to agencies to be processed. The district must wait to agencies to review and communicate with the district about acceptance.

In other cases delays may be due to missing documentation (e.g., birth certificate) that must be furnished by the parent/guardian. However, one reason for these delays could be due to the high number of external district placements the district regularly requests.

A delay in a within district placement may be due to the logging of an IEP into the system. Other concerns were raised about the district ‘last minute’ changes to classes due to elimination or moving them to another school or adding new classes, without advanced notice to families.

***Integrated Co-teaching (ICT)*** – It has been reported that school administrators have used ICT to mitigate special education by enrolling a few general education students in a class and filling the balance with students with IEPs. While it is known that 50% is the district’s “tipping point” there are ICT classes where the majority of students enrolled are students with IEPs. Having observed several ICT classrooms in the district, it is clear that the model uses the one teaches and one observes or sits in the back of the room. In general there is little student engagement during instruction that involves all students, including students with disabilities in instruction.

When looking at programs for students with disabilities, the literature recommends (<http://www.floridainclusionnetwork.com/faqs-citations/>) that the ratio of students with and without disabilities reflect the natural proportions in the school. In other words, if 20 percent of the students at a particular grade-level are students with disabilities, then the classrooms at that grade-level should have approximately 20 percent students with disabilities and 80 percent students without disabilities. When implementing a co-teaching model, it is

recommended that the ratio not exceed 1/3 students with disabilities and 2/3 students without disabilities. It is important to remember that, while co-teaching provides a lower student-teacher ratio, increasing this ratio or reducing the level of support may lessen the benefits of inclusion.

The annual performance of students with disabilities (see Section 1) at every level of the district clearly indicates that students are not benefitting from this model. In addition, there reportedly has been a lack of recent training and support for the ICT model. ICT and CT is currently used across all content areas which makes it virtually impossible for special education teachers to be available to support general education teachers in any manner or provide additional support, as needed, to students on their caseloads.

The district should consider revamping these models to provide more aligned and needed support to students and teachers that instruct students with IEPs. For example, provide ICT and/or CT for ELA and Math only. In most cases students with IEPs need support with executive functioning skills and are often discrepant in specific skill areas that most impact ELA and Math performance. While these skills are utilized in other content areas, ELA and Math are the more likely content areas that are more likely to present challenges.

***Support for Improving Teaching and Learning*** – A focus group was held with staff of the curriculum and instruction and curriculum office. The theme of the discussion was the lack of professional learning opportunities with teachers. Because professional development (PD) is voluntary, “we don’t hit the critical masses.” There are 24 credit hours of PD teachers can take, however, the approval of the content is done by the school based planning team. In speaking with the group it was unclear of the impact they have in leading the work of teaching and learning with principals and schools. When asked “how do you spend your day?” one participant responded “... I visit schools, give feedback, touch base with principals, and try to give PD.” There was discussion about when the district was more decentralized – ‘principals were more responsible.’ There was group consensus that if the district decentralized then “principals would be responsible again.”

The subject of coaches was raised – there are 24 in the PD department that work directly with the directors each having 1-2 and the rest are assigned to buildings and report to principals. School based coaches are in priority and receivership schools this year, and the rest of the schools do not have coaches. There are 37 K-2 reading coaches paid with coordinated early intervening services (CEIS) dollars who reportedly only work with special education students and “cannot work with general education students.” Early intervening services are intended to prevent disproportionality in special education by working with students prior to referral for special education. The *Individuals with Disabilities Education Improvement Act* amended the *IDEA* to allow, and sometimes require, local educational agencies (LEAs) to use funds provided under Part B of the *IDEA* for Coordinated Early Intervening Services. The CEIS provision, which is found in section 613(f) of the *IDEA* (20 U.S.C. §1413(f)) and the regulations in 34 CFR §300.226 permit districts to use Part B funds to develop and provide CEIS for students who are currently not identified as needing special education. The rationale for using *IDEA* funds for CEIS is based on research showing that the earlier a child’s learning problems or difficulties are identified, the more quickly and effectively the problems

and difficulties can be addressed and the greater the chances that the child's problems will be ameliorated or decreased in severity. Conversely, the longer a child goes without assistance, the longer the remediation time and the more intense and costly services might be (See [https://www2.ed.gov/policy/speced/guid/idea/ceis\\_pg2.html](https://www2.ed.gov/policy/speced/guid/idea/ceis_pg2.html)).

Clearly there is a reported misunderstanding of the use of the money per federal law and a lost opportunity work with both general and special education students at risk for failure. It was unclear to whom these coaches report to or what data are being used to monitor impact.

When asked their perspective as to why 20% of RCSD student's have IEPs the group discussed the lack of knowledge, in general, about special education. And, the pervasive belief and practice that any student that presents a behavior challenge "must be special education." "Schools get students out of class by putting them into special education;" "...because they don't know how to deal with students and don't know special education;" "principals don't own special education."

It was difficult to ascertain the role and function of the curriculum and instruction group as a whole. There was agreement that tier 1 or core instruction needs to be improved and held to high expectations. "We need student centered classrooms that ensure curriculum is student centered and engaging and have a student voice." Clearly, the group had agreement on what should be but in our time together was not able to articulate what or how that could be accomplished. When asked if they could make changes to improve teaching and learning for all students participants shared "be in the business of learning, get focused;" "reconfigure central office to remove barriers to do the instructional work;" "ownership at the school;" and "begin using data to make all decisions."

**Principal Voice** – The principals provided additional insight to the realities of special education at the school site. They clearly articulated the dismay about how the district places classrooms based on space rather than a needed continuum. One member added, "there is no vision for special education, decisions are made on the fly." Others spoke of the building CASE conducting CSE meetings and "that is all they have time for, there is nothing classroom based." At issue here was the overwhelming amount of paper work CASES handle and the need for clerical support.

There was group consensus that they need and would appreciate training in targeted areas that would allow them to better support the self-contained classrooms placed at their school. Others spoke of the lack of continuum that requires students to be moved when more or less restrictive services are warranted. One principal colorfully said it clearly – "they snipped part of the continuum out of our building" when they moved to ICT and CT only.

Bright spots included the Autism classrooms that are "working better and have good support." Additionally, the group voiced the need for feeder patterns for both students with autism and emotional disabilities. The ICT language enrichment classrooms were positively viewed however needed more precise placement of the 'right' students in the classroom. While these classrooms are appreciated it was noted - "some students are in resource room because there isn't any room for them."

In general, special education teachers were viewed as needing more support and professional development than general education teachers. Principals were appreciative of the district's start of "hiring from the outside." In general, hiring and placement of teachers who may or may not be ready or experienced in working with students with trauma is of concern. Grave concern was uniformly voiced over the lack of special education for bilingual students –"it's non-existent." It was noted that given the large number of Spanish speakers, "we don't have testing materials in Spanish." Hence students cannot be appropriately assessed to see what they know in their native language or what learning gaps exist. This information is critical to assessing whether a student has a learning issue, a language issue, or a learning disability.

When asked what improvements they would immediately suggest principals discussed the need to provide more opportunities for K-2/3 for both general and special education students and more social emotional support. *Great Beginnings*, a grant funded program was seen as successful and was suggested to be brought back. One participant added, "We need to stop sending angry kindergartners to special education." There was general consensus from the group that "...we need a vision for curriculum and instruction for the district."

There was overwhelming consensus around the need to return the master schedule to principals. Currently, registrars complete schools schedules with little or no input from principals. This was evident in the suggestion of creating planning time for CT teachers. Due to the schedule special education teachers are not able to participate in grade level or department meetings, even on a rotating basis.

***Support for Special Education Teachers*** – A focus group held with special education teachers. Although planned for several weeks many reported they had only learned of the meeting a few hours before its start. The majority of those attending were ICT, Resource, or consultant teachers (CT). There was one teacher of a self-contained 12:1:1 elementary classroom.

In general several themes emerged that included the need for a handbook for general and special education personnel. There is a lack of and the need for common planning time for ICT and CT especially at the elementary level. Teachers are unable to attend grade level meeting if in fact they are held because they are in classrooms servicing students.

There was group consensus on the lack of instructional materials available for classrooms across grade levels and type of service delivery (e.g., ICT, CT, resource). Classrooms that have students with the most challenging behaviors have little or no resources to teach social skills and behavior. Concerns were raised about the lack of oversight and training for para educators/teaching assistants. It was shared that professional online learning opportunities were being provided by RTA but was halted in August 2016 due to the migration to a new online system called True North Logic. At the time of this focus group (December 2016) and although reportedly requested several times, no information had been provided to RTA on the timeline for the new system to be functional.

***Data Use*** – It was reported that there is limited data access and the current warehouse does not lend itself to data analytics. The district is in the process of redefining what the current

student performance analytics is capable of as well as needed. There are more data available for K-8 than secondary. However, currently the district does not utilize an early warning system for secondary schools. It is critical that the district identify and support students with disabilities (and nondisabled peers) who are “not on track” to graduate, (i.e., have failed more than two core courses during the first year and/or have high absentee rates.). And, to the extent possible, for each student “not on track,” provide research-based strategies that would utilize all available resources, including mentoring, intervention services, counseling, tutoring, and other supports that are likely to reverse the student’s performance trend. In general there appears to be a lack of urgency about the need to provide data to leaders and teachers in order to support and monitor student outcomes across multiple measures.

***Restorative Practices*** – Over the past two years the district has embarked in the restorative practices approach to discipline. A small team of teachers is providing afterschool professional learning sessions on peace circles, passion of teaching, and building relationships with students. In addition, “appreciative inquiry” has been introduced whereby a team visits schools and identifies “bright spots.” The district is working with a second cohort of schools (n=13) that brings the total of schools involved in this work to a total of 27. Although not verified, it was reported that schools involved in restorative practice and appreciative inquiry have a teacher buy in of 85% and a 56% reduction of suspension.

In addition, a new code of conduct was voted into policy in June 2016. It was reported that principals have been trained. The manner in which students are suspended was said to be in need of change and that restorative practices are providing a new approach whereby when a student returns the message is “we want you here.”

***Professional Learning Opportunities*** – Given the observed lack of rigor and student engagement in the instructional process, the high rate of referral for special education evaluation and the deficient levels of academic performance and high rate of suspensions there is a critical need for the district to create a comprehensive, multi-year data based plan for professional development. Inclusive is a refresh and training on academic standards for both general and special education teachers as well as instructional and pedagogical strategies that actively engage all students in the learning process. The clear lack of understanding and implementation of RtI speaks to the need for intentional training for school leaders, teachers and support staff as to expectations, progress monitoring and the use of data to drive instructional decisions that integrate academic and behavior. School based leadership teams should be engaged in data driven decision making that reflect the overall health and wellness of schools and problem solve those areas that are not meeting targets and expectations.

## **Recommendations**

### ***Support for Individualized Education Programs (IEPs)***

**It is recommended that the district:**

- 3.5** Establish a multi-year integrated professional development plan for school administrators, special and general education teachers on the IEP process that

results in the implementation of IEP goals, accommodations and other supports for students with disabilities in all classroom settings.

- 3.6 Develop an IEP summary that would be generated electronically and shared with general education teachers. This summary should focus on the specific specially designed instruction strategies and accommodations that facilitate access to standards based content. These strategies and accommodations should be communicated in a way that makes sense to general education providers and should identify personnel who can support general education teachers' implementation of these strategies.

### ***IEP Documentation and Recording***

#### **It is recommended that the district:**

- 3.7 Develop a standard operating procedure, if current process is maintained, that ensures the upload of IEPs into the data warehouse allows for the correction of grammar, spelling, and syntax while guarding against substantive or content changes. Include a communication mechanism that informs the originator of any concerns or changes needing attention.
- 3.8 Establish the practice of reviewing, finalizing and printing the completed and signed IEP at the end of each meeting and providing parents/guardians with a copy. Those IEPs needing translations can be then sent for translation and sent directly to the parent/guardians upon completion.
- 3.9 Develop a system/protocol to ensure that the recording of IEP Direct and Power School are transparent and accurate. Review current oversight and business rules to ensure they are clear, sustainable and are articulated to all CASEs and appropriate special education staff.
- 3.10 Consider, if current process is maintained, employing or repurposing current clerical FTE to compliance clerks whose sole responsibility is to check IEPs for accuracy/completeness and then uploading into the central system and completing any and all clerical tasks associated with processing completed IEPs (e.g., mailing etc).
- 3.11 Ensure that staff are aware and facilitate the process, necessary procedures and paperwork for any student waiting for a change in placement, either internal or external to the district
- 3.12 Immediately begin to cross train and build the capacity of a cadre of special education central office staff on the oversight and use of IEP Direct. Currently there is one staff member prolific with the system.
- 3.13 Consider revitalizing the monthly "data flow" meetings that allow staff to problem solve, monitor and correct student rosters, enrollments and placement changes for students with IEPs.

### ***Support for Improving Teaching and Learning***

#### **It is recommended that the district:**

- 3.14** Articulate and support, at the school level, practices and procedures to integrate the special education instructional/support process with the standards-aligned instruction in general education. This includes the scope/sequence/pacing of instruction, how general and special education plan together to deliver integrated instruction, and how general and special education teachers communicate and collaborate.
- 3.15** Develop, at the district level, a plan for the office of student support and special education services and the office of curriculum and instruction to develop practices and procedures to communicate and collaborate on the development, training, and implementation of robust teaching and learning instructional services for all students.
- 3.16** Refocus and remedy the use of coordinated early intervening services (CEIS) to align with the intent and purpose of the law and provide CEIS for students who are currently not identified as needing special education.
- 3.17** Apply Recommendations 1.1, 1.2, 1.3, 1.7, 1.8, and 1.9 in Section 1 of this Report to support this section as well.
- 3.18** Work with chiefs to reduce/eliminate distractors that reportedly keep principals from being in classrooms, including special education. Set a target of time expected of principals and other site administrators to be in classrooms (e.g., 2-3 hours daily)
- 3.19** Provide the support and coaching for principals and other site administrators to ensure they are accountable instructional leaders.
- 3.20** Ensure that grade level meetings and department level meetings are taking place on a regular basis and are productively used to problem solve, use data to examine instructional outcomes, collaborate and share best practices by teachers for teachers.
- 3.21** Create a Professional Learning Team (PLT) for principals and other site administrators where they can share and support each other in exploration and implementation of best practices for teaching, learning, and school wide management of behavior.
- 3.22** Ensure those that supervise principals are on campuses and in classrooms thereby modeling and coaching expectations and skills to be an instructional leader for all students including students with disabilities.

### ***Data Use***

#### **It is recommended that the district:**

- 3.23** Consolidate all data functions, offices, and personnel under the one office (e.g., Chief of Accountability) to ensure coordination and a singular focus on creating data

systems that are customer friendly, actionable and targeted to inform district wide efforts to close the academic, behavior, and opportunity gaps that exist.

- 3.24 Develop an early warning system (EWS) for the purpose of monitoring students for “on track” for graduation. Similarly, develop an EWS for elementary and middle school that includes, for example, grades, attendance, and discipline referrals. Use the EWS to regularly monitor progress and the need for proactive and early intervention. See <http://new.every1graduates.org> for more information on early warning systems.
- 3.25 Refresh, retrain, and revitalize current data platforms available to schools (e.g., Aimsweb Plus, NWEA) to ensure they are used consistently, analyzed regularly and used to drive instructional decision making across schools, grade levels and content areas.
- 3.26 Provide written expectations and flexibilities around the use of assessments for achievement for all students, including administration and reporting.
- 3.27 Provide on-going and consistent professional learning opportunities for site administrators on the interpretation and use of data across multiple measures to ensure data drives all decision making at the school sites.

### ***Principal Voice***

**It is recommended that the district:**

- 3.28 Exempt specialized classrooms (e.g., Autism) from the teacher transfer process.
- 3.29 Exempt specialized classrooms (e.g., Autism) from the para educator/teaching assistant transfer process.
- 3.30 Create feeder patterns for autism, ED, and GEM (Growth and Education for Students with Multiple Disabilities) classrooms that allow students enrolled in these programs to complete their schooling within RCSD.
- 3.31 Provide clerical support to CASEs if the position remains in its current state.
- 3.32 Return the Master Schedule back the Principals.
- 3.33 Develop and communicate a protocol for placing special education classroom at schools.
- 3.34 Develop a full continuum of special education services at schools. At a minimum each school should have ICT, CT and resource. Self-contained classroom should be planned and placed so that consistent and predictable feeder patterns are established.

- 3.35 Conduct a school-by-school audit to identify available space that which can be repurposed to allow the build out of feeder patterns and program options that allows students to receive services within RCSD.
- 3.36 Provide native language assessment materials for students that speak Spanish.
- 3.37 Analyze current resources to repurpose, reallocate to frontload support for K-3 students in order to provide a solid foundation of learning for both academics and behavior.
- 3.38 Provide professional development for principals in all things special education. Include specifics and nuances associated with types of service delivery as well and the needs and support of students in the variety self-contained classrooms across buildings.

