

ONE SYSTEM:



*Reforming Education
to Serve All Students*



EXECUTIVE SUMMARY

*Report of California's Statewide
Task Force on Special Education*

MARCH 2015

Far too many children and young adults in California's schools are not acquiring the skills they will need to succeed in postsecondary education and secure stable employment. To be effective, schools must serve all children as the unique individuals they are. All children require and deserve quality instruction. Beyond that, a child who comes from a background of poverty or neglect, a child who doesn't speak English, or a child with a disability often requires additional educational supports and services as well as quality instruction. That child might need behavioral guidance, mental health therapy, language supports, or specially designed instruction. The key word here is "additional," especially if the child faces more than one of these challenges. A child who is an English language learner and who has a disability needs supports in English language development and special education. A child who grew up in poverty and who has a disability needs enhanced learning opportunities and special education services. A child who is in foster care and who has a disability needs social-emotional supports and special education services.

The state's new Local Control Funding Formula (LCFF) is making these kinds of services more readily available to the children who need them by allocating additional funds to the schools and districts that have higher percentages of students who are English language learners, who grew up in poverty, and who live in foster care. LCFF has also lifted strict spending restrictions on certain categories of funds and allows more local control—and accountability—over how that money is spent. But too many educational systems and services remain uncoordinated,

contributing in particular to a special education system that is isolated in much of its implementation and less effective as a result. Because of this lack of coordination, too many students are ending up with a disability label when they simply need good instruction and targeted support at key junctures in their learning.

Effective, research-based practices that create a unified system and ensure effective instruction have been identified and promoted for years. But education in California is made up of multiple parts and players, disparate divisions that operate under no single governing force, and often-competing requirements and agendas. Knowing where to begin to make changes so that California has a coherent and unified system of education has always been the challenge.

A Coherent System

In a coherent system of education, all children are considered general education students first; and all educators, regardless of which students they are assigned to serve, have a collective responsibility to see that all children receive the education and the supports they need to maximize their development and potential so that they can participate meaningfully in the nation's economy and democracy.

Within a coherent system, students who struggle to compute or read receive specialized help as soon as they need it. These children's difficulties are identified in preschool or even before. Research has shown for years that, with appropriate supports, children with early signs of

learning problems may well catch up with their peers by the time they enter kindergarten.^{1,2}

Within a coherent system, kindergarten and elementary school teachers have at their fingertips research-supported approaches for targeting specific needs. The child who continues to struggle receives more intensive levels of support. If that doesn't work, teachers use other, more concentrated and targeted approaches, closely monitoring the results and using data to decide what else might be done.

Special education teachers hold a critical place in this system, selecting, designing, and delivering appropriate early intervening services and—when it becomes apparent that extra, scaffolded, and targeted supports are not producing the desired effect—providing the additional special education services that only a teacher trained specifically for this role can provide. Even then, most children would spend as much time as possible with their classmates in their general education classrooms.

Central to a coherent system is the development of a culture of collaboration and coordination across the numerous educational and service agencies that influence how children are educated.

The Charge of This Task Force

The California Statewide Special Education Task Force was formed in 2013 by a group of representative stakeholders charged with studying exactly why special education is not more successful and what must be changed in both policy and practice to improve services for all children. Many of the changes that this Task Force found central to improving special education,

1 *The Washington Post*. (February 3, 2015). Study: High-quality early childhood education could reduce costs. Retrieved from http://www.washingtonpost.com/local/education/study-high-quality-early-education-could-reduce-costs/2015/02/03/b714bcee-ab6f-11e4-abe8-e1ef60ca26de_story.html

2 Shaywitz, S. E., & Shaywitz, B. (March 2004). Reading disability and the brain. *Educational Leadership*, 61(6), pp. 6–11. Retrieved from http://educationalleader.com/subtopictintro/read/ASCD/ASCD_323_1.pdf

however, require change in general education. This discovery is perhaps not surprising, given that from its inception federal disabilities law envisioned special education as a set of special supports and services integral to and seamlessly coordinated with general education. This vision has been sidetracked, and the resulting division—with general education and special education viewed as separate entities—represents one of the two reasons that both special education and general education in this state have not been as effective as they could be. Significant barriers to school success for all students have grown out of the unfortunate evolution of two separate “educations.” Expectations and services for students, teacher preparation and credentialing, and funding patterns are compromised as a result.