### ***Support for Special Education Teachers***

#### **It is recommended that the district:**

- 3.39 Conduct a materials inventory of every special classroom in every building. Inclusive is a survey of all ICT, CT and resource teachers to investigate what materials are available and/or needed to support students with IEPs and ensure they are provided specially designed instruction in the LRE.
- 3.40 Provide, train, and support teachers in the delivery of a curriculum for social skills and behavior especially for self contained classrooms that enroll students with behavior needs.
- 3.41 Develop a school schedule that allows ICT and CT personnel more opportunity to participate in grade level and content level meetings.
- 3.42 Clearly define the roles, responsibilities, and purpose of ICT and CT within the general education settings. Clearly articulate parameters of each service provider.
- 3.43 Utilize early release days to provide data driven professional development to special education teachers.

### ***Restorative Practices***

#### **It is recommended that the district:**

- 3.44 Analyze the data of schools involved in the restorative practice PD and appreciative inquiry work to ascertain its impact on student learning and reduction of office referrals as well as suspensions. Utilize lessons learned to generalize to other schools.
- 3.45 Support personnel in charge of restorative practices as well as positive behavior supports to collaborate and coordinate efforts to systemically impact the reduction of

disciplinary infractions/suspensions and support the implementation of proactive systems that promote positive students and adult relationships.

- 3.46 Provide sustained and thoughtful professional learning opportunities to develop culturally informed practices to promote equity in access for students of all races/ethnicities.
- 3.47 Provide sustained and thoughtful professional learning opportunities that informs the relationship between teaching, learning and cultural context in the planning, managing, delivering and evaluating academic and behavior instruction for students from diverse backgrounds

### ***Professional Learning Opportunities***

**It is recommended that the district:**

- 3.48 Develop a 3-5 year professional development plan whereby all special education teachers are trained, supported and coached on the NYS standards that all students should know, understand and do.
- 3.49 Develop a multi-year plan to deliver training on the standards (Essences and Extensions) that are assessed by the NYSSA. All teachers that teach students taking NYSAA should participate in this training.
- 3.50 Ensure that any professional development delivered by any office in the RCSD include how the learning can be applied to students who are gifted, at-risk for failure, have disabilities, and/or are English learners. It is critical that any professional development be differentiated and tailored for all student groups and reflective of respective need for extensions and acceleration.
- 3.51 Develop a district-wide plan that is sustainable and delivered to all staff and administration on the multi-tiered system of support that integrates academic and behavior and utilized a data driven problem solving approach to address needs of both students and schools. Specifically train school based leadership teams in the problem solving process and the use of data to better inform decisions and actions necessary to accelerate improved outcomes for all students in both academic and behavior.
- 3.52 Provide yearly and as needed on-going bus driver orientation for students with disabilities. Ensure that safety procedures are in place for medically fragile students and communication (e.g., ‘walkie talkies,’ district cell phones) are available at all times in anticipation of emergency situations.

## SECTION 4 ACCOUNTABILITY, COMPLIANCE, AND A CONTINUUM OF SERVICES

### A. Initial Referral and Evaluation for Special Education Eligibility

#### **Critical Issues**

- The lack of a clear and calibrated understanding of IDEIA and NYS regulations across school based CASEs, school and district administrators, both general and special education, have resulted in adult centered rather than student centered decisions.
- The lack of prevention, early intervention, multi-tiered system of supports, and use of data to drive instructional decision-making has resulted in exponential referral rates to special education.
- High levels of variability in knowledge, understanding, and implementation of Response to Intervention (RtI), referral processes and IEPs exist within and between special education teachers, general education teachers, administrators and central offices.
- A revised Handbook on RtI (2016) was developed and distributed to schools. However, staff does not fully understand the purpose and implementation practices of RtI.

#### **Observations**

The district lacks systemic implementation and monitoring of the NYSED regulation of the use RtI for K-4 reading disability eligibility.

A comprehensive implementation plan for RtI has not been developed.

One third of the students referred for initial evaluation are found ineligible which speaks directly to the lack of supports for students at risk for failure. It could be suggested that RCSD has, de facto, adopted a wait to fail approach to identifying and attempting to remediate at-risk students.

#### **Areas of Concern**

***Response to Intervention (RtI)*** - Effective July 1, 2012, NYSED, consistent with section 200.4(j)(4) of the Regulations of the Commissioner of Education requires all school districts to utilize an RtI framework as part of the process to determine if a student in kindergarten through grade four has a learning disability in the area of reading. School districts may not use the severe discrepancy criteria to determine eligibility for a reading disability grades K-4 (<http://www.p12.nysed.gov/specialed/RTI/implementation712.htm>, p.1).

Also known as Multi-Tiered System of Supports (MTSS), RtI is a framework that focuses on the proactive use of data, problem solving and tiered instructional support that increases in time and intensity to ensure the rate of growth of student learning and behavior will be

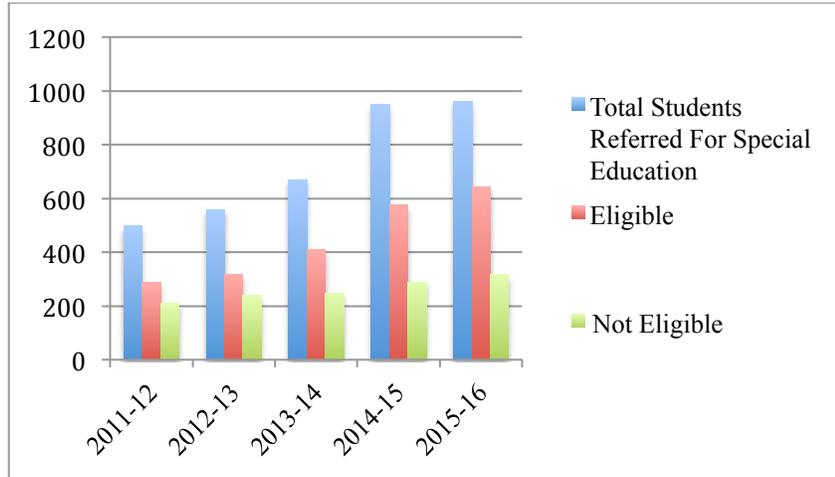
successful. RtI/MTSS is an iterative process that includes a problem-solving model to examine teaching practices that, when implemented with fidelity, positively impact student learning. (see Common Core State Standards and Diverse Students: Using Multi-Tiered Systems of Support, <http://www.cgcs.org/domain/146>).

The district revised and distributed an RtI manual but has not yet provide targeted training and support across the schools. As a result there lacks a clear understanding, implementation or monitoring of RtI. School based personnel do not yet comprehend the general idea and purpose of RtI, namely, the practice of providing high-quality instruction/intervention matched to student needs and the use of learning rate over time and level of performance to make important educational decisions about an individual student or students. There is consensus across all focus groups and interviewees that RtI was not “rolled out” in any comprehensive, planned or systemic way. There is overwhelming consensus across all interviewees and focus groups that the RtI framework is neither understood nor utilized across the district. There is no systemic process for monitoring and supporting the RtI process and hence referrals continue to grow at a significant rate (see Figure 5).

***Referral Rates for Special Education Eligibility*** - As the district enrollment decreases, the number of referrals to special education increases. In the past six years the district enrollment has declined 16.4% while the number of students referred for special education has increased by 93% (see Figure 5). In 2011, approximately 1.5% (497 students) of the district population was referred for special education while in 2016 that number has risen to 3.5% (960 students). The total number of students in the district referred for special education has continued to rise and has increased by 93% between 2011 and 2015.

In addition, the *rate* of eligibility has increased from 57% in 2011 to 67% in 2015. An increase of 93% in the referral rate is troubling. More troubling, however, is that this increase in rate of referral is accompanied by an increase in the rate of eligibility resulting in a large increase in the number of students identified with disabilities. It is difficult to explain the increased *rate* of eligibility just because of an increase in the number of students referred. More likely the increase in referrals for special education is due to the lack of sufficient resources and differentiated instruction in general education to meet the needs of struggling students who do not have any disability. Another plausible explanation for the increase in the rate of eligibility is the increased pressure by general education to provide services for students outside of general education—this is most easily done by over-identifying students with disabilities in order to have their instructional needs addressed outside of the general education classroom. This is the case, in particular, where general education teachers do not feel that they possess the skills to deal with struggling students or do not have the supports to do so.

**Figure 5: Total Students Referred, Eligible and Not Eligible 2011-2016**



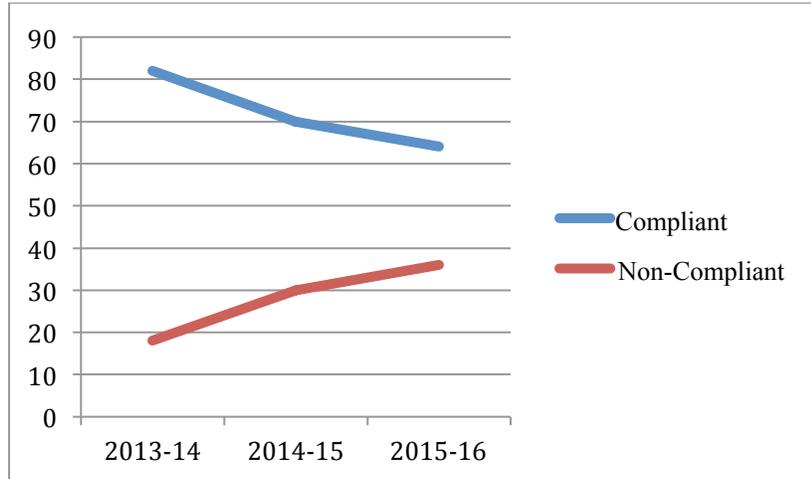
Source: RCSD

**Initial Evaluation for Special Education** - In 2015-16, 316 or 36% of students referred for evaluation for special education were found ineligible (see Figure 5). Given the amount of personnel time allocated to special education evaluations and the cost to the district, having 33% of students referred found not eligible is inefficient and ineffective. This level of ineligibility is most often explained by a system not having a systematic way to intensify instruction early in a student’s school experience or as needed throughout. This results in students performing far below grade level and/or experiencing behavior challenges when the referral actually takes place.

Students often are referred for special education because of a discrepancy between their current level of performance and grade-level standards. It is often that difference that leads teachers to believe that a student has a disability. However, when a district has 33% of students referred found not eligible, this more likely confirms lack of prevention, early intervention, and a multi-tiered system of supports that uses data driven problem solving.

**Impact of High Rates of Referrals and Placement on Compliance with the 60-Day Rule and Delivery of Related Services** - Recall that the district has 60 days from the receipt of consent to complete the evaluation for special education eligibility. The significant increase in non-compliance with the 60-day rule and the decrease in compliance are noteworthy (see Figure 6). In fact, the rate of non-compliance has doubled from 18% to 36% in only two years (see Figure 4). This is not entirely surprising, however, given that the rate of referrals for special education has increased by 44% (from 670 in 2013 to 961 in 2015) during the same time period and 93% since 2011.

**Figure 6: Percent Compliance with 60-Day Rule (Inclusion)  
2013-2016**



Source: RCSD

In the 2015-16 school year, the district reported 5,239 students with IEPs and 960 new referrals for special education. Federal and state regulations require both annual reviews to assess student progress and triennial evaluations to determine continued eligibility for special education. In general, each year every student with an IEP will require an annual review (5,239), one third of these students (1,746) will require a triennial evaluation (three-year evaluation cycle), and 960 will require a complete initial evaluation and IEP meeting for those who qualify for special education. Adding these together, a total of 7,945 meetings were required over the course of the 2015-16 school year. The district currently does not have the capacity to meet compliance timelines for all of these meetings as evidenced by the data determining that the district is in noncompliance with required timelines for students with disabilities.

Unless a very significant increase in the number of profession staff occurred in the same time period, it would be difficult (if not impossible) for the same number of staff to handle a 44% increase in workload without failing to meet state regulated timelines. Although not readily available, it will be important to examine the impact of high rates of referrals and placement on other areas of compliance timelines such as timely triennial evaluations, annual reviews, and interim placements.

In addition to the impact of the increase in referrals and placements in special education on the district's ability to comply with state regulations regarding required timelines, this increase in placements has had an impact on the district's ability to provide related services written into student IEPs. The district provided data documenting that 27% (1,504) of the students placed in special education who had related services identified on their IEPs did not receive those services within the first month of school. By far the most frequent explanation was "a lack of available personnel." This is another example of the difficulty that districts have in providing services to students with disabilities when the rates of referrals and placement far exceed expected epidemiological rates. It is imperative that RCSD problem

solve and resolve the urgent issue of over-referring and over-placing students in special education.

In sum and as aforementioned (see Section 1) not only is the student rate of placement into special education disconcerting, the district continues to accelerate the placement of students into an instructional and support system that has not demonstrated the ability to improve student performance across any important educational outcome indicators. RCSD continues to provide special education services and programs wherein 99-100% of students with disabilities do not attain proficiency and in which 70% of those students do not graduate.

**Recommendations:**

***Referral Rates for Special Education Eligibility***

**It is recommended that the district:**

- 4.1 Ensure school based teams receive professional development and review of special education criteria for each of the eligibility categories.
- 4.2 Ensure principals receive professional development regarding general education responsibility of providing instructional and behavior supports for students at-risk for failure and the difference between students at risk and those with disabilities.
- 4.3 Conduct a thorough review of prevention, early intervention, and supports for at-risk students available in general education as well as the data systems that monitor them.
- 4.4 Using the analysis in 4.3, identify and develop comprehensive general education supports for at risk students. Provide appropriate support and materials to teachers and principals that result in accelerated improved student outcomes.
- 4.5 Ensure training and dissemination of a written document outlining 4.4 occurs. Explicitly include professional learning opportunities for principals and staff to learn the difference between at risk students and those with disabilities.
- 4.5 Review current efforts and the revised RtI manual to see how it may be incorporated into a larger targeted effort to reboot comprehensive support, use of data, and accountability of those data district-wide.
- 4.6 Ensure that a review of required documentation and the impact of general education intervention and supports occur *prior* to any special education eligibility determination.
- 4.7 Conduct a comprehensive review of special education referral patterns by school, type of referral and month of referral in order to understand and problem solve district level referral patterns.

- 4.8 Ensure that a common language, common understanding exists in the district regarding what special education is and is not. Revisit on an on-going basis.
- 4.9 Communicate to all staff the district's commitment to ensuring that special education placement rates approximate national levels and that placement rates are proportional across all student demographic groups.
- 4.10 Hold building principals accountable for ensuring sufficient interventions and supports are available in general education and for monitoring special education referral and placement rates throughout the year.

### ***Initial Referral for Special Education Evaluation***

#### **It is recommended that the district:**

- 4.11 Revert the referral for initial special education evaluation back to a centrally run meeting held at the school site. There has been a significant increase in both the referrals for special education evaluation and placement in special education since the centrally run evaluation process has been eliminated.
- 4.11 Implement recommendations **4.1 - 4.3, 4.6 - 4.10**
- 4.12 While addressing the high rates of referral, assign and/or repurpose adequate personnel to ensure that the meetings for initial evaluations and IEPs, re evaluations and annual reviews meet compliance timelines.
- 4.13 Ensure that the monitoring system for timelines provides sufficient warning in order to schedule meetings within the required deadlines.
- 4.14 Create and distribute, on a monthly basis, a school by school report that includes timelines, referrals, placement, student movement to more or less restrictive, suspension and other critical aspect of within this report to the principals, Chiefs that supervise buildings and Superintendent to review and act upon.
- 4.15 Conduct a thorough review of all related services to ensure students receive IEP services.

## **B. Suspension and Interim Alternative Education Services (IAES)**

### **Critical Issues**

- Data demonstrate that suspension, for all students, are differentially applied as a function of race/ethnicity. Black students are suspended at rates far above what are expected based on student population. Hispanic and Whites are suspended at rates at or below what are expected base on student population.

- Data demonstrate that suspensions, for students with disabilities, are differentially applied as a function of disability. This is particularly true for students with Other Health Impairment (OHI).
- Data demonstrate that rates of placement by disability vary, in some cases, significantly from what is expected when compared to state and national rates. This is particularly true for students with OHI (see Section 1).
- It is likely that the reported over- or misuse of the Exception Clause in Part 201 Regulations (Manifestation Determination) is contributing to high rates suspension for students with disabilities.

### **Observations**

There lacks a comprehensive and effective alternative education programs for students at risk for failure and students with IEPs.

As they currently exist, IAES programs appear to warehouse students rather than create an educational environment for students most at-risk for school failure and completion.

The availability of FAPE in the available IAES is questionable

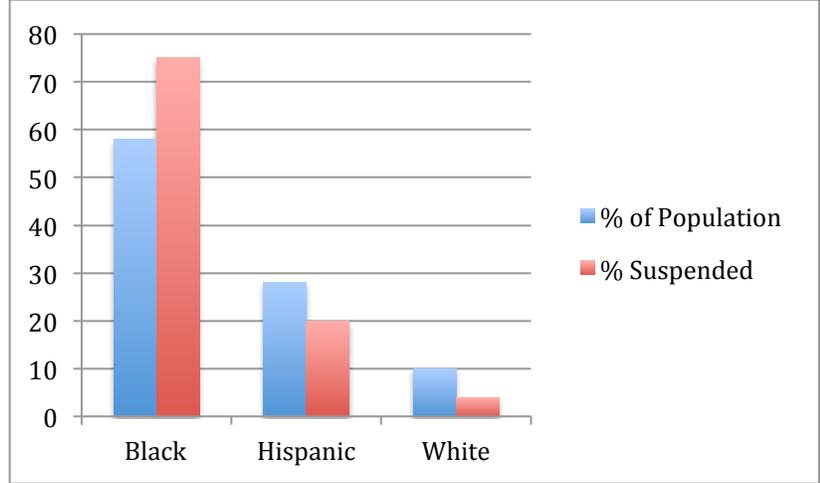
The North S.T.A.R program is subpar at best and provides little a value add to developing skills, behavior and vocational opportunities for RCSD's most vulnerable youth.

### **Areas of Concern**

***Suspension*** - It is usually the case that the rates of suspension for students with disabilities mirrors the rates of suspension (and disproportionality, when it exists) in general education. Therefore, prior to discussing suspensions and students with disabilities, it is important to understand the context of suspension in the district as a whole.

In RCSD suspensions are given to students at rates that do not reflect the incidence of student race (see Figure 7). Black students in the school district are suspended at a rate of 30% above what would be normally expected when compared to the percent of students in the district who are Black. Seventy-five percent of all students suspended are Black while Black students comprise only 58% of the student population. On the other hand, where as 28% of the student population is Hispanic, only 19.8 percent of students suspended are Hispanic. Finally, whereas 10% of the student population is White, only 4.4 % of White students are suspended. The student at highest risk for suspension is a Black student (see Figure 7).

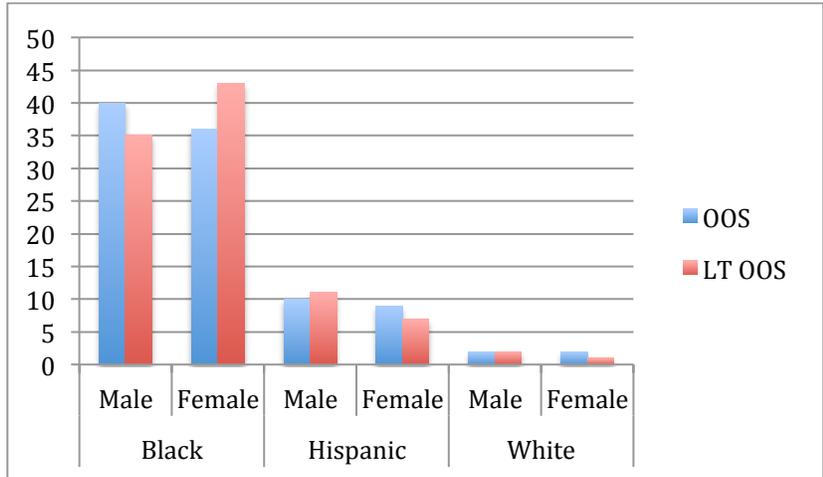
**Figure 7: Relationship Between Race, Rates of Suspension and Percent of Students by Race - 2015-16**



Source: RCSD

In addition to differential suspension across race, differential suspension, in some cases, occurs across gender within a particular racial group in this case, Black students. Black students are at greater risk for suspension and long-term out-of-school suspension in this district when their incidence in the student population taken into account. However, Black females are additionally at-risk in this district, even more so than Black males, for long-term suspension. For no other racial group is this true (see Figure 8).

**Figure 8: Relationship Between Race, Gender, and Type of Suspension (Out-of School/Long-Term Out-of-School) 2015-16**

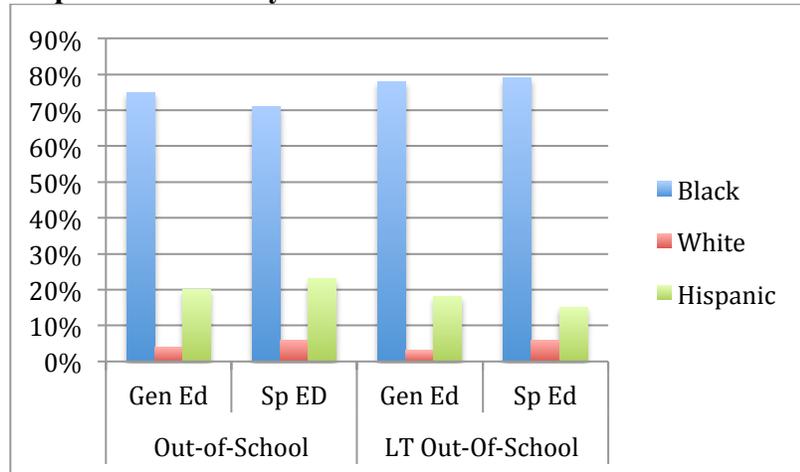


Source: RCSD

Suspension rates for students with disabilities mirrors the suspension rates for students without disabilities for both out-of-school and long-term (LT) out-of-school suspensions for all racial/ethnic groups (see Figure 9). Although some small differences exist, these differences are not significant. The disproportionate rate of suspension for Black students compared to White and Hispanic students (based on actual enrollment percent by

race/ethnicity) evidenced for all students in RCSD is evidenced for students with disabilities as well. It is unlikely that the disproportionate suspension rates for Black students with disabilities will change until the district reduces the disproportionate rate of suspension for Black students district-wide.

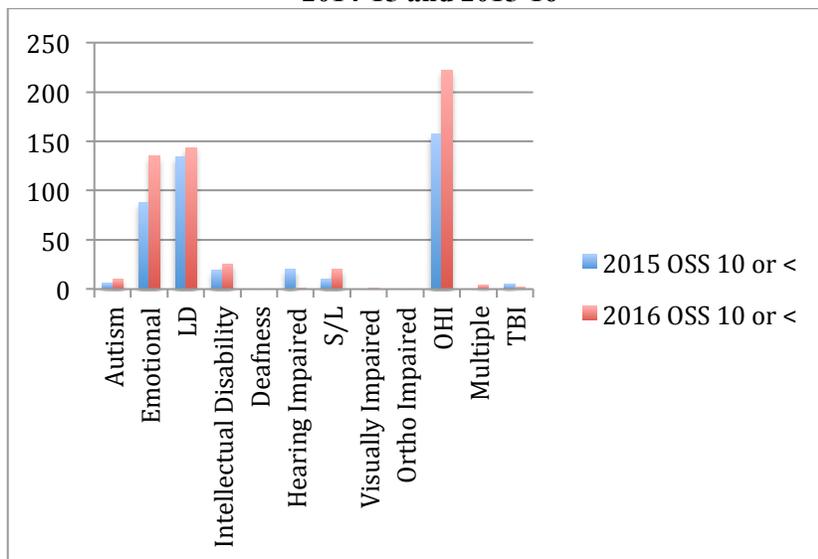
**Figure 9: Suspension Rates by Students With and Without Disabilities and Race**



Source: RCSD

In looking at the number of out of school suspensions by disability area for both 10 days or fewer (see Figure 10) or more than 10 days (see Figure 11), OHI students show the highest rate of incidence. This is almost 100% higher than students with Emotional Disturbance that in most districts contribute to the highest rates of suspensions.

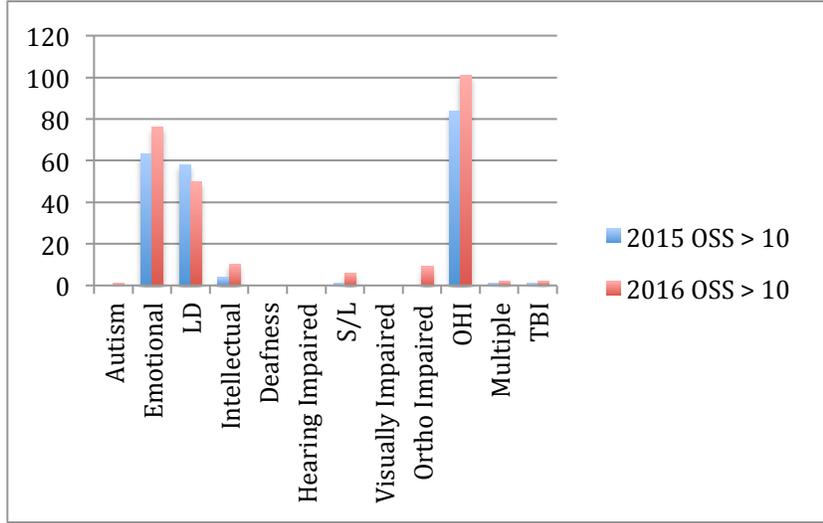
**Figure 10: Number of Out of School Suspension 10 or Fewer Days By Disability 2014-15 and 2015-16**



Source: RCSD

Recall that there has been a 200% increase in the placement of OHI in the past year. And, that the majority of OHI students are Black.

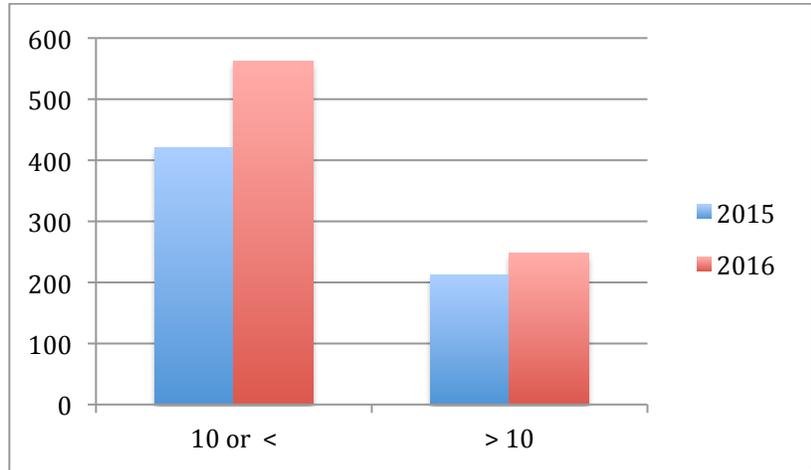
**Figure 11: Number of Out of School Suspension 10 or More Days  
By Disability Area  
2014-15 and 2015-16**



Source: RCSD

The number of suspensions for 10 days or fewer for students with disabilities increased 34% from 2014-15 and 2015-16 (see Figure 12). The number of suspensions for more than 10 days for students with disabilities increased 11% from 2014-15 and 2015-16. It is disturbing that the placement rates for students with Other Health Impairments has increased by more than 200% in the past year and the suspension rate of this group is the highest of all disability groups.

**Figure 12: Total Number of Suspension for Students With Disabilities  
10 or Fewer Days and More Than 10 Days  
2014-15 and 2015-16**



Source: RCSD

In addition, the increase in the rate of suspension for students with Other Health Impairments has risen more than any other disability group. RCSD needs to address the disturbing and

exponential rates of placement of students in the disability category of OHI that may be perhaps due to the broad criteria for eligibility for this disability area.

***Manifestation Determination (MD)***- Currently there are two offices that handle long-term suspensions for the district – one for general education and one for special education. It was reported that this is an over use of the exception clause in the Part 201 regulations. It was shared that schools are conducting manifestation determinations for students with suspensions over 10 days instead of what the regulation requires – an examination and analysis of the pattern/s of behavior that lead to the offense. A student with a disability may not be removed if imposition of the 5 school day or 10 school day suspension/removal would result in a disciplinary change in placement based on a pattern of suspensions except where the manifestation team (pursuant to section 201.4) has determined that the behavior was not a manifestation of such student's disability, or the student is placed in an IAES. And, if the manifestation team determines the conduct in question was the direct result of the school district's failure to implement the IEP, the school district must take immediate steps to remedy those deficiencies. However, if schools or manifestation teams are not looking at a pattern of behaviors that may be contributing to the disciplinary offense, then it is quite certain that these decisions are potentially being made without following the intent of the law.

It was also reported that principals are completing an MD checklist prior to the meeting. That checklist is submitted to and used by the manifestation team as part of the evidence in making MD decisions. It can be stated that the checklist results completed by administration prior to manifestation meeting can apply undue pressure to the decision of the MD team.

***Interim Alternative Education Services (IAES)*** – There is an elementary and secondary IAES for the district, school 29 and LYNX, respectively. In addition there is an alternative program, North S.T.A.R that is a transitional program designed for students returning from home instruction, day treatment, BOCES, residential, psychiatric, and/or jail facilities that require additional supports to help them manage their behavioral, social and academic needs.

There appears to be duplication of program and in some cases a reported lack of FAPE whereby electives and physical education are not provided but core instructional classes are. It appears that the district has attempted to create programs for students more at-risk for failure and in need of more therapeutic settings. A visit to North S.T.A.R, however, revealed more staff than students and in some cases no students in attendance or 1-3 students in a class and virtually no instruction occurring. We arrived just after a fight had occurred. Students in one classroom were not seated, were observably agitated by the event and not engaged in de-escalation of the tension around the encounter. A visit to the elementary IAES at school 29 had 2 students and 3 adults. A smart board with dense text was the material students used for instruction. The two students were not engaged. One student had his head down on the table.

It was shared that there was a past effort to revamp alternative services for RCSD. The district worked with Big Picture over a period of approximately two years. There was a committee that had worked on a plan to implement this model however it has not come to

fruition.

**Recommendations:**

***Suspensions***

**It is recommended that the district:**

- 4.16 Identify the unmet needs of its Black students that result in disproportional placement in special education and student suspensions and develop prevention and early intervention services and supports that include parent and community engagement.
- 4.17 Identify the needs of teachers, leaders, and support staff in RCSD to address the disproportional placement in special education, student suspensions and provide on a sustained basis, professional learning opportunities that will support the use pedagogy and strategies for relational teaching and learning for students that reside in urban community of Rochester, NY.
- 4.18 Identify the reasons why the OHI category is being over used as a placement category and why they students placed in this category have unexplainable high rates of suspension. The placement and suspension rates for OHI in RCSD represent an urgent concern that must be addressed.
- 4.19 Create one office that handles the long-term suspensions and superintendent hearings for both general and special education.
- 4.20 Provide trainings to refresh and update school administrators and teachers understanding of Part Part 201 - Procedural Safeguards for Students with Disabilities Subject to Discipline.
- 4.21 Track, monitor, and report by school the use of the exception clause for suspensions to avoid misuse and over use for the provision.
- 4.22 Cease immediately the use of the use of the manifestation checklist completed by school administrators prior to the manifestation determination meeting.

***Interim Alternative Education Services (IAES)***

**It is recommended that the district:**

- 4.23 Analyze all alternative program data (e.g., credits, enrollment, attendance, performance data, suspensions and disciplinary encounters) to identify the value add to the district's most at-risk youth. Consolidate where duplication exists and create a coherent comprehensive alternative education system that provides a safe and engaging educational environment that hold high expectation for teaching and learning. Provide work-study opportunities for older youth.
- 4.24 Develop and implement an accountability system whereby data are monitored on a monthly basis for the reasons for placement, length of stay, success, and transition

back to comprehensive placement.

- 4.25 Review the North S.T.A.R. enrollment, attendance, performance data, suspensions and disciplinary encounters to evaluate the value add to the district's service to these youth. In its current state it clearly not cost benefit of the program and its service to students.
- 4.26 Conduct a data analysis on attendance as well as those students that are reportedly placed on home instruction while enrolled in North S.T.A.R.
- 4.27 Consider expanding the district's All City credit recovery program to provide additional options for students with disabilities that may prove successful.
- 4.28 Develop a system whereby students affiliated with rival clubs or gangs, to the extent practicable, are not placed in the same alternative setting.
- 4.29 Revisit the planning and progress made with Big Picture to ascertain its use in revamping the district's alternative education programs.

### **C. Continuum of Service Delivery Options**

#### **Critical Issues**

- The lack of a continuum of services within schools that results in unnecessarily high rates of student mobility across the district.
- In order for students to receive LRE many students must to transfer to different schools.
- The lack of a coherent and well-planned development of a continuum of support and programs to meet the needs of RCSD students has results in an over-reliance on agency placements.

#### **Observations**

There is a peculiar pattern of enrolling RCSD students in agency placements that are similar to those offered by the district.

It unclear why the financial aspect of the agency placements for students that could be served within district has not been explored, analyzed for cost effectiveness coupled with the equitable opportunity for students to complete education within the district they live in.

As reported, clearly schools are using the lack of the continuum of services to move students that present challenges to other service delivery model in order to transfer them to other schools.

As reported, clearly there is great concern for many school-based constituents on the lack of LRE or continuum of services that would allow students to remain in the current building as

a result of a more or less restrictive placement.