The second but perhaps primary reason for the existing failure of our school system to adequately educate all students is the dearth of necessary and supportive early intervening services. Research shows that well-timed and well-executed early intervention reduces the number of students with learning disabilities—by far the largest cohort in the special education ranks—and improves school outcomes for everyone.³ Without a robust and coordinated system of early intervention, many students are deprived of the chance to realize their full potential. Without this system, schools are saddled with burdensome costs for services, which, once children become adults, are then handed on to society at large, contributing to state and national spending on public assistance, social service, and incarceration. Early intervention—in learning, in behavior, in mental health, in physical challenges—has been proven time and again to provide exponential return on that first investment.

California's Statewide Task Force on Special Education embraces the value and importance of

3 U.S. Department of Education. (1999). Start early, finish strong: How to help every child become a reader. Retrieved from <http://www2.ed.gov/pubs/startearly/index.html>

highly specialized programs for students with low-incidence disabilities; these programs are often in separate settings and are shown to have efficacy.⁴ The purpose of this report is to examine the larger system. We have known that our schools are not as effective as they could be for the majority of students: students with disabilities whose least restrictive environment is the general education classroom and who could achieve rigorous standards if provided appropriate services and supports; and students who find themselves struggling but who never receive the help that “catches them before they fall.”⁵

This Task Force envisions general education and special education working together seamlessly as one system, which is carefully designed to address the needs of all students—as soon as those needs are apparent. Within this system, students who struggle and students with disabilities receive effective services, learn in classrooms that are guided by rigorous standards, and are ultimately equipped to make their own way as adults. Within this coherent system, children with disabilities receive services from the time they are born through preschool and until they graduate with a high school diploma or reach the age of 22—services that are devised and implemented by well-prepared general education and special education teachers who work in collaboration.

This Report

This Task Force recommends changes to seven distinct—though deeply interconnected—parts of the educational system in California:

- Early Learning

4 However, a full continuum of services and placement options must be maintained for every student. See the comments and discussion to 2006 IDEA Part B Regulations, 71 Fed. Reg. 46586 (2006) at <http://idea.ed.gov/download/finalregulations.html>

5 Torgeson, J. K. (Spring/Summer 1998). Catch them before they fall: Identification and assessment to prevent reading failure in young children. *American Educator*. Retrieved from <http://www.aft.org/sites/default/files/periodicals/torgesen.pdf>

- Evidence-based School and Classroom Practices
- Educator Preparation and Professional Learning
- Assessment
- Accountability
- Family and Student Engagement
- Special Education Financing

If early intervening and coordinated services were provided in preschool and early education; if schools were designed around evidence-based practices that reflected a commitment to early intervention and that were coordinated and coherent at every level; if teacher preparation and ongoing professional learning opportunities were structured in direct alignment with that coordinated system; if accountability for all students were expected and enabled; if a rigorous and adaptive system of assessment were in place; if parents were included and supported in every aspect of that system and students given full and appropriate voice; and if financing were seamlessly coordinated and designed with the knowledge that strategically provided services cost a fraction of what ends up being needed when those services are not provided, then California could be proud of the way its school system served its children. This Task Force is convinced that the following recommendations would secure such a system. (Readers will find the full Task Force report, along with more extensive subcommittee reports, at <http://www.smcoe.org/about-smcoe/statewide-special-education-task-force/>.)

The Recommendations

I. Early Learning: Recommendations

The availability of quality services and places in high-quality preschools and care settings for toddlers should not depend on geography. And given the return of these services on the dollar, the state cannot afford not to provide them.

Indeed, federal Medicaid law requires states to provide them; yet in many parts of California they are not available. In recognition of the importance of coordinated, early intervention to children's futures, to their families, and to the fiscal health of the state's schools, California should ensure that all students, but especially those with disabilities, have access to high-quality infant and toddler programs and preschools, including the diagnostic and intervention services described. In support of that vision, the state needs policy change to ensure the following:

- Improved access to and coordination of high-quality early care and preschool for all students—but particularly for children with disabilities, children who grow up in poverty, and children who are dual language learners—with the access not dependent upon geography or service provider
- An increase in the funding formulas to provide equitable financial support for high-quality early care and education and to support equity in access throughout the state
- Clearly articulated and family-friendly protocols for transition between Part C and Part B services of the Individuals with Disabilities Education Act (IDEA)
- Program standards that all providers must use and that reflect evidence-based, developmentally appropriate practice
- Common assessments that are based on common standards, inform instruction in real time, accurately monitor student/child growth, and are educator-friendly
- Clear, specific competencies that are part of all early childhood educator preparation programs and that are part of required professional development training and technical assistance for educators already in the field

The full subcommittee report for the recommendations on early learning can be found at <http://www.smcoe.org/about-smcoe/statewide-special-education-task-force/>.

II. Evidence-Based School and Classroom Practices: Recommendations

The application of Universal Design for Learning in all of its inclusive implications sets the foundation for a coherent system of education that provides instruction, services, and supports to students as they are needed—through a multi-tiered system of supports that incorporates response to intervention (including early intervention in its broadest sense) and social and emotional learning. Access to this system, however, now requires knowledge of technology and computers—which are now ubiquitous in schools, curriculum, and assessments and which have become essential for success in adult life as well as in school. Students with the most significant cognitive disabilities, arguably our most vulnerable students, deserve equal access to this system, as well as the best supports and assessments possible to ensure they too benefit from school and have every chance of realizing a productive adult life.

In support of these changes, California should ensure the following:

- Universal Design for Learning (UDL) is understood, is established as a key area of professional learning for educator training, and is implemented in all schools.
- A Multi-Tiered System of Supports (MTSS) is developed throughout the state, incorporating robust and aligned systems at all organizational levels that support response to instruction and intervention (RtI²) approaches and systematic programs of behavioral, social, and emotional learning.
- Social-emotional learning supports, which are provided through a system that is

comprehensive and blended, are available in all schools and districts; these supports include lessons of self-management, social interaction, and social responsibility that are infused in daily curriculum. These supports increase collaboration with community mental health resources in a structured, data-driven, and evidence-based way.

- General education resources are used to intervene as early as possible (infant/toddler/preschool/elementary) with evidence-based and multi-tiered social-emotional supports, prior to referral to special education services.
- Technology support is provided at the state, regional, district, school, and classroom levels to ensure the successful implementation of California's Common Core State Standards (CCSS) and use of its assessments; and to ensure that students with disabilities have and can use the assistive devices they need in order to learn.
- All students with disabilities have access to comprehensive and effective transition services and programs; model programs are identified, implemented, and aligned around college/career/independent living standards and expectations; collaboration among Local Education Agencies (LEAs), Charter Management Organizations (CMOs), and Regional Occupation Programs (ROPs) is expanded so that students with disabilities are included in Regional Occupation and Career Technical Education programs, including Pathway grants, as well in other local options.

The full subcommittee report for the recommendations on evidence-based practices can be found at <http://www.smcoe.org/about-smcoe/statewide-special-education-task-force/>.

III. Educator Preparation and Professional Learning: Recommendations

California needs, and its students deserve, a coherent approach to educator preparation and learning, a common foundation for all instruction—a “common trunk”—and multiple pathways for teachers to earn a credential. California’s system of teacher credentialing needs to ensure that all teachers—both general education and special education—enter the profession able to effectively use needs-based interventions and collaborate with other educators in a unified system. The system also needs to allow appropriate flexibility in teacher assignments to serve the staffing needs of all schools and districts, large and small. Finally, California and all of its students would be well served by an ongoing, research-informed system of professional learning that supports established teachers in implementing new initiatives and proven practices and that encourages and models purposeful integration of professional learning opportunities for special education and general education. Changes to this system of educator preparation carry with them a particular urgency, given the data cited in this report about the recent dramatic reduction in candidates entering education preparation programs in the state and the number of teachers on track to retire in the next five years.