### **Areas of Concern**

***Continuum of Support Services-*** The current lack of a continuum of services and supports within schools across the district results in students being moved from one school to another for more or less restrictive placements. One focus group participant shared "...students are moved 'willy nilly' at the CASE level;" "...to get a kid out of a school they have a CSE meeting and they get moved out." It was reported, for example, that a parent that attended the CSE meeting and agreed to a change of placement from 8:1 to a 12:1, "had no idea her child was moving to another building." Across focus groups and interviewees it was shared that parents often will not agree to a more or less restrictive and/or a more appropriate service delivery option if it means their student has to change schools.

While a parent focus group was not held, as previously mentioned, information gleaned from personnel interviews revealed that of 950 current parent complaints, 191 or 20% were special education. The trends of these complaints range from parents misunderstanding of their child's placement to signing documents they do not understand. It was shared that 'the referral process is the scapegoat' and that "schools don't deal with parents or do RtI they just refer;" and "...9 of 10 times if they used RtI it would work." Instead schools are simply referring students for special education evaluation.

It was reported that the district used to have a paid parent representative position that would meet with parents before they went into IEP meetings to ensure parents were fully informed participants. While this position no longer exists, the district is to be commended for recently hiring a full time parent ombudsman that reports to the superintendent and is working directly with parents to resolve issues reported around special education.

Across all focus groups and interviewees, there was overwhelming consensus on the need for a continuum of services and supports to avoid students being moved. In general, students shoulder the burden of this lack of continuum in schools and experience a disruption in both social emotional, peer relationships, and continuity of educational opportunity. Currently some but not all schools have the ICT and CT service options.

The lack of a planned feeder pattern for self contained classrooms, as one teacher mentioned, "leaves students and parents in the dark as to what school and where they will attend in order to continue the next grade level of service." This current practice is highly unusual and definitely not the norm. While district staff and administration talk about the need, there is not a current plan in place to begin the process of building out a coherent feeder pattern of self-contained classes, reconfiguring those that would better support the needs of students that are currently attending out of district/agency placements, or adding at a minimum resource services to every school whereby they all would have ICT, CT and resource.

***Over Reliance on External Agency Placements*** – The lack of programs to meet the needs of a wide range of students with disabilities in RCSD has resulted in an over reliance of external agency placement. The overall cost of these placements is approximately \$32,000,000 not

including administrative fees. Table 9 summarizes the agency placements as of January 2017.

**Table 9: 2015-2016 Agency Costs CSE Placed**

Agency	Costs
<b>BOCES 1</b>	\$15,893,159 plus 6% admin fees
<b>BOCES 2</b>	\$3,219,319 plus 4% admin fees
<b>WFL BOCES</b>	\$135,226
<b>Easter Seals</b>	\$388,848
<b>Hillside</b>	\$2,431,051
<b>John A. Coleman</b>	\$61,246
<b>Judge Rotenberg</b>	\$114,622
<b>Mary Cariola</b>	\$6,460,172
<b>Norman Howard</b>	\$938,730
<b>Rochester School for the Deaf</b>	\$1,804,560
<b>School of Holy Childhood</b>	\$89,819
<b>Villa of Hope</b>	\$168,799
<b>TOTAL</b>	<b>\$31,705,551</b>

Source: RCSD

As illustrated in Table 10, the largest numbers of students placed in BOCES are those students classified with Autism, Emotional Disturbance and Other Health Impaired. Given the district has self-contained programs for these students (see Table 12), it begs the question as to why so many of these students are placed in similar program options in BOCES.

**Table 10: BOCES Placement by Grade/Disability**

Grade	Classification*								Total
	AU	ED	ID	LD	MD	OHI	SI	TBI	
<b>1</b>	0	0	0	0	1	2	0	0	<b>3</b>
<b>2</b>	1	0	0	0	0	2	0	0	<b>3</b>
<b>3</b>	4	1	0	0	0	2	1	0	<b>8</b>
<b>4</b>	4	4	0	0	1	0	1	0	<b>10</b>
<b>5</b>	3	1	0	0	1	3	1	0	<b>9</b>
<b>6</b>	12	1	1	0	0	5	0	1	<b>20</b>
<b>7</b>	6	3	2	1	2	7	1	0	<b>22</b>
<b>8</b>	5	7	0	0	3	4	0	0	<b>19</b>
<b>9</b>	5	12	1	1	0	7	0	0	<b>26</b>
<b>10</b>	11	14	2	5	1	5	0	0	<b>38</b>
<b>11</b>	12	10	0	2	0	9	0	0	<b>33</b>
<b>12</b>	18	7	9	1	8	13	0	1	<b>57</b>
<b>Total</b>	81	60	15	10	17	59	4	2	<b>248</b>

\*Reported January 2017

Table 11 shows the types of BOCES programs where RCSD students are currently placed. There are 67 students placed in BOCES 6:1:1 classes while another 35-41 students attend 8:1:1 and 8:1:2 classrooms. Twenty-five students are currently enrolled in BOCES classrooms that serve 12:1:1, a program that RCSD subscribes to. Eighty-two students attend BOCES 12:1:4 for students with more significant needs. Another 33 students attend either

6:1:1/12:1:1 options.

RCSD has used the “enriched ratio” and added para educators/teaching assistants to many of its most challenging or significant need classrooms thereby creating placements that are similar to those offered at BOCES and other agency placements. Given that the district currently has approximately three to four of these five service options (see Table 12) it is unclear why so many students attend out of district placements. There are 99 students attending BOCES placements/classes that are currently offered by RCSD.

The lack of a planned continuum of services for the GEM (Growth and Education for Students with Multiple Disabilities) students and students with autism beyond upper elementary and middle school results in students necessarily attending agency placements when in fact the district could continue to provide educational services to these students allowing them the equitable opportunity to attend their home district.

**Table 11: BOCES Placement by Ratio Option**

Grade	Special Class Ratio						Total
	6:1+1	8:1+1	8:1+2	12:1+1	12:1+4	6:1+1/12:1+1	
1	1	0	2	0	0	0	3
2	1	1	0	0	1	0	3
3	7	0	0	0	1	0	8
4	5	2	2	0	1	0	10
5	4	3	1	0	1	0	9
6	8	3	1	1	7	0	20
7	13	4	0	1	4	0	22
8	11	1	0	0	7	0	19
9	4	5	0	1	9	7	26
10	5	6	0	3	16	8	38
11	4	6	0	4	8	11	33
12	4	4	0	15	27	7	57
<b>Total</b>	<b>67</b>	<b>35</b>	<b>6</b>	<b>25</b>	<b>82</b>	<b>33</b>	<b>248</b>

\*Reported January 2017

Given the substantial cost of providing agency placements it incumbent upon the district to analyze and problem solve what it will take to provide these classes so that students may attend the district. Clearly the funds to build these services and classrooms are available but are rather paid to outside agencies. One plausible explanation for these placements is the reported lack of materials and curriculum for students that present the most significant challenges. When these issues were raised with a variety of special education and general education personnel no current information that could be offered to address this question other than “the district is not equipped to deal with more severe students.” However, the inconsistency in the placements of similar students in similar programs within RCSD and those in agency placement needs to be analyzed.

**Table 12: Current Self-Contained Programs in RCSD**

8:1+2 Programs:													
	K	1	2	3	4	5	6	7	8	9	10	11	12
Total Classes		1	2			1	2	3	3	4	2	2	1
Splits		1		3		2		2					

12:1:1 Programs:													
	K	1	2	3	4	5	6	7	8	9	10	11	12
Classes	2	2	3	4	5	5	6	3	3	11	10	10	9
Splits		2		3		2		4					

Bilingual 12:1+1:													
	K	1	2	3	4	5	6	7	8	9	10	11	12
Non-Split			1										
Split		1		1	1	1	1	1	1	1	1	1	

15:1													
	K	1	2	3	4	5	6	7	8	9	10	11	12
Total Classes	1				2	3	4	5	3	6	1	0	0
Splits				2		1							

Bilingual 15:1													
	K	1	2	3	4	5	6	7	8	9	10	11	12
Non-Split							1						
Split					1								

NYSAA:													
	K	1	2	3	4	5	6	7	8	9	10	11	12
Non-Split							1	1	1	5	4	3	2
Splits		1		1		1		1					

GEM/Diagnostic Transition:													
	K	1	2	3	4	5	6	7	8	9	10	11	12
Non-Split	2	1				1							
Split	1		1		1			1	1				

ASD- 6:1+2:													
	K	1	2	3	4	5	6	7	8	9	10	11	12
Non-Split	1	2	3		1	1		1	1	1	2	1	
Split	1			2									

ASD 6:1+4													
	K	1	2	3	4	5	6	7	8	9	10	11	12
Non-Split	1	2											
Split		1		1									

Social Comm.:													
	K	1	2	3	4	5	6	7	8	9	10	11	12
Non-Splits				1	1	2	2		1				
Splits				1								1	

Typically, each year these classes are "grown up" if the students are recommended by the CSE to continue in that continuum option. For example, the ASD 6:1+2 programmatic option is not currently at Grade 12 due to no need; however, next year that would be an option if the current students in the Grade 11 class continue to necessitate it.

\*Reported January 2017, RCSD

## Recommendations

### Continuum of Support Services-

It is recommended that the district:

- 4.30 Immediately begin planning the establishment of a district-wide continuum of support/services for students with IEPs that allows students, to the extent practicable, to stay in one school rather than moving between schools when more or less restrictive placements are warranted. Develop a portfolio of programs within each quadrant of the city district to allow students to attend schools within relative proximity to where they currently attend should they need a change of placement.
- 4.31 Beginning in SY2017-2018 ensure that all schools have, at minimum, the service options of ICT, CT and Resource.
- 4.32 Consider implementing the CT and ICT models for ELA and Math only. This will allow teachers the time and flexibility to provide more direct support to general

education teachers and well as students with IEPs needing more targeted and small group support.

- 4.33 Conduct a data analysis of students enrolled in ICT, CT and resource services to evaluate the impact on students' outcomes. Utilize these data to ascertain the level of which they provide appropriate and equitable educational opportunities, LRE and FAPE.

***Over Reliance on External Agency Placements***

**It is recommended that the district:**

- 4.34 Develop a comprehensive plan to develop and enhance existing services and programs that would allow students that currently attend BOCES to attend a district school.
- 4.35 Create feeder patterns for Autism and GEM program students to allow them the opportunity to attend years of schooling within RCSD.
- 4.36 Analyze the current agency placements similar to those offered by RCSD to ascertain reasons why students are placed in out of district programs and the degree to which they could remain in the district was responsive to student needs.
- 4.36 Conduct a cost analysis of the current agency placements aligned with student outcomes of those placements and examine how funds can be reallocated to provide program options to students within RCSD.

**SECTION 5**  
**SUMMARY OF RECOMMENDATIONS BY SECTION**

**SECTION 1:**  
**PERFORMANCE OF STUDENTS RECEIVING SPECIAL EDUCATION SERVICES**

*Performance of Students with Disabilities*

**It is recommended that the district:**

- 1.11** Examine factors such as instructional time, alignment of specially designed instructional with core instruction and standards aligned instruction to ensure that students with disabilities have access to quality content aligned with the NYS common core learning standards.
- 1.12** Ensure that Individual Education Programs (IEPs) are standards aligned and that support services and universal design for learning strategies are implemented to ensure equity in access to standards aligned content for students with disabilities.
- 1.13** Ensure that special education teachers are supported in their knowing, understanding and teaching both NYS content standards as well as Essences and Extensions for the students that are assessed with the NYS alternate assessment.
- 1.14** Use on a regular basis, formative assessments and early warning indicators to track student progress and identify students with disabilities early who are not demonstrating adequate progress and/or are not on track for graduation.
- 1.15** Identify and support students with disabilities (and nondisabled peers) who are “not on track” to graduate (i.e., have failed more than two core courses during the first year and/or have high absentee rates). To the extent possible, for each student “not on track,” provide research-based strategies that would utilize all available resources, including mentoring (e.g., Check & Connect <http://www.checkandconnect.umn.edu>), intervention services, counseling, tutoring, and other supports that are likely to reverse the student’s performance trend.
- 1.16** Develop targeted and proactive plans utilizing research-based approaches available through the National Dropout Prevention Center for Students with Disabilities at <http://www.ndpc-sd.org/>
- 1.17** Develop and implement a multi-year professional development and support plan to ensure that general and special education teachers have the skills to integrate instruction, align the scope, sequence and pacing of standards aligned instruction across instructional providers and use student-centered data to develop, implement and evaluate instruction.

- 1.18 Provide and implement a multi-year professional development plan to ensure that building principals are instructional leaders that have the knowledge and skills to facilitate and evaluate instruction provided to students with disabilities in both general and special education environments and to ensure that the instruction is aligned with standards, delivered with fidelity and integrated in both general education and specially designed education.
- 1.19 Ensure that the needs of students with disabilities are considered in the development and implementation of all instruction, curricular and assessment practices.
- 1.20 Collaborate and communicate with parents/guardians to engage parents as partners in the instruction of their children and youth with disabilities.

**SECTION 2:  
ORGANIZATIONAL STRUCTURES TO SUPPORT SPECIAL EDUCATION**

**A. Standard Operating Procedures to Ensure Practices and Compliance with  
IDEIA and New York State Regulations**

*Standard Operating Procedures*

**It is recommended that the district:**

- 2.1 Develop a comprehensive, web-based Special Education Handbook that details the standard operating procedures for RCSD. The Handbook should be a compilation of all policies, procedures, standards, and expected practices on the administration and operation of special education/related services. This Handbook should provide links to required forms, that include prompts necessary to complete the forms accurately. The Handbook should include links to important resources necessary to support quality services that are compliant with all relevant regulations. Stakeholders for this Handbook include: all special education and student services staff, building principals, and central office staff. The Handbook should be available, upon request, to parents/guardians and the general public. A link to the Handbook should appear on the district's webpage and updated, at a minimum, annually.
- 2.2 Provide differentiated training regarding all policies and procedures contained in the Handbook to all stakeholders at least yearly. Provide interim updates on any changes that are made to the Handbook and updates on any procedures that appear problematic to stakeholders throughout the school year.
- 2.3 Provide comprehensive initial training on the Handbook to all new employees at the beginning of each year. All new employees should have a designated mentor for at least one year to ensure compliance with all special education procedures and practices.

- 2.4 Conduct a comprehensive review of the revised RtI manual to ensure accuracy in content and detail for implemented tiers of instruction and intervention that increase in time and intensity and ensure the use of data based problem solving.

**B. Central Office Alignment, Collaboration, and Support to Schools**

***Office of Student Support and Specialized Services***

**It is recommended that the district:**

- 2.5 It is highly recommended that the district conduct an analysis of current positions, unfilled vacancies and structures at the school level and within the office of special education with an eye toward repurposing and reallocating positions, roles, and responsibilities that currently are not resulting in a return on investment. This analysis will provide the ability to create those that will support and be aligned with the necessary work needed to develop a cohesive and coherent system of special education.
- 2.6 Create the position of Chief of Student Support Services and Special Education Services that oversees both the office of special education and the office of student support services. Create one executive director for special education and one for student support services that report directly to the chief.
- 2.7 Have the executive director of student support services oversee nurses, social workers, counselors, psychologists, long term suspension, attendance, alternative education, homeless services, credit recovery, placement and the bilingual assessment team.  
Have the executive director of special education will oversee all aspects of special education and personnel therein (e.g., director of due process, coordinator of transition services, three administrators of specialized teaching and learning, director of related services, professional development, Frontline IEP Direct, and director of early learning and CPSE).
- 2.8 Create three to four Administrators of Specialized Learning to replace the current Zone Director positions, housed in central office and whose role is to provide administrative support for programs, services, teaching and learning for students with disabilities.
- 2.9 Consider repurposing the position of school based CASE and allocate funds to central oversight. Create Team Leaders (teachers on special assignment – TOSAs) whose role is to be in classrooms supporting the delivery of specially designed instruction, and providing technical assistance to teachers and schools on the implementation of student IEPs. Hire 4-5 Team Leaders for each Administrator of Specialized Learning. Both the Administrator of Specialized Learning and the TL report centrally to the executive director of special education.

- 2.10 Create a position of director of due process that would oversee manifestation determinations, mediation, state complaints, dispute resolution, impartial hearings, self-reviews and corrective action plans for the department. This position will allow central office and school based personnel to become more consistently focused on teaching, learning and support at the site. This position will work in conjunction and close collaboration with the newly created special education parent ombudsmen.
- 2.11 Create a full time position of director of related services that supervises, coordinates, and oversees speech, occupational and physical therapists; audiology, behavior, MATCH team, and Medicaid billing and reimbursement.
- 2.12 Create a full time lead speech position to oversee and support all speech and language therapists, monitor and assign caseloads according to school and student need, provide and coordinate monthly professional learning, coach and mentor.
- 2.13 Create a full time lead psychologist position to oversee/supervise all school psychologists' assignments, monitor and assign caseloads according to school and student need, problem solve issues that arise, provide and coordinate monthly professional learning, coach, and mentor.
- 2.14 Create a lead occupational/physical therapist lead that is .5 lead and .5 direct service to support and coordinate OT and PT personnel, caseloads and coordinate relevant professional learning opportunities for staff.
- 2.15 Create a coordinator position to oversee para educators/teaching assistants, the hiring, sharing, shifting and use of these staff. Currently, there is not one centralized person in charge of this large group of employees that continue to grow each year that result in the district having to contract with external providers to supply personnel.
- 2.16 Consolidate the office of early learning and special education preschool service and CSPE into one department. This position can report the executive director of special education.
- 2.17 Consider moving the office of placement under the executive director of student support services.