This Task Force recommends a teacher preparation program and learning system that would ensure the following:

- General and special education preparation programs require all aspiring teachers to master content standards, evidence-based strategies, pedagogy, intervention strategies, and collaboration among teachers and across assignments—essentially in a “common trunk.” All teachers are thoroughly prepared in the following:
 - » Universal Design for Learning (UDL)

- » A Multi-Tiered System of Supports (MTSS) that includes social-emotional learning and positive behavioral strategies and supports, and Response to Instruction and Intervention (RtI²)
- » The use of data to monitor progress, inform instruction, and guide interventions
- » Evidence-based reading instruction for struggling readers, including those with dyslexia; knowledge of and strategies for distinguishing between the typical struggles of an English language learner and the problems that reflect a potential disability
- » Digital Literacy and instructional technology
- » Cultural and linguistic responsiveness
- Most special education credentials are designed and funded to prepare teachers to address the instructional needs of all students, not specific disability types. At the same time, specific authorizations for educating students with low-incidence disabilities—students who have lost hearing or vision, for example—remain a critically valuable component of special education.
- All special education credentials prepare and authorize special education teachers to instruct and to provide any needed support to general education students.
- Preparation for a special education credential provides in-depth understanding of and strategies for supporting students who struggle with learning, students who struggle with behavioral disorders, and students who struggle because of physical disabilities and health care needs.
- Special educators are trained specifically in the following:
 - » Assistive technology and augmentative and alternative communication systems

- » The importance of critical transitions in the life of a student with disabilities and strategies for planning transitions, providing supports for student success, and supporting students and families through those transitions
- Paraeducators/Instructional Assistants receive professional learning opportunities and appropriate supervision as well as career pathway opportunities to become credentialed teachers.
- Professional learning opportunities for educators in both special and general education are purposefully integrated.
- The professional learning for all educators is extensive, coordinated across grades and disciplines, and aligned with the implementation of new standards and the site and district Local Control and Accountability Plan (LCAP) goals.
- Incentive grants are available to colleges and universities, local education agencies and county offices of education to develop innovative programs that combine preparation to become general and special education teachers.
- Service scholarships are available along with forgivable loans to candidates who will complete these programs and commit to at least three years of teaching in California schools.
- Fund educator preparation programs to ensure that all educators are prepared to serve a wide range of diverse students.

The full subcommittee report for the recommendations on educator preparation and professional learning can be found at <http://www.smcoe.org/about-smcoe/statewide-special-education-task-force/>.

IV. Assessment: Recommendations

As California schools continue to expand their implementation of the Common Core State Standards, it is imperative that the Individualized Education Program (IEP) process evolves and adapts to the changing expectations for all students. The IEP should be as coherent as the system it reflects. IEP team discussions about student expectations, performance, and progress should be guided by the new standards; and ultimately all IEPs should become aligned with the new standards. Assessments, which reflect the success of the IEP, must be selected with great care, their effectiveness monitored, and their alignment with curriculum and instruction secured for all students.

In support of this vision, the state and LEAs need changes in policy and practice to ensure the following:

- IEPs consist of goals that are aligned with the Common Core State Standards.
- Parents are kept informed of changes in standards, the rationale for those changes, the implications for IEPs and courses of study, and strategies for supporting their children at home.
- An assessment for students with the most significant cognitive disabilities is selected to replace the California Alternate Performance Assessment (CAPA) and is directly and rigorously aligned with the Common Core State Standards.
- Teachers and schools are accountable for the progress that students with the most significant cognitive disabilities make in meeting the standards.
- Samples of standards-aligned IEPs are created and disseminated, along with comprehensive training on adapting those examples or models for use in IEP meetings.
- The Smarter Balanced assessments, especially the use of the “Designated

Supports” and “Accommodations” for students receiving special education services, are carefully and thoroughly reviewed for effectiveness and accessibility.