### ***Autism Team***

#### **It is recommended that the district:**

- 2.18 Develop a fully functional autism team that represents the needs and exponential increase of students in the district. At a minimum the district should reallocate the 4 FTE back to the autism team.
- 2.19 Develop a BCBA component and respective personnel to work with autism team. Currently one behavior specialist is becoming certified on his own accord. There

should be at least one or more dedicated BCBA personnel assigned to the autism team.

- 2.20 Explore a partnership with Strong Memorial Hospital and the University of Rochester to support the development of a full array of programs and services for students with autism.
- 2.21 Provide a written protocol for “embedded service delivery” to allow for more push in delivery of speech and language services within the classroom.
- 2.22 Consider aligning the autism team under the office of related services to provide a coordinated home base with other providers that they work regularly with. At present they are adrift without connection to other special education service providers.
- 2.23 Provide the opportunity for the autism team members to be trained in TEACCH, a research-based and nationally used methodology for successfully working with students with autism.
- 2.24 Design a full continuum of autism programming Pre K -12 that includes communication, functional and life skills.
- 2.25 Ensure that any change of placement that concerns autism classrooms, either more or less restrictive necessarily includes a member of the autism team to confirm the appropriateness of the placement.
- 2.26 Work to have autism classes exempt from teacher transfer day to ensure the most highly trained and experienced work with this population of students.
- 2.27 Work to have autism classes exempt from para-educator transfers to ensure the most highly trained and experienced work with this population of students.
- 2.28 Ensure that parents of students with autism are provided the state required 4 one hour training and counseling sessions.
- 2.29 Ensure that all CASEs and school psychologists are trained in autism spectrum disorder to further develop their knowledge of the intricacies and needs students with autism. This may reduce the reportedly inappropriate placements being put forth without consideration of the composition of autism classrooms.

### ***Bilingual Special Education***

**It is recommended that the district:**

- 2.30 Conduct a financial analysis of the number of English as a new language (ENL) teachers and aides for secondary newcomers in order to repurpose the funds to create a district wide newcomer academy for Spanish speakers 7-12<sup>th</sup> grade.

- 2.31** Expand RIA to become the district's newcomer center for all languages. Move the current swing school to another site and replace it with a program that supports students of all languages including Spanish. If this is not immediately feasible, a new space for Spanish speaking newcomers should be planned for SY2017-2018.
- 2.32** Conduct a data analysis of students that transition out of RIA to other comprehensive school campuses to ascertain their success as well as needs to support such transitions.
- 2.33** Conduct a data analysis of the elementary and secondary programs serving English learners to problem solve and ascertain current needs and supports that result in the creation of and equitable access to instructional programs to improve the academic achievement of ENL students.
- 2.34** Conduct a data analysis of all ENL students, including those with IEPs, elementary to and through high school. Review academic and behavior performance (e.g., attendance, office referrals, detention, suspension, tardies etc.), on track for graduation, and graduation. Cross-reference these data with the types of program and services provided and ascertain the rate of success or the lack thereof for students enrolled in them. Use the results of the analysis to redesign district wide programs for ENL students.
- 2.35** Using the above data, analyze the rates and grade levels by which ENL students are referred for special education to assess whether the lack of equitable access to robust language and support programs are the default to a referral.
- 2.36** Contract or hire qualified bilingual school psychologist to conduct any and all assessments for ENL students referred for special education eligibility to ensure they are appropriately assessed in their native language.
- 2.37** Assign all ENL referrals for special education assessment to the four city wide bilingual school psychologist.
- 2.38** Put instruction, intervention and respective progress monitoring systems in place to ensure that ENL students are not referred due to the lack of equitable access to general education and mandatory language and cultural support.
- 2.39** Contact Teach for America to explore a partnership to fill the numerous vacancies across the district for teachers of ENL students.
- 2.40** Ensure that parents who speak other languages than English are fully informed in their native language of their rights and safeguards that special education provides students with IEPs. Ensure written correspondence is in the parent's native language and assistance is available to support the full understanding of such.

### ***Career and Technical Education (CTE) programs***

#### **It is recommended that the district:**

- 2.41 Create a work group charged with developing a 3 year phased plan to develop Edison into a comprehensive CTE program that utilizes the facility and the opportunity it provides. The plan should entail a budget, curriculum, pathways, CDOS opportunity and the like.
- 2.42 Work toward developing Edison into the facility where all students eligible for NYSSA attend and are provided career and vocational education opportunities as well as work-study.
- 2.43 Visit Buffalo City School District's CTE program to learn the history, challenges, budgeting, and proactive planning for a well rounded program to be implemented in RCSD.
- 2.44 Work with current administration and staff at Edison to provide more robust learning opportunities for students with IEPs that attend the school presently.
- 2.45 Create a position of coordinator of transition services for students with IEPs to specifically oversee the development, placement and success of pathways, CTE, community based learning and CDOS programming for students with IEPs.

### ***Related Services***

#### **It is recommended that the district:**

- 2.46 Review all Speech only IEPs, especially at the secondary level, for proper classification, appropriateness of service, and program placement. Review and examine all students enrolled in self-contained classrooms to ensure that speech only students are not inappropriately placed.
- 2.47 Hold monthly speech language provider meetings, facilitated by the lead speech language staff person recommended in 2.12, and utilize early release days for professional development.
- 2.48 Explore the realignment and coordination of speech/language providers and early intervention reading teachers to provide more proactive and early intervention to a great number of general and special education students.
- 2.49 Create a protocol, including timelines, for ordering AT devices and other needed equipment as a result of MATCH evaluations.
- 2.50 Conduct an inventory of the AT devices and other equipment in the loan inventory to ensure standard and regularly requested items are available and ready for use by students.

### ***School Psychological Services***

#### **It is recommended that the district:**

- 2.51** As aforementioned in 2.13 create a lead psychologist position.
- 2.52** Train school psychologists to serve as the quality control agents for new referrals for evaluation. Central office staff can then conduct random checks of these quality control reviews to ensure integrity to the process.
- 2.53** Ensure that all school psychologists are systematically given the opportunity to review and respond to parent referrals received at the school.
- 2.54** Utilize early release days to provide targeted and relevant professional development for school psychologists.
- 2.55** Ensure school psychologists are highly trained and supported in the RTI process for learning disability identification for K-4 per NYSED regulation.
- 2.56** Empower and support school psychologists to coach schools to be held accountable for the delivery of robust intervention with data driven progress monitoring prior to any referral for special education evaluation.

### ***Behavior Specialists***

#### **It is recommended that the district:**

- 2.57** Clarify the role, function and expectation of the behavior specialist position
- 2.58** Conduct a ‘boot camp’ on behavior for all CASEs, special education staff, teaching assistants and administration.
- 2.59** Create an online behavior module that can be archived and use consistently as a resource to schools, new personnel and the like.
- 2.60** Develop standard written protocols to address crisis intervention, gang related behavior and lethality. Train and disseminate to all school personnel.
- 2.61** Ensure the consistent use of nonviolent crisis intervention through the continued use of CPI (Crisis Prevention Institute). Identify personnel whose certification is expiring and support the recertification.
- 2.62** Work to adopt a district wide curriculum and consistent behavior management system classrooms that serve the most challenging students.

### ***Preschool***

#### **It is recommended that the district:**

- 2.63 Consolidate early learning and special education preschool and CPSE into one department to report to the executive director of special education.
- 2.64 Engage with NYSED to garner permission to conduct all preschool evaluations/referrals for special education, regardless of where students attend preschool.
- 2.65 Revert back to centrally run 4GO5 to CPSE to CSE transition meetings. Hold all meetings at the school site of the preschool.

### **C. School-Based Oversight of Special Education Services**

#### ***Ownership of Students with IEPS***

##### **It is recommended that the district:**

- 2.66 Provide school-based personnel with professional development each year on the IEP process, including writing an IEP with appropriate goals aligned with state standards, the conduct of initial referrals for evaluation and the annual review processes.
- 2.67 Consider creating an online IEP training module that can be accessed throughout the school year.
- 2.68 Provide CSE chair training to principals, assistant principals, school psychologists and other service providers to extend the involvement, responsibility, and ownership of students with IEPs at respective schools.
- 2.69 Provide district-wide training on the purpose and parameters of special education services (to deliver specially designed instruction to mitigate the effects of a disability) that results in increased understanding and knowledge of the need for equitable access to grade level content through the use of RtI and academic intervention services (AIS), in addition to IEP services.
- 2.70 Create and follow a written communication protocol to notify school principals when a new student with an IEP (e.g., new to special education, new to the district, or in need of a change of placement) is being enrolled at their school.

#### ***School-based CASEs***

##### **It is recommended that the district:**

- 2.71 See 2.9 for the recommendation regarding the repurposing of this position. The recommendations that follow are based on the position, as it currently exists.

- 2.72** Move the current responsibilities of initial referrals and more restrictive placements to central office special education personnel. Annual reviews can be conducted at the school site and shared across administrators, school psychologists, and others trained to chair these meetings. Thus allowing CASEs to get into classrooms to support teaching and learning. Alternatively, convert the CASE position back to a teacher on special assignment position.
- 2.73** Redesign the position and respective responsibilities whereby CASEs spend the majority of their time supporting and coaching teachers that work with students with disabilities.
- 2.74** Establish a school-based position for a special education lead teacher. Delineate their role, responsibilities, and any fiscal implications (e.g., stipend, reduced case loads, etc.). Lead teachers facilitate consistent implementation of special education across the school and immediate problem solving of issues that arise at the site. The position serves as a department head (e.g., special education department head for secondary) or grade-level chair for special education staff in the building. Under the new suggested organization structure, lead teachers would work with CASEs and report to the school principal. Building the capacity of school-level special education lead teachers/department heads leaves less reliance on CASEs and creates a system where ownership of students with IEPs and the processes to provide immediate supports and services is more prevalent.
- 2.75** Move the responsibility of APPR for special education teachers back to the principal and vice/assistant principal.
- 2.76** If maintained, provide clerical support the school based CASEs.
- 2.77** Deliver required professional development, on a consistent basis throughout the school year to all building administration, CASEs and chiefs on a variety of special education topics to include by not limited to basic compliance procedures, processes, and timelines. In addition, provide professional learning opportunities on beliefs, expectations and teaching and learning for students with IEPs.
- 2.78** Develop an intentional plan to ensure application of the professional development/learning, follow up to that learning, and specific means to measure and account for its implementation.
- 2.79** Move all initial referrals for special education back under the purview central office.
- 2.80** Move any request for more restrictive placements back under the responsibility of central office administration.
- 2.81** Communicate, train and clarify the use of the new digitized placement options to avoid the delay of students waiting for placement.

***Annual Reviews (AR)***

**It is recommended that the district:**

- 2.82** Redesign the AR process to become more efficient and inclusive of school administrators, special and general education teachers at the school site. School-based personnel, once trained, rather than special education CASEs, should chair CSE subcommittee Annual Reviews.
- 2.83** Move the ARs to the anniversary date of the IEP. Holding meetings throughout the year alleviates personnel workloads and in the case of RCSD involve more site-based personnel (e.g., principals, assistant principals, psychologists) in chairing the meetings. Plan and establish a process for phasing in the meetings prior to due dates and phasing in annual review meetings throughout the year.
- 2.84** Ensure that general education teachers are given advanced opportunity to prepare, participate, and provide input on students' ARs in a meaningful way.

**SECTION 3  
INSTRUCTIONAL PRACTICES, SUPPORTS,  
AND SPECIAL EDUCATION SERVICE DELIVERY**

**A. Staffing Patterns & Usage**

***Review Staff Ratios***

**It is recommended that the district:**

- 3.1** Review the generous special education staffing ratios to problem solve and ascertain the reasons behind the lack of the overall progress on compliance issues and timelines, lack of student performance and the significant increase of students referred to and classified as needing special education.
- 3.2** Conduct a complete review of the usage of staff within the special education delivery system to determine why the generous staff-to-student ratios are not resulting in exponentially improved outcomes for students with IEPs. This review should examine the amount of time students with disabilities receive services, the degree to which those services align with IEP goal and objectives, the manner in which the special education services are integrated with general education standards and instruction, whether or not students are actually receiving the services identified on the IEPs and the way staff are provided supervision, evaluation and support.
- 3.3** Conduct an analysis of the “enriched ratio” for para educators/teaching assistants across the district to ascertain cost and value add.

- 3.4 Analyze the trends and patterns of the high rates of referral of students to outside agency placements and reasons why given the district’s considerable investment in the addition of staff (“enriched ratios”) for self-contained classes.

**B. Instruction, Intervention and Support for Students with Disabilities**

***Support for Individualized Education Programs (IEPs)***

**It is recommended that the district:**

- 3.5 Establish a multi-year integrated professional development plan for school administrators, special and general education teachers on the IEP process that results in the implementation of IEP goals, accommodations and other supports for students with disabilities in all classroom settings.
- 3.6 Develop an IEP summary that would be generated electronically and shared with general education teachers. This summary should focus on the specific specially designed instruction strategies and accommodations that facilitate access to standards based content. These strategies and accommodations should be communicated in a way that makes sense to general education providers and should identify personnel who can support general education teachers’ implementation of these strategies.

***IEP Documentation and Recording***

**It is recommended that the district:**

- 3.7 Develop a standard operating procedure, if current process is maintained, that ensures the upload of IEPs into the data warehouse allows for the correction of grammar, spelling, and syntax while guarding against substantive or content changes. Include a communication mechanism that informs the originator of any concerns or changes needing attention.
- 3.8 Establish the practice of reviewing, finalizing and printing the completed and signed IEP at the end of each meeting and providing parents/guardians with a copy. Those IEPs needing translations can be then sent for translation and sent directly to the parent/guardians upon completion.
- 3.9 Develop a system/protocol to ensure that the recording of IEP Direct and Power School are transparent and accurate. Review current oversight and business rules to ensure they are clear, sustainable and are articulated to all CASEs and appropriate special education staff.
- 3.10 Consider, if current process is maintained, employing or repurposing current clerical FTE to compliance clerks whose sole responsibility is to check IEPs for accuracy/completeness and then uploading into the central system and completing any and all clerical tasks associated with processing completed IEPs (e.g., mailing etc).

- 3.11 Ensure that staff are aware and facilitate the process, necessary procedures and paperwork for any student waiting for a change in placement, either internal or external to the district
- 3.12 Immediately begin to cross train and build the capacity of a cadre of special education central office staff on the oversight and use of IEP Direct. Currently there is one staff member prolific with the system.
- 3.13 Consider revitalizing the monthly “data flow” meetings that allow staff to problem solve, monitor and correct student rosters, enrollments and placement changes for students with IEPs.

***Support for Improving Teaching and Learning***

**It is recommended that the district:**

- 3.14 Articulate and support, at the school level, practices and procedures to integrate the special education instructional/support process with the standards-aligned instruction in general education. This includes the scope/sequence/pacing of instruction, how general and special education plan together to deliver integrated instruction, and how general and special education teachers communicate and collaborate.
- 3.15 Develop, at the district level, a plan for the office of student support and special education services and the office of curriculum and instruction to develop practices and procedures to communicate and collaborate on the development, training, and implementation of robust teaching and learning instructional services for all students.
- 3.16 Refocus and remedy the use of coordinated early intervening services (CEIS) to align with the intent and purpose of the law and provide CEIS for students who are currently not identified as needing special education.
- 3.17 Apply Recommendations 1.1, 1.2, 1.3, 1.7, 1.8, and 1.9 in Section 1 of this Report to support this section as well.
- 3.18 Work with chiefs to reduce/eliminate distractors that reportedly keep principals from being in classrooms, including special education. Set a target of time expected of principals and other site administrators to be in classrooms (e.g., 2-3 hours daily)
- 3.19 Provide the support and coaching for principals and other site administrators to ensure they are accountable instructional leaders.
- 3.20 Ensure that grade level meetings and department level meetings are taking place on a regular basis and are productively used to problem solve, use data to examine instructional outcomes, collaborate and share best practices by teachers for teachers.
- 3.21 Create a Professional Learning Team (PLT) for principals and other site administrators where they can share and support each other in exploration and

implementation of best practices for teaching, learning, and school wide management of behavior.

- 3.22 Ensure those that supervise principals are on campuses and in classrooms thereby modeling and coaching expectations and skills to be an instructional leader for all students including students with disabilities.

### ***Data Use***

**It is recommended that the district:**

- 3.23 Consolidate all data functions, offices, and personnel under the one office (e.g., Chief of Accountability) to ensure coordination and a singular focus on creating data systems that are customer friendly, actionable and targeted to inform district wide efforts to close the academic, behavior, and opportunity gaps that exist.
- 3.24 Develop an early warning system (EWS) for the purpose of monitoring students for “on track” for graduation. Similarly, develop an EWS for elementary and middle school that includes, for example, grades, attendance, and discipline referrals. Use the EWS to regularly monitor progress and the need for proactive and early intervention. See <http://new.every1graduates.org> for more information on early warning systems.
- 3.25 Refresh, retrain, and revitalize current data platforms available to schools (e.g., Aimsweb Plus, NWEA) to ensure they are used consistently, analyzed regularly and used to drive instructional decision making across schools, grade levels and content areas.
- 3.26 Provide written expectations and flexibilities around the use of assessments for achievement for all students, including administration and reporting.
- 3.27 Provide on-going and consistent professional learning opportunities for site administrators on the interpretation and use of data across multiple measures to ensure data drives all decision making at the school sites.

### ***Principal Voice***

**It is recommended that the district:**

- 3.28 Exempt specialized classrooms (e.g., Autism) from the teacher transfer process.
- 3.29 Exempt specialized classrooms (e.g., Autism) from the para educator/teaching assistant transfer process.
- 3.30 Create feeder patterns for autism, ED, and GEM (Growth and Education for Students with Multiple Disabilities) classrooms that allow students enrolled in these programs to complete their schooling within RCSD.
- 3.31 Provide clerical support to CASEs if the position remains in its current state.

- 3.32 Return the Master Schedule back the Principals.
- 3.33 Develop and communicate a protocol for placing special education classroom at schools.
- 3.34 Develop a full continuum of special education services at schools. At a minimum each school should have ICT, CT and resource. Self-contained classroom should be planned and placed so that consistent and predictable feeder patterns are established.
- 3.35 Conduct a school-by-school audit to identify available space that which can be repurposed to allow the build out of feeder patterns and program options that allows students to receive services within RCSD.
- 3.36 Provide native language assessment materials for students that speak Spanish.
- 3.37 Analyze current resources to repurpose, reallocate to frontload support for K-3 students in order to provide a solid foundation of learning for both academics and behavior.
- 3.38 Provide professional development for principals in all things special education. Include specifics and nuances associated with types of service delivery as well and the needs and support of students in the variety self-contained classrooms across buildings.

***Support for Special Education Teachers***

**It is recommended that the district:**

- 3.39 Conduct a materials inventory of every special classroom in every building. Inclusive is a survey of all ICT, CT and resource teachers to investigate what materials are available and/or needed to support students with IEPs and ensure they are provided specially designed instruction in the LRE.
- 3.40 Provide, train, and support teachers in the delivery of a curriculum for social skills and behavior especially for self contained classrooms that enroll students with behavior needs.
- 3.41 Develop a school schedule that allows ICT and CT personnel more opportunity to participate in grade level and content level meetings.
- 3.42 Clearly define the roles, responsibilities, and purpose of ICT and CT within the general education settings. Clearly articulate parameters of each service provider.
- 3.43 Utilize early release days to provide data driven professional development to special education teachers.

***Restorative Practices***

**It is recommended that the district:**

- 3.44** Analyze the data of schools involved in the restorative practice PD and appreciative inquiry work to ascertain its impact on student learning and reduction of office referrals as well as suspensions. Utilize lessons learned to generalize to other schools.
- 3.45** Support personnel in charge of restorative practices as well as positive behavior supports to collaborate and coordinate efforts to systemically impact the reduction of disciplinary infractions/suspensions and support the implementation of proactive systems that promote positive students and adult relationships.
- 3.46** Provide sustained and thoughtful professional learning opportunities to develop culturally informed practices to promote equity in access for students of all races/ethnicities.
- 3.47** Provide sustained and thoughtful professional learning opportunities that informs the relationship between teaching, learning and cultural context in the planning, managing, delivering and evaluating academic and behavior instruction for students from diverse backgrounds

***Professional Learning Opportunities***

**It is recommended that the district:**

- 3.48** Develop a 3-5 year professional development plan whereby all special education teachers are trained, supported and coached on the NYS standards that all students should know, understand and do.
- 3.49** Develop a multi-year plan to deliver training on the standards (Essences and Extensions) that are assessed by the NYSSA. All teachers that teach students taking NYSAA should participate in this training.
- 3.50** Ensure that any professional development delivered by any office in the RCSD include how the learning can be applied to students who are gifted, at-risk for failure, have disabilities, and/or are English learners. It is critical that any professional development be differentiated and tailored for all student groups and reflective of respective need for extensions and acceleration.
- 3.51** Develop a district-wide plan that is sustainable and delivered to all staff and administration on the multi-tiered system of support that integrates academic and behavior and utilized a data driven problem solving approach to address needs of both students and schools. Specifically train school based leadership teams in the problem solving process and the use of data to better inform decisions and actions necessary to accelerate improved outcomes for all students in both academic and behavior.

- 3.52 Provide yearly and as needed on-going bus driver orientation for students with disabilities. Ensure that safety procedures are in place for medically fragile students and communication (e.g., ‘walkie talkies,’ district cell phones) are available at all times in anticipation of emergency situations.

## SECTION 4 ACCOUNTABILITY, COMPLIANCE, AND A CONTINUUM OF SERVICES

### A. Initial Referral and Evaluation for Special Education Eligibility

#### *Referral Rates for Special Education Eligibility*

**It is recommended that the district:**

- 4.1 Ensure school based teams receive professional development and review of special education criteria for each of the eligibility categories.
- 4.2 Ensure principals receive professional development regarding general education responsibility of providing instructional and behavior supports for students at-risk for failure and the difference between students at risk and those with disabilities.
- 4.3 Conduct a thorough review of prevention, early intervention, and supports for at-risk students available in general education as well as the data systems that monitor them.
- 4.4 Using the analysis in 4.3, identify and develop comprehensive general education supports for at risk students. Provide appropriate support and materials to teachers and principals that result in accelerated improved student outcomes.
- 4.5 Ensure training and dissemination of a written document outlining 4.4 occurs. Explicitly include professional learning opportunities for principals and staff to learn the difference between at risk students and those with disabilities.
- 4.5 Review current efforts and the revised RtI manual to see how it may be incorporated into a larger targeted effort to reboot comprehensive support, use of data, and accountability of those data district-wide.
- 4.6 Ensure that a review of required documentation and the impact of general education intervention and supports occur *prior* to any special education eligibility determination.
- 4.7 Conduct a comprehensive review of special education referral patterns by school, type of referral and month of referral in order to understand and problem solve district level referral patterns.
- 4.8 Ensure that a common language, common understanding exists in the district regarding what special education is and is not. Revisit on an on-going basis.

- 4.9 Communicate to all staff the district’s commitment to ensuring that special education placement rates approximate national levels and that placement rates are proportional across all student demographic groups.
- 4.10 Hold building principals accountable for ensuring sufficient interventions and supports are available in general education and for monitoring special education referral and placement rates throughout the year.

***Initial Referral for Special Education Evaluation***

**It is recommended that the district:**

- 4.11 Revert the referral for initial special education evaluation back to a centrally run meeting held at the school site. There has been a significant increase in both the referrals for special education evaluation and placement in special education since the centrally run evaluation process has been eliminated.
- 4.11 Implement recommendations 4.1 - 4.3, 4.6 - 4.10
- 4.12 While addressing the high rates of referral, assign and/or repurpose adequate personnel to ensure that the meetings for initial evaluations and IEPs, re evaluations and annual reviews meet compliance timelines.
- 4.13 Ensure that the monitoring system for timelines provides sufficient warning in order to schedule meetings within the required deadlines.
- 4.14 Create and distribute, on a monthly basis, a school by school report that includes timelines, referrals, placement, student movement to more or less restrictive, suspension and other critical aspect of within this report to the principals, Chiefs that supervise buildings and Superintendent to review and act upon.
- 4.15 Conduct a thorough review of all related services to ensure students receive IEP services.

**B. Suspension and Interim Alternative Education Services (IAES)**

***Suspensions***

**It is recommended that the district:**

- 4.16 Identify the unmet needs of its Black students that result in disproportional placement in special education and student suspensions and develop prevention and early intervention services and supports that include parent and community engagement.
- 4.17 Identify the needs of teachers, leaders, and support staff in RCSD to address the disproportional placement in special education, student suspensions and provide on a sustained basis, professional learning opportunities that will support the use

pedagogy and strategies for relational teaching and learning for students that reside in urban community of Rochester, NY.

- 4.18 Identify the reasons why the OHI category is being over used as a placement category and why they students placed in this category have unexplainable high rates of suspension. The placement and suspension rates for OHI in RCSD represent an urgent concern that must be addressed.
- 4.19 Create one office that handles the long-term suspensions and superintendent hearings for both general and special education.
- 4.20 Provide trainings to refresh and update school administrators and teachers understanding of Part Part 201 - Procedural Safeguards for Students with Disabilities Subject to Discipline.
- 4.21 Track, monitor, and report by school the use of the exception clause for suspensions to avoid misuse and over use for the provision.
- 4.22 Cease immediately the use of the use of the manifestation checklist completed by school administrators prior to the manifestation determination meeting.

#### ***Interim Alternative Education Services (IAES)***

**It is recommended that the district:**

- 4.23 Analyze all alternative program data (e.g., credits, enrollment, attendance, performance data, suspensions and disciplinary encounters) to identify the value add to the district's most at-risk youth. Consolidate where duplication exists and create a coherent comprehensive alternative education system that provides a safe and engaging educational environment that hold high expectation for teaching and learning. Provide work-study opportunities for older youth.
- 4.24 Develop and implement an accountability system whereby data are monitored on a monthly basis for the reasons for placement, length of stay, success, and transition back to comprehensive placement.
- 4.25 Review the North S.T.A.R. enrollment, attendance, performance data, suspensions and disciplinary encounters to evaluate the value add to the district's service to these youth. In its current state it clearly not cost benefit of the program and its service to students.
- 4.26 Conduct a data analysis on attendance as well as those students that are reportedly placed on home instruction while enrolled in North S.T.A.R.
- 4.27 Consider expanding the district's All City credit recovery program to provide additional options for students with disabilities that may prove successful.
- 4.28 Develop a system whereby students affiliated with rival clubs or gangs, to the extent

practicable, are not placed in the same alternative setting.

- 4.29 Revisit the planning and progress made with Big Picture to ascertain its use in revamping the district's alternative education programs.

### **C. Continuum of Service Delivery Options**

#### ***Continuum of Support Services-***

**It is recommended that the district:**

- 4.30 Immediately begin planning the establishment of a district-wide continuum of support/services for students with IEPs that allows students, to the extent practicable, to stay in one school rather than moving between schools when more or less restrictive placements are warranted. Develop a portfolio of programs within each quadrant of the city district to allow students to attend schools within relative proximity to where they currently attend should they need a change of placement.
- 4.31 Beginning in SY2017-2018 ensure that all schools have, at minimum, the service options of ICT, CT and Resource.
- 4.32 Consider implementing the CT and ICT models for ELA and Math only. This will allow teachers the time and flexibility to provide more direct support to general education teachers and well as students with IEPs needing more targeted and small group support.
- 4.33 Conduct a data analysis of students enrolled in ICT, CT and resource services to evaluate the impact on students' outcomes. Utilize these data to ascertain the level of which they provide appropriate and equitable educational opportunities, LRE and FAPE.

#### ***Over Reliance on External Agency Placements***

**It is recommended that the district:**

- 4.34 Develop a comprehensive plan to develop and enhance existing services and programs that would allow students that currently attend BOCES to attend a district school.
- 4.35 Create feeder patterns for Autism and GEM program students to allow them the opportunity to attend years of schooling within RCSD.
- 4.36 Analyze the current agency placements similar to those offered by RCSD to ascertain reasons why students are placed in out of district programs and the degree to which they could remain in the district was responsive to student needs.

**4.36** Conduct a cost analysis of the current agency placements aligned with student outcomes of those placements and examine how funds can be reallocated to provide program options to students within RCSD.

## **APPENDICES**

## Appendix A. Data Request

### Data/Information Request for the Rochester City School District Office of Special Education

**Important Note:** Please number all documents/responses in a manner that aligns with the numbers below. **Please provide all data in an excel format and information in a WORD format to the extent possible.**

#### DATA

1. **Total number of all enrolled students & by grade level (preschool, elementary, middle and high school).** If the district has charter schools it operates and/or magnet schools, please provide that data by these organizational units also.
2. **Total number of students with IEPs & by disability areas:** learning disability (LD), speech/language (S/L), other health impaired (OHI), autism, emotional disability (ED), cognitive disability (CD), developmental disability (DD), and other. Also, sort by grade level. If the district has charter schools it operates and/or magnet schools, please provide that data by these organizational units also.
3. **Total number of students with IEPs & by disability by race/ethnicity for students:** LD, S/L, OHI, autism, ED, CD, and DD.
4. **Current number of all ELLs in the district & by grade level.**
5. **Number of ELLs with IEPs by disability areas** (LD, S/L, OHI, autism, ED, CD, and DD.)
6. **Referral for special education evaluation.** During 2014-14, 2014-15, 2015-16 school years, for all schools & by school, number of students referred for an initial evaluation, number evaluated & number found to have a disability. (Include in the total only students for whom a decision was made to evaluate and then had an evaluation completed.) Include the total number found to have a disability in the following areas: LD, S/L, OHI, autism, ED, CD, DD & other. Provide the subset of information for students who are ELL.
7. **Graduation rate** for all students and for students with IEPs for last 5 years.
8. **Drop-out rate** for all students and for students with IEPs for last 5 years.
9. **Out-of-school suspensions - For students with and without IEPs**
  - a. Number/percentage of students suspended more than 10 school days last school year;
  - b. Number/percentage of students suspended 6 to 10 school days last school year;
  - c. Number/percentage of students suspended 1 to 5 school days last school year;
  - d. Number/percentage of students suspended 11-15 days, 16-20 days, 21-25 days, etc til all included;
  - e. Same information by grade level (elementary, middle, high school)
  - f. Same information by race/ethnicity
  - g. Total number/percent of total students with/without IEPs suspended by school
10. **Performance.** For all students with IEPs assessed, percentage meeting/exceeding proficient standard in reading and math performance for the last five school years. Include the SPP targets.
11. **Educational settings**

- a. Number of students with IEPs in various educational settings as reported to the state (i.e., in general education classroom 80% or more of the time, between 40-80% of the time, and less than 40% of the time for students 6 years of age and above).
- b. Same information as “a” above for three through 5 years of age.
- c. Same as “a” by primary disability areas (LD, S/L, OHI, autism, ED, CD)
- d. Same information as “a” by grade.
- e. For students placed by the district in separate schools, nonpublic schools and residential facilities. (Sort by students 3-5 years old and for students 6-21 years old.)

**12. Educational Settings by Race/Ethnicity & for ELLs with IEPs**

- a. Number of students with IEPs in each educational setting for students 6 years of age and above.
- b. Same as “a” by primary disability areas (LD, S/L, OHI, autism, ED, CD)
- c. For students placed by the district in separate schools, nonpublic schools and residential facilities, provide for students 3-5 years old and for students 6-21 years old:

**13. Self-contained programs.** For each “special” program” for students with IEPs, show the number of programs in each school. Please sort schools by grade level groupings. For example:

	<b>A (Name)</b>	<b>B (Name)</b>	<b>C (Name)</b>	<b>TOTAL</b>
School A	1	0	2	<b>4</b>
School B (etc.)	0	1	1	<b>3</b>
<b>TOTAL</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>7</b>

**14. Staffing.** Number of FTE staff (including contractual) in the following areas:

- a. Special education teacher
- b. Paraprofessional for students with IEPs
- c. Psychologists
- d. Speech/language Pathologists
- e. Social Workers
- f. Nurses
- g. Occupational Therapists
- h. Physical Therapists

**15. Data reports.** Describe (or provide a sample of) any regular data reports currently available for special education administrators and local school administrators to help them manage and coordinate services, monitor performance, and ensure compliance for students with disabilities; and for students who are struggling academically and behaviorally.

**GENERAL INFORMATION.** For each of these areas, in addition to other students with IEPs, please include relevant information pertaining to students who are ELLs with IEPs.

**16. Implementation of Common Core State Standards (CCSS).** Briefly describe or provide copies of any districtwide plans for provision of instruction to all students based on curriculum aligned with CCSS, and any reports or documents reflecting implementation efforts. Include any references to provision of differentiated instruction for any students needing additional assistance to access this instruction, and/or implementation of CCSS within a context of multi-tiered systems of supports, i.e., RtI.