- A common data-gathering system is created to record and report on student IEP goals, monitor progress toward goals, and evaluate implementation of standards-based IEPs statewide.

V. Accountability: Recommendations

Systems of accountability serve the critical function of strengthening all aspects of educational programming for students as they inform, direct, and support teacher preparation, classroom instruction, individual-goal setting, and meaningful assessment. Before California can implement a rigorous and seamless outcomes-based accountability system for students with disabilities, it must redress disjointed patterns and systems by collaborating to establish the most effective accountability system possible.

In support of this vision, the state needs policy change to ensure the following:

- A consolidated and integrated special education data system that identifies and eliminates duplicate reporting, especially in the areas of suspensions, expulsions, and postsecondary outcomes.
- An outcomes-based accountability framework that mirrors federal policy (i.e., the Results Driven Accountability framework) and state policy (i.e., LCFF and LCAP) to evaluate the compliance and performance of public schools throughout the state in educating students with disabilities; accountability efforts are congruent: efficient, non-duplicative, and integrated (e.g., using the LCAP to meet the Results Driven Accountability framework)
- Closely integrated and coordinated state and federal monitoring, data collection,

and technical assistance and support efforts from all state agencies and divisions: the Governor’s Office, the State Board of Education, the Department of Finance, the Department of Education (General Education and Special Education divisions), the California Commission on Teacher Credentialing, the Department of Rehabilitation, the Department of Developmental Services, Division of Juvenile Justice/Department of Corrections, Juvenile Court Schools, and the Department of Managed Health Care

VI. Family and Student Engagement: Recommendations

Parents and family members are critical to the school and life success of their children with disabilities. In successful schools, they are asked to contribute their insights about how their children learn, and they work with educators to construct useful strategies for home and school. They receive frequent reports on their children and how their needs are being addressed. Given the importance of family involvement—in terms of later learning and employment options for students, in terms of their improved life satisfaction and capacity for community and social involvement, and in terms of the savings to public benefits when people become employed to their fullest capacity and live as independently as possible—all efforts to inform and effectively support parents who have children with disabilities and to enhance their involvement in the special education process should be expanded. As well, students must be heard and included in decisions about their education in every way that is appropriate for their age and their ability. In school they must be given every opportunity to learn how to become independent adults.

In support of improved family and student engagement, the state needs policy change to ensure the following:

- Fully funded Family Empowerment Centers (FECs) statewide, as already legislated in SB 511, so that each of the 32 FEC regions has a center
- Increased funding to Family Resource Centers (FRCs)
- Established data-collection systems to monitor the work done by the FRCs/FECs
- Clear and specific guidelines and reinforcements for teacher-parent-school collaboration and interaction
- Clear and specific guidelines and reinforcement for student involvement in their own IEP meetings and student-led IEPs
- Coordinated systems of cross-agency and community-based trainings that focus on collaborative, efficient, and effective services in a seamless delivery system that supports parents and students

VII. Special Education Financing: Recommendations

California needs a system of financing that provides the resources necessary to meet the needs of all students with disabilities, encourages greater coherence between general education and special education, is sensitive to changes in enrollment, and invests in the systems and provides incentives for practices that will lead to greater success for students. Those recommended changes that will cost money—essentially anything that effectively supports the learning and development of children with disabilities—have been shown to be solid investments that provide a solid return in the form of productive, tax-paying citizens and in the avoidance of more intensive—and expensive—services and supports that would be needed later.