17. **Implementation of CCSS for students with IEPs.** Briefly describe or provide copies of any districtwide plans for the provision of instruction to students with IEPs based on instruction aligned with CCSS.
18. **Improvement planning.** Provide copies or access to any districtwide improvement plans and templates for school-based improvement plans that pertain to all students, including those with IEPs.
19. **Multi-tiered Systems of Support (MTSS).** Briefly describe and provide any documents relative to implementation of MTSS, including academic and positive behavior intervention and supports.
20. **Referrals.** Describe any initiatives taken during the past several years that relates to ensuring the appropriate referral of students for a special education evaluation and the responsibility of school principals and other school-based staff for overseeing this process.
21. **Instructional Support.** For early childhood and for school-aged students, please briefly describe and/or provide copies of any relevant documents reflecting district initiatives/training regarding the following areas regarding positive educational outcomes, and briefly describe any challenges.
  - a. **Inclusivity.** To increase the provision of *meaningful* instruction to students with IEPs in general education classes with the support of special educators and/or paraprofessionals.
  - b. **Separate Classes.** To support improved instruction aligned with CCSS for students educated in separate classes (who take the regular and the alternate assessment).
  - c. **Students Taking Alternate Assessments.** To support improved instruction of students with significant cognitive disabilities who participate in alternate assessments.
  - d. **Students who are English language learners and have an IEP.** To support improved teaching and learning for ELLs with IEPs with respect to the above three areas
  - e. **Assistive Technology.** To improve access to and usage of assistive technology.
  - f. **Post-Secondary Transition.** To support the provision of improved transition activities and services for post-secondary success, including access to community-based work experiences.
  - g. **Transition Between Grade Levels.** To supporting the transition of students with IEPs who are transitioning between grade levels, i.e, preschool to kindergarten, to middle school, to high school.
22. **Professional development (PD).** Provide number of days available for staff development (school-based and districtwide) and any current policies regarding mandatory nature of any PD for special education. Briefly, describe how PD is provided and content related to students with IEPs. Also, briefly describe what PD is integrated for special educators jointly and in collaboration with general educators or others.
23. **Organization.** A copy of the district organization chart for central office, including the student services department, and other departments that provide support for student achievement, budget, technology, etc. A copy of the organization chart for the office of special education and functional details/explanations for all positions in the department.
24. **Case management.** Briefly describe school-based roles and responsibility for overseeing special education, case management for assessments and IEP meetings, including titles or description of individuals responsible for oversight.
25. **Special Education Teachers**

- a. **Allocation.** Briefly describe method for determining the allocation of special educators to schools.
- b. **Monitoring Performance.** Briefly describe/provide samples of any systemic (or other) mechanisms in place for special educators to monitor the effectiveness of their instruction, e.g., performance monitoring.
- c. **Hiring/Supervision.** Briefly describe the hiring/supervision process for any group of special educators not hired or supervised by their school principals.

## 26. Paraprofessionals

- a. **Types.** If there is more than one position for paraprofessionals/aides, describe the various positions and duties.
- b. **Determination of need.** Briefly describe and/or provide documents providing guidance for IEP teams to determine a student's need for additional adult support.
- c. **Allocation.** Briefly describe method for determining the allocation of paraprofessionals to schools.
- d. **Hiring/Supervision.** Briefly describe the hiring/supervision process for paraprofessionals, specifying the role of principals and central office.

## 27. Related Services

- a. **Allocation.** Briefly describe method for allocated related services staff (e.g., social workers, psychologists) to schools.
- b. **Monitoring Performance.** Briefly describe/provide samples of any systemic (or other) mechanisms in place for relevant clinicians to monitor the effectiveness of their instruction, e.g., S/L, etc.
- c. **Coordination/Supervision.** Briefly describe how clinicians are supervised.

## 28. Standard operating procedures for implementation of special education and related services, and for Section 504.

## 29. State performance plan indicators.

Provide a copy of the last notice from the state regarding the district's state performance plan indicator outcomes. Also, provide a copy of the state IDEA compliance determination letters for the last school year. Indicate if the state has found that the district has data that meets its criteria for disproportionate representation or significant disproportionality and must use 15% of its IDEA funds for intervention services for disability areas or for suspensions.

## 30. Due process & Complaints.

Number of due process requests and any additional data readily available about due process cases, issues, settled, won, compensatory services, attorney fees, etc. for the last school year. Also include information relevant to any involvement by the Office for Civil Rights or complaints filed with the state educational agency.

## 31. Fiscal.

- a. Provide the expenditures from all sources (specifying federal, state and local) for the education of all district students and for students with IEPs.
- b. For students with IEPs placed in nonpublic schools, provide the overall cost for the last school year, and the average cost per student (and types of additional costs, e.g., paraprofessional, etc.) with and without state reimbursement.

- c. For students placed in nonpublic schools, provide the total number of students educated in this setting for the last school year and prior school years (for as many years as reasonably accessible, optimal would be five years).
  - d. For paraprofessionals or additional adult supports, provide the number of personnel in any related categories for the current school year and prior school years (for as many years as reasonably accessible) and the total cost and cost by category.
  - e. Include specific information for any other high cost area, including the area of concern, and relevant current and historic fiscal information that is reasonably accessible.
- 32. Parents.** Briefly describe ways in which parents are provided with training, supported in meetings to meaningfully participate, etc.
- 33. Accountability.** Briefly describe and provide any copies explaining any district accountability system pertaining to the performance of personnel and/or instruction of all students/students with IEPs. Provide any illustrative reports, report cards, etc.

## Appendix B. Interview Schedules

### December 13th

8:00-10:00 Zone Directors & Interim Executive Director of Specialized Services  
10:00-12:00 Tours (Zone Directors)  
12:00-12:30 Lunch  
12:30-1:30 Tours (Zone Directors)  
1:30-2:30 Associate Director of Specialized Services; Medicaid & Related Services and Frontline  
2:30-3:30 Central CSE CASEs (6) assigned at Central Office  
3:30-4:30 Acting Executive Director for ENL and LOTE

### December 14th

8:00-8:45 Behavior Specialists  
8:45-9:30 MATCH Team  
9:30-10:00 Placement  
10:00-11:00 Social Workers/Counselors  
11:00-12:00 Related Services  
12:00-12:30 Lunch  
12:30-1:30  
1:30-2:30 Chiefs  
2:30-3:30 Terri Wood  
3:30-4:30 Special Education Teachers

### December 15th

8:00 – 9:30 Parents (Kitchen Table Discussion)  
9:30-10:30 Psych Advisory  
10:30-11:30 Chief of Accountability  
11:30-12:00 Lunch  
12:00-1:00 Terri Wood  
1:00-2:00 CFO, Grants, Budget  
2:00-3:00 Legal Department  
3:00-4:30 Superintendent

### January 4, 2017

8:00-9:00 Building CASEs  
9:00-10:00 Autism Team  
10:00-11:00 ED of Student Support Services  
11:00-12:30 Terri Wood  
12:30-1:00  
1:30-2:00 Travel to Wilson Academy  
2:00-3:00 Focus Group Instruction & Curriculum at Wilson Academy  
3:00-4:00 Principals (Wilson Academy Aud.)

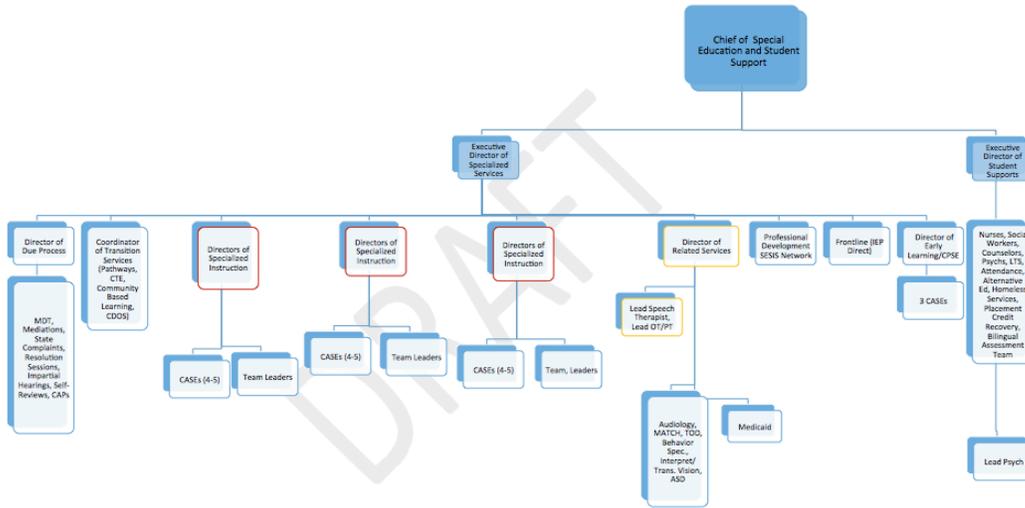
### January 5, 2017

8:00-9:30 Parents Focus Group  
9:30-1:30 Debrief T. Wood  
2:00-3:00 Kendra March & Superintendent

### February 17, 2017 -- Conference call

Data/Special Assistant to Deputy Superintendent of Teaching and Learning  
Senior Director of Youth Development and Family Services

## Appendix C. RCSD Proposed Organization Chart



## Appendix D. Incidence Rate and Staffing Survey Results

	Total Enrollment	Incidence		Sp Educator			Paraeducator			Speech/Lang			Psychologist		
		% SpEd	SpEd Enr	Number	Ratio To:		Number	Ratio To:		Number	Ratio To:		Number	Ratio To:	
					Sp Ed	All		Sp Ed	All		Sp Ed	All		Sp Ed	All
Agawam Public Schools	4,347	15%	656	39	17	112	100	7	44	15	44	290	3	219	1449
Atlanta Public Schools	43,443	11%	4,950	431	11	101	224	22	194	65	76	688	22	225	1975
Anchorage School Dist	48,154	14.1%	6,779	716.8	9.5	67.2	786.4	8.6	61.2	65	104	741	44.7	151	1010
Arlington VA Pub Sch	21231	13.9%	2952	343	8.6	62	262	11	81	38	77	574	22	134	923
Austin Pub S D	84676	10%	8,062	772.5	10.4	110	824	9.7	103	70.5	114	1201	34.6	233	2447
Baltimore City Publ Sch	82,824	16%	12,866	1,121	12	74	620	21	134	92	140	901	NA	NA	NA
Baltimore County P Sch	107,033	11.4%	12,127	1025.4	11.8	104	2305*	5.26	46	187.5	65	571	85.3	142	1254
Boston Public Schools	54,966	21%	11,534	1200	10	47	800	14	70	147	78	383	48	240	1173
Bellevue, WA SD	18,883	10.3%	1,947	82.7	23.5	228	118.6	16.4	159	17.4	112	1085	17.3	112.5	1092
Bridgeport, CT	20,300	14.3%	2,618	204	13	100	254	10	80	25	105	812	33	79	615
Buffalo Public Schools	46,583	16.6%	7744	753	10.3	61.9	439	17.6	106	109	71	427	62	125	751
Cambridge Publ Schools	6,000	20%	1,200	176	7	35	103	12	59	20	60	300	22	55	273
Carpentersville, IL	19,844	15.8%	3,139	227	13.8	87	380	8.3	52	43	73	461	28	112	708
Chicago Public Schools	397,092	13.7%	54,376	4,649	11.7	85.4	4,228	12.9	94	390	139	1018	261	208	1521
Cincinnati Pub Schools	51,431	17.4%	8,928	457	19.5	112.5	801	11.1	64	62	144	830	57.7	155	891
Clark Cty School Dist	309,476	10%	32,167	2,247	15	138	1,346	24	230	299	108	1036	180	179	1720
Cleve Hts-UnivHtsCty	6,000	18%	1,100	83	14	73	58	19	104	7	158	858	8	NA	NA
Compton CA Unified SD	26,703	11.2%	2981	126	28	256	118	25	226	5	596	5341	14	213	1907
DeKalb 428, IL	6,249	14.1%	879	58	15.2	108	205	4.3	30	9	98	694	7.5	117	833
DesMoines Public Schls	31,654	15.3%	4,854	493*	9.8	64	358.5**	13.5	88	37.3	130	849	11.5	422	2753
D.C. Public Schools	48,991	18%	8,603	669	13	74	653	14	76	90	96	545	78	111	629
Davenport Comm Sch	15,302	12%	1,857	188	10	82	287	7	54	NA	NA	NA	NA	NA	NA
Deer Valley Unified SD	36,086	9%	3,289	190	18	190	229	15	158	49	68	737	108	31	335
Denver Public Schools	78,352	12%	9,142	592	16	133	528	18	149	94	98	834	98	94	800
ESD 112	13,764	14%	1,987	55	37	251	158	13	88	20	100	689	12	166	1147
Elgin U-46, IL	40,525	13.1%	5,304	252.8	21	160	288.5	18	140	71.9	74	564	20	265	2026
Everett Pub Schools, WA	6,100	17%	1,049	74	15	83	51	21	178	4	263	1525	5	210	1220
Fort Worth	79,885	8%	6,144	520	12	154	450	14	178	73	85	1095	31	199	2577
Greenville County, SC	70,282	14%	9,894	463	21	152	376	26	187	93	106	756	25	396	2111
Houston Indepen SD	200,568	9%	17,489	1,625	11	124	1,145	16	176	158	111	1270	NA	NA	NA
Kalamazoo Pub Schools	12,100	14%	1,667	70	24	173	79	22	154	15	112	807	NA	NA	NA
Kent, WA Pub Schools	27,196	11.3%	3,069	148.7	20.6	183	318	9.7	85.5	32.3	95	842	25	123	1088
Lake Washington, WA	26,864	11.7%	3,145	155.1	20.3	111.2	241.5	13.0	111.2	32.6	96.5	824	24.7	127.3	1087.6
Kyrene School District	17,910	9%	1,544	141	11	128	124	13	145	27	58	664	14	111	1280
Lakota Local	18,500	10%	1,800	126	15	147	120	15	155	39	47	475	18	100	1021
LAUSD	632,881	13%	82,326	4,470	19	142	8,470	10	75	379	218	1670	599	138	1057
Lincoln	1,060	12%	128	21	7	51	21	7	51	5	26	212	2	64	530
Madison, WI Pub Schls	27,185	14.0%	3,808	347	10.9	78	448	8.5	61	86	44	316	49	77.7	555
Marlborough Pub Sch	4,835	25%	1,198	141	9	35	115	11	43	7	172	691	4	300	1209
Memphis City	110,863	15%	16,637	912	19	122	655	26	170	53	314	2092	58	287	1912
Miami-Dade	376,264	11%	40,012	2,500	17	151	1,226	33	307	209	192	1801	206	195	1827
Milwaukee	78,533	20.9%	16,406	1281	13	61	988	16.6	79	169	80	465	136	121	577
Montgomery Cty Sch	146,812	12%	17,226	1,588	11	93	1,398	13	106	293	59	502	97	178	1514
Mt. Vernon SD (NY)	8,190	18.4%	1,506	128	11.8	64	240	6.3	34	23	65.5	356	24	62.8	341
Naperville IL 203	18,131	11%	1978	150	13	120	237	8	76	33	59	549	22	90	824
Nashville	82,260	12.3%	10,141	680.5	14.9	121	594	17.1	138	109	93	755	65.5	155	1256
New Bedford	12,692	21%	2,655	204	14	63	205	13	62	26	103	489	9	295	1411
Oak Park Sch Dist 97	5,400	16%	875	78	12	70	90	10	60	14	63	386	8	110	675
N. Chicago, IL (in Dist.)	3803	16%	614	39	15.7	92	27	22.7	141	8	76.8	475.4	5	122.8	760.6
Oakland Unified SD	33312	15.4%	5401	404	13.4	82.5	175	31	190	47	115	709	43.5	125	766
Pittsburgh Pub Schools	23,276	18.1%	4,210	308	13.7	76	263	16	89	31	136	751	16	263	1455
Portland Public Schools	46,596	14%	6,513	355	19	132	535	13	88	92	71	507	56	117	833
Providence, RI	23,695	18.8%	4460	340	13	70	339	13	70	40	111	592	28	159	846
Renton, WA	14,343	14.7%	2,108	129	16.3	111	294	7	48	20	105	717	15	140	956
Rochester, NY	27,552	20%	5,472	559.2	9.8	49	428	12.8	64	148	37	186	64	85.5	430.5
Rockford IL Pub S	28,973	14%	4,065	336	12	86	334	12	87	49	83	591	24	169	1207
Round Rock	43,000	8%	3,313	369	9	117	171	20	252	41	81	1049	29	115	1483
Sacramento	46,843	13.9%	6,519	288.1	22.6	162	246.2	26.5	190	50.8	128.3	922	29.7	219.5	1419
San Diego Unified SD	132,500	12%	16,300	1,100	15	121	1,300	13	102	196	84	677	129	126	1027
Saugus, MA	3,012	15%	462	28	17	108	29	16	104	6	77	502	NA	NA	NA
Sch Dist of Philadelphia	168,181	20%	33,686	1,535	22	110	610	56	276	99	341	1699	100	337	1682
Scottsdale, AZ	26,544	10.9%	2,891	246	11.8	108	230	12.6	115	39.4	73	674	28.4	102	935

	Total Enrollment	Incidence		Sp Educator			Paraeducator			Speech/Lang			Psychologist		
		% SpEd	SpEd Enr	Number	Ratio To:		Number	Ratio To:		Number	Ratio To:		Number	Ratio To:	
					Sp Ed	All		Sp Ed	All		Sp Ed	All		Sp Ed	All
Shelby County (Memphis)	114760	12.7%	14556	852	17.1	135	768	19.0	149	55	265	2087	60	243	1913
St. Paul, MN	38,086	18.8%	7,152	523	13.7	73	536	13.3	71	97	74	392	19	376	2004
Sun Prairie Area S Dist	6,656	10%	697	62	12	108	93	8	72	14	50	476	7	100	951
Tacoma Pub Schl WA	32,412	12%	3,894	172.5	23	188	223	17	145	33.6	116	965	27	144	1200
Tucson Unified SD	56,000	14%	8,092	409	20	137	419	20	134	61	133	919	54	150	1038
Washoe County Dist NV	63,310	14%	8,551	472	19	135	325	27	195	77	112	823	37	232	1712
Williamson Cty Schl	31,292	9%	2,824	213	13	147	400	7	78	34	121	911	23	178	1346
West Aurora, IL SD	12,725	13%	1688	120	14	106	101	17	126	21	80	606	13	130	979
Worcester, MA	24,825	21%	5,172	254	21	98	366	15	68	38	137	654	NA	NA	NA
<b>Averages</b>	<b>65,257</b>	<b>14.0%</b>	<b>8470</b>	<b>594</b>	<b>14.3</b>	<b>110</b>	<b>574</b>	<b>14.8</b>	<b>114</b>	<b>74.4</b>	<b>114</b>	<b>877</b>	<b>54.4</b>	<b>156</b>	<b>1200</b>

Ratios for Social Workers, Nurses, OTs & PTs	Total Student Enrollment	Total Special Ed	Social Worker			Nursing (School/RN, etc.)			Occupational Therapy		Physical Therapy	
			Number	Ratio To:		Number	Ratio To:		Number	Ratio SpEd	Number	Ratio SpEd
				SpEd	All		SpEd	All				
Agawam Pub Schools	4,347	656	NA	NA	NA	8	82	544	3	219	3	219
Anchorage School Dist.	48,154	6,779	NA	NA	NA	112.8	60	426	21.9	309	7.8	869
Atlanta Public Schools	43,443	4,950	30	165	1448	58	85	511	12	413	3	1650
Arlington Pub Schools	21,231	2,952	15	197	1415	*30	98	708	20	147	6	492
Austin Pub S D	84,676	8,062	21	384	4032	68	119	1245	19	424	13	620
Baltimore City Public	82,824	12,866	193	67	430	78	165	1062	20	644	5	2574
Baltimore County Pub Sc	107,033	12,127	48.7	249	1701	179.8	67	595	65.2	186	27	449
Bellevue, WA SD	18,883	1,947	4	487	4721	13.2	148	1431	5.3	367	5.3	367
Boston Public Schools	54,966	11,534	NA	NA	NA	100	115	563	67	172	17	680
Bridgeport, CT	20,300	2,618	38	69	534	28	94	82	7	374	2	1309
Buffalo Public Schools	46,583	7,744	48.5	160	960	NA	NA	NA	75	103	29	267
Cambridge Pub School	6,000	1,200	16	75	375	0	NA	NA	16	75	7	172
Carpentersville	19,844	3,139	36.5	86	544	27.5	114	722	22	142	6	523
Chicago Pub Schools	404,151	50,566	355.7	142	1136	334	151	1210	115	440	35	1445
Cincinnati Pub Sch	51,431	8,928	NA	NA	NA	NA	NA	NA	19	470	5	1786
Clark Cty School Dist	309,476	32,167	NA	NA	NA	173	186	1789	68	474	29	1100
Cleve Hts-UnivHtsCty	6,000	1,100	7	158	858	5	220	1200	2	550	1	1100
Compton CA Unified SD	26,703	2,981	1	2981	NA	1	2981	NA	1.5	1987	5	5962
DeKalb 428, IL	6,249	879	8	110	781	7	126	893	3.4	256	1.3	204
DesMoines Public Schls	31,654	4,854	25.8	188	1227	58.4	83	542	7	693	4.8	1011
D.C. Public Schools	48,991	8,603	90	96	545	127	68	386	48	180	16	538
Davenport CommSch	15,302	1,857	NA	NA	NA	7	266	2186	NA	NA	NA	NA
Deer Valley Unified SD	36,086	3,289	NA	NA	NA	37	89	976	19	174	4	823
Denver Public Schools	78,352	9,142	74	124	1059	77	119	1018	25	366	12	762
Elgin U-46, IL	40,525	5,304	56	95	724	59.5	89	681	25.2	210	4	1326
ESD 112	13,764	1,987	NA	NA	NA	5	398	2753	6	332	3	663
Everett Public Schools	6,100	1,049	2	525	3050	11	96	555	2	525	3	350
Fort Worth	79,885	6,144	NA	NA	NA	106	58	754	16	384	10	615
Greenville County, SC	70,282	9,894	20	495	3514	132	75	532	14	707	4	2574
Houston Indepen SD	200,568	17,489	26	673	7715	25	700	8020	17	1029	8	2187
Kalamazoo Pub	12,100	1,667	5	334	2420	2	834	6050	4	417	3	556
Kent, WA Pub Schools	27,196	3,069	2.2	NA	NA	NA	NA	NA	12.8	240	4.8	639
Kyrene School District	17,910	1,544	NA	NA	NA	4	386	4478	2	772	2	772
Lake Washington SD	26,864	3,145	NA	NA	NA	23.6	133	1138	19.3	163	3.3	953
Lakota Local	18,500	1,800	6	300	3084	14	129	1322	8	225	2	900
LAUSD	632,881	82,326	275	300	2302	575	144	1101	159	518	28	2941
Lincoln	1,060	128	5	26	212	2	64	530	2	64	1	128
Madison, WI Public Schl	27,185	3,808	68	56	399	38	100	715	34	112	13	293
Marlborough Public	4,835	1,198	9	134	538	10	120	484	4	300	2	599
Memphis City	110,863	16,637	55	303	2016	68	245	1641	11	1513	9	1849
Miami-Dade	376,264	40,012	NA	NA	NA	206	195	1827	65	616	23	1740
Milwaukee	78,533	16,406	140	117	560	101	162	778	30	547	13	1262
Montgomery CtySch	146,812	17,226	NA	NA	NA	NA	NA	NA	112	154	61	283
Mt. Vernon SD (NY)	8,190	1,506	22	68.5	372	22	68	372				
Naperville, IL 203	18,131	1978	27	73	671	29	68	625	4	494	3	659

Ratios for Social Workers, Nurses, OTs & PTs	Total Student Enrollment	Total Special Ed	Social Worker			Nursing (School/RN, etc.)			Occupational Therapy		Physical Therapy	
			Number	Ratio To:		Number	Ratio To:		Number	Ratio	Number	Ratio
				SpEd	All		SpEd	All				
Nashville	82,260	10,141	NA	NA	NA	57	178	1443	29.5	344	6	1690
New Bedford	12,692	2,655	67	40	190	30	89	424	11	242	3	885
North Chicago, IL	3,803	614	10	61.4	380.3	NA	NA	NA	3.6	170.5	1.6	383.8
Oak Park Sch Dist 97	5,400	875	12	73	450	8	110	675	7	1125	1	875
Pittsburgh Pub Sch	23,276	4,210	40	105	582	40.6	104	573	7	601	8	526
Oakland Unified SD	33312	5315	19	284	1753	30.8	175	1082	12	450	2	2701
Portland Pub Schools	46,596	6,513	10	652	4660	NA	NA	NA	20	326	9	724
Providence	23,695	4460	35	127	677	NA	NA	NA	11.5	388	4.5	991
Renton, WA	14,343	2,108	0	NA	NA	17	124	844	15	141	3	703
Rochester	27,552	5,472	89	61.5	309.6	55.5*	98.6	496	29.2	187.4	11	497.5
Rockford IL Pub S	28,973	4,065	26	135	1114	32	127	905	12.5	325	4.5	903
Round Rock	43,000	3,313	NA	NA	NA	1	NA	NA	10	332	3	1105
Sacramento	46,843	6,519	8	NA	NA	5*	NA	NA	2	NA	0	NA
San Diego Unified SD	132,500	16,300	NA	NA	NA	129	127	1028	40	408	10	1630
Saugus, MA	3,012	462	4	116	753	5	93	603	2	231	1	462
Schl Dist of Philadelphia	168,181	33,686	NA	NA	NA	280	121	601	20	1685	20	1685
Scottsdale	26,544	2,891	NA	NA	NA	31	93	856	13.8	210	3.8	761
Shelby County (Memphis)	114760	14556	66	221	1739	79	184	1453	29.22	498	12.84	1134
St. Paul Pub Schools	38,086	7,152	92	78	414	33	217	1154	36	199	12	596
Sun Prairie Area S Dist	6,656	697	8	88	832	1	NA	NA	5	140	2	349
Tacoma Pub Sch (WA)	32,412	3,894	NA	NA	NA	1.2	NA	NA	19	205	11	354
Tucson Unified SD	56,000	8,092	26	312	2154	53	153	1057	10	810	4	2023
Washoe Cty Sc Dist	63,310	8,551	NA	NA	NA	35	248	1836	12	713	7	1222
West Aurora SD, IL	12,725	1688	19	89	670	7	241	1818	11	154	7	241
Williamson Cty Schl	30,942	4,093	NA	NA	NA	37	111	837	22	187	5	819
Worcester	24,825	5,172	NA	NA	NA	NA	NA	NA	12	431	5	1035
<b>Averages</b>	<b>65,257</b>	<b>8470</b>	<b>46</b>	<b>184</b>	<b>1419</b>	<b>64</b>	<b>132</b>	<b>1020</b>	<b>23.4</b>	<b>362</b>	<b>8.7</b>	<b>974</b>

Percent Students with IEPs of Total Enrollment & Students with IEPs to Staff Ratio in Ascending Order

Rank	% IEPs	Special Educators	Paraeducators	Speech/Lang Pathologists	Psychologists	Social Workers	Nurses	Occupational Therapists	Physical Therapists
1	8%	7	4.3	26	31	26	58	64	128
2	8%	7	5.26	37	55	40	60	75	172
3	9%	8.6	6.3	44	62.8	56	62	103	219
4	9%	9	7	44	64	61	64	112	241
5	9%	9	7	47	77.7	67	67	140	283
6	9%	9.5	7	50	79	68.5	68	141	293
7	10%	9.8	7	58	85.5	69	68	142	349
8	10%	10	7	59	90	73	75	147	350
9	10%	10	8	59	94	73	82	154	354
10	10%	10	8	60	100	75	83	154	367
11	10.3%	10.3	8.3	63	100	78	85	163	384
12	11%	10.9	8.5	65	102	86	89	171	449
13	11%	11	8.6	65.5	110	88	89	172	462
14	11%	11	9.7	68	110	89	89	174	492
15	11%	11	9.7	71	111	95	93	180	497.5
16	11.2%	11	10	71	111	96	93	184.4	523
17	11.3%	11.4	10	73	112	116	94	186	538
18	11.4%	11.7	10	73	113	124	96	187	556
19	12%	11.8	11	74	115	126	98	199	596
20	12%	12	11	74	117	127	98.6	205	599
21	12%	12	11.1	76	121	134	100	210	615
22	12%	12	12	77	123	135	110	211	620
23	12%	12	12	78	124	140	111	219	639
24	12%	12	12.6	79	125	142	114	225	659
25	12%	12	12.8	80	127	153	115	231	663

Rank	% IEPs	Special Educators	Paraeducators	Speech/Lang Pathologists	Psychologists	Social Workers	Nurses	Occupational Therapists	Physical Therapists
26	12.7%	13	12.9	80	128	158	119	240	676
27	13%	13	13	80	130	160	119	242	680
28	13%	13	13	81	134	165	120	285	703
29	13.1%	13	13	83	138	188	121	300	724
30	13.7%	13	13	84	140	197	124	309	761
31	14%	13	13	85	142	221	126	325	762
32	14%	13.4	13	95	144	249	127	326	772
33	14%	14	13	96	150	284	127	332	819
34	14%	14	13	96.5	151	300	129	332	823
35	14%	14	13	98	154	300	133	366	869
36	14%	14	13.5	100	155	303	144	367	875
37	14%	14	14	103	159	312	148	374	885
38	14%	14	14	104	166	334	153	384	900
39	14%	14	14	105	169	384	155	388	903
40	14%	15	15	105	178	487	162	408	953
41	14.1%	15	15	106	178	495	163	413	991
42	14.1%	15	15	108	179	525	165	417	1011
43	14.7%	15	15	111	195	652	175	424	1079
44	15%	15.2	16	111	199	673	184	431	1035
45	15%	15.7	16	112	208		186	450	1100
46	15%	16.0	16.4	112	210		195	470	1100
47	15.3%	16.3	16.6	112	213		217	473	1105
48	15.4%	17	17	114	219		220	474	1134
49	16%	17	17	115	223		241	477	1222
50	16%	17	17.6	116	225		245	494	1262
51	16%	17.1	18	117	232		248	498	1309
52	16.2%	18	18	121	233		266	518	1326
53	17%	19	18.4	127	240		386	525	1532
54	17.4%	19	19	130	243		398	547	1553
55	17.7%	19	19	133	265		700	550	1630
56	18%	19	20	135	287		834	616	1650
57	18%	19.5	20	137	295			644	1685
58	18%	20	20	139	300			693	1740
59	18%	20.3	21	140	319			702	1786
60	18.4%	20.6	21	144	337			713	1849
61	19%	21	22	158	376			772	2023
62	19%	21	22	172	396			810	2187
63	19.3%	21	24	192	422			1029	2574
64	20%	22	25	218				1125	2574
65	20%	23	26	263				1513	2701
66	20%	23.5	26	265				1685	2941
67	20.9%	24	27	314					
68	21%	24	31	341					
69	21%	37	33	596					
70	21%		56						
Avg.	14%	14.3	14.8	114	156	184	132	362	974

## Appendix E. Professional Development offerings for Central Special Education Staff

### RCSD PROFESSIONAL DEVELOPMENT TRAININGS

#### October

MATCH  
FBA/BIP (including progress monitoring)  
Variances  
CASE Responsibilities  
Bilingual Team Process  
Timelines for AR, Reevaluations, Referral  
OT/PT  
Charter Schools

#### November

Referral Process  
Annual Review Process (Frontline)  
Continuum (CT, ICT)  
FAPE (SED)  
Projections  
Similarity of Need/Placement Decisions

#### December

Educational Benefit/IEP Analysis  
Manifestation Determination  
Audiology  
Referral/RTI Process  
Safety Net Graduation Options

#### January

Dennis Glazer – BOCES Placements  
Frontline (CASEs, Psychs, SSAs)  
Short/Long Term Suspension Process/Compliance  
Part 154

#### February

Developing IEPs for Bilingual Students with Disabilities

#### March

Frontline (Related Service Providers)

## Appendix F. Qualifications

**Judy Elliott, Ph.D.** The past 34 years of experience in education has provided me the lens with which to systemically review the special education programs and services for the RCSD. I have served as an expert consultant on several special education consent decrees placed upon school districts, participated and performed special education audits in school districts across the country and held high level school district administrative positions responsible for the implementation of state and federal law in regard to special education.

Most recently, I served as the Chief Academic Officer of the Los Angeles Unified School District (LAUSD), Los Angeles, CA, where I was responsible for curriculum and instruction from early childhood through adult, professional development, innovation, accountability, assessment, after school programs, state and federal programs, health and human services, magnet programs language acquisition for both English and Standard English learners, parent outreach, and intervention programs for all students.

Prior to my work in LAUSD, I was the Chief of Teaching and Learning in the Portland Oregon Public Schools, and an Assistant Superintendent of Student Support Services and Special Education in the Long Beach Unified School District, Long Beach, CA.

I was a Senior Researcher at the National Center on Educational Outcomes (NCEO) at the University of Minnesota, a federally funded center on assessment and accountability for students with disabilities, including those who speak a second language. Finally, I began my career as a special education classroom teacher and then school psychologist in New York State. Concurrently, I was an adjunct Professor at the State University College of New York at Buffalo, where I taught graduate courses in curriculum and instruction and applied behavior analysis in the Department of Exceptional Education.

In 2012, I was appointed by the then Commissioner of Education, John King, to serve as the first named “Distinguished Educator” for New York State to oversee the Buffalo City Public School District’s Priority Schools.

Currently, I work as an independent consultant assisting districts, educational cooperatives, schools, national organizations, and state departments of education in their efforts to update and realign systems and infrastructure around curriculum, instruction, assessment, data use, leadership and accountability that includes all students, including students with disabilities.

I have published over 51 articles, book chapters, technical/research reports and books related to teaching and learning, data driven decision making, and assessment and accountability