In support of an effective and efficient special education funding system, this Task Force recommends the following:

Recommendations for State-Level Change

- Equalize the state's support for special education across California by overhauling the system of special education financing to give schools and districts more control over how they spend their money and to hold them accountable for adequately meeting the needs of students with disabilities (a model distinct from but coordinated with and similar to the LCFF).
- Ensure the availability of early intervention programs and services for all eligible students with disabilities and address the disparity of early intervention programs and services among early childhood care and education entities.
- Fund SELPAs based on ADA, but increase the amount allocated per ADA so that SELPAs are more equitably funded.
- Revise the special education funding formula so that the growth or decline in the enrollment of multi-district SELPAs is based on the growth or decline of ADA for each individual district, charter school, or county office of education instead of on these changes in the SELPA as a whole.
- Secure the integrity of specific special education dollars, especially the money that small SELPAs need in order to operate, funds for educationally related mental health care services, and for out-of-home care services.
- Update the electronic data systems that account for special education income and expenditures, thus allowing current CDE fiscal staff to devote more time to analyses, while also allowing SELPA fiscal staff to be more efficient.
- Use the broader federal definition of "low-incidence" disabilities and increase allocations of low-incidence funding to SELPAs.

- Increase the funding for WorkAbility programs so that all SELPAs are receiving adequate WorkAbility funds.
- Provide to LEAs sufficient funds to meet their mandated special education transportation costs.
- Expand alternative dispute resolution resources, supports, and services throughout the state.
- Mandate collaborative efforts among school districts, charter schools, county offices of education, and SELPAs whenever a new school is being planned or a modernization project is being developed to ensure that facilities are available to students with moderate to severe disabilities.
- Require and support availability of facilities that serve infants and toddlers with disabilities in preschool settings.

Funding Recommendations for Federal-Level Change

- Work statewide and nationally to increase the federal share of the excess costs of serving students with disabilities to 40 percent.
- Determine how to break down the barriers that are preventing education entities from accessing and increasing Medi-Cal and Medicaid (LEA, MAA, and EPSDT) services and reimbursements.
- Clarify eligibility for college scholarships, under federal guidelines, to include students with disabilities who have received a certificate of completion.

The full subcommittee report for the recommendations on special education financing can be found at <http://www.smcoe.org/about-smcoe/statewide-special-education-task-force/>.

Implementation

In service to implementing this vision, the Task Force recommends the following:

- State-level commitment to aligning policies, practices, and systems of support across initiatives.
- Clearly and thoroughly articulated and disseminated statewide standards of practice based on the following:
 - » Universal design for learning
 - » A tiered school and classroom system designed to coordinate and provide support to all students and that is primarily located in general education. This system incorporates a response to intervention approach and addresses both
 - academics and
 - social-emotional learning and positive behavioral supports and practices.
- A system for training current teachers and school administrators on evidence-based practices, including transition strategies, culturally responsive teaching, technology, and youth and family involvement

Closing

Many children in this state are at risk for school failure. This report and these recommendations represent a call to action for California to eliminate that risk and give all children a secure pathway to school success. The way forward will not be easy nor will the implementation be quick. But California has seen recent movement toward collaborative systems, thanks to the Local Control Funding Formula and its plans. California

has established high standards for every student, thanks to the Common Core State Standards. And California has a chance to ensure that every student counts, thanks to the system of assessments that is being developed.

We know that early intervention at every stage of human development improves lives. We know that collaborative systems are efficient and cost effective. We know that when we use evidence-based practices, children learn more—and we even know what those practices are. We know that when teachers and staff are well prepared and when educators work together in a united effort to deliver effective programs and services, all children benefit. We know that when data informs what happens in the classroom, children succeed. And we know that, if we follow through with a strong commitment to each of these things and if we have adequate resources at all levels, we have the opportunity to create our own brand of educational excellence in California for all students.

This document presents an important vision. The next phase involves concrete steps: an implementation and accountability team from across agencies that has the experience, the will, and the ability to begin the work of turning this vision into reality. Now is the time for everyone involved to embrace these recommendations and move forward with this reform agenda to help ensure that all of California's children receive the education they need to become involved and contributing members of society. This Task Force asks every general and special education stakeholder to brave this difficult task and to take that first step—and the many following steps—to ensure that schools in this state serve every child well.

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