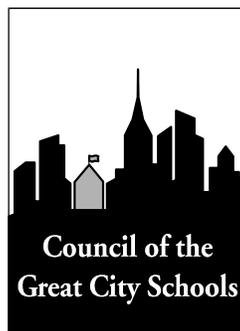


Improving Special Education in the Boston Public Schools

Report of the Strategic Support Team
Of the Council of the Great City Schools

Submitted to the
Boston Public Schools



By the
Council of the Great City Schools

Spring 2009

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ACKNOWLEDGEMENTS

The Council of the Great City Schools thanks the many individuals who contributed to this review of the special education programs of the Boston Public Schools (BPS). Their efforts and commitment were critical to our ability to present the district with the best possible proposals for improving special education and related services in the school system.

First, we thank Superintendent Carol Johnson. It is not easy to ask one's colleagues for the kind of review conducted by our team. It takes courage and openness, and a real desire for change and improvement. She has those qualities in abundance.

Second, we thank the members of the BPS staff, especially Anand Vaishnav, Chief of Staff, and Carolyn Riley, Senior Director of Special Education, who organized the team's interviews and all the documents and data that we needed in order to do our work. They spent many hours coordinating focus groups, submitting documents, and attending to the many details involved in putting together this assessment.

Third, the Council thanks the parents, professionals, and advocates with whom we met. They work passionately to support their children and see that the district serves students with disabilities in the best possible manner.

Fourth, the Council thanks the Miami-Dade County and Memphis school districts for contributing staff to this effort. The enthusiasm and generosity of these districts serve as another example of how the nation's urban public school systems are banding together to help each other improve student performance.

Finally, I express special appreciation to Julie Wright Halbert, legislative counsel for the Council of the Great City Schools, who guided the work of the team, and to Sue Gamm, a nationally known expert on special education who worked with Ms. Halbert to prepare the final report. Their work was outstanding and critical to the success of this effort. Thank you.

Michael Casserly
Executive Director
Council of the Great City Schools

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CHAPTER 1. OVERVIEW AND BACKGROUND

The Boston Public Schools (BPS) is the largest urban school system in Massachusetts. The district enrolls 55,800 students in grades K-12 of whom 39 percent are African American, 37 percent are Hispanic, 13 percent are white, 9 percent are Asian American, 2 percent are multiracial, and less than 1 percent are other races/ethnicities.¹ About 72 percent of the district's enrollment is composed of students who are eligible for a federal free or reduced-price lunch subsidy.

About 11,000 of the BPS' students are limited English proficient and are from 40 different countries. The five most common languages other than English spoken by students in the district are Spanish, Chinese, Cape Verdean, Creole, Haitian Creole, and Vietnamese.

In addition, some 11,060 (20 percent) of all students in the district have disabilities, including 5,290 students with mild to moderate disabilities; 5,050 with more severe disabilities who attend special BPS schools and programs; 410 students with severe disabilities who attend private-day and residential schools; and 310 students whose parents have placed them in nonpublic or parochial schools but who receive special education services through the BPS, even though they are not formally enrolled in the public school system.² The district, moreover, was under a special education consent decree, *Allen v. McDonough*, for many years.

The school district is governed by a seven-member School Committee that is appointed by Mayor Thomas M. Menino. The Committee's mission is to "Welcome the children of the city into the Boston Public Schools, where effective teaching and learning prepare all of our students to achieve at high levels, and where the entire community works together to focus on children."

The district's administration is led by Superintendent Carol Johnson, whose strategic plan—Pathways to Excellence—sets out districtwide goals for high-quality schools, stronger communities, and academic success for all students by 2012. BPS is organized around the "Seven Essentials for Whole School Improvement"—

1. Use effective and culturally relevant instructional practices and a collaborative school climate to improve student learning, promote student engagement, and build on prior knowledge and experiences
2. Examine student work and data to drive instruction and professional development
3. Invest in professional development to improve instruction
4. Share leadership to sustain instructional improvement
5. Focus resources to improve instruction and student learning
6. Partner with families and the community to support student learning, and
7. Maintain high levels of effectiveness, efficiency, and equity in our operations.

The School Committee and its administration operate 143 schools: 6 early learning centers (K-1), 60 elementary schools (K-5), 18 elementary and middle schools (K-8), 16 middle

¹ Source: Boston Public Schools at a Glance 2008–2009.

² Source: BPS Facts, No. 13, October 2008, Boston Public Schools at a Glance 2008-2009 (Published by the BPS Communications Office, October 27, 2008).

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schools (6-8), 1 combined middle and high school (6-12), 30 high schools (9-12), 3 exam schools (7-12), 6 special education schools (K-12), and 3 alternative programs.

In September, 2006, the BPS received the Broad Prize for Urban Education from The Broad Foundation, which included \$500,000 in scholarships for BPS students. And in 2007, school committee chair Elizabeth Reilinger received the Richard R. Green Award from the Council of the Great City Schools for excellence in urban education leadership.

This report presents the Council of the Great City Schools' findings and recommendations for improving the general education intervention and special education services of the Boston Public Schools. The report places special emphasis on accountability, organizational structure, and how the instructional program serves students with disabilities districtwide. The process that the Council used to conduct the review is described in the next chapter. The subsequent chapters lay out the organization's observations and proposals for improving the delivery of services for students with learning and behavioral challenges and for students with disabilities across the school system.

CHAPTER 2. PURPOSE AND ORIGIN OF THE PROJECT

Goals of the Project

The Council of the Great City Schools, the nation’s primary coalition of large urban public schools systems, has conducted nearly 180 instructional and operational reviews in almost 50 major city school districts over the last 10 years. The Council conducts these assessments using a rigorous peer-review process with highly respected practitioners from other major city school systems across the country who have faced similar challenges to those being assessed in the host district. The reports generated by these Strategic Support Teams have resulted in significant reforms and improvements in urban school districts throughout the country.

Boston Public Schools Superintendent Carol Johnson asked the Council to review the services provided by the district to its students with disabilities and make recommendations to improve those services.

Dr. Johnson requested that the team propose ways for how the district could deliver instructional interventions in the general education setting so that more students could be successful. She also asked for the team’s recommendations on how the school district could provide students with disabilities greater instructional supports and accommodations with more effective inclusionary instructional practices.

In addition to these broad goals for the project, the Council’s Strategic Support Team was asked to—

- Examine the accountability system of schools and principals for serving students with disabilities;
- Review the school district’s curriculum, professional development, behavior management, and other teaching strategies to determine how they are meeting the needs of students with disabilities;
- Analyze the operational and instructional efficacy of the district’s special education program, including specific analysis of the learning and adaptive behavior (L/AB) clusters;
- Examine the overall effectiveness of the central-office special education organizational structure; and
- Recommend strategies for improving the overall effectiveness of services to students with disabilities and increasing their educational performance.

The Work of the Strategic Support Team

The Council assembled a team of experts who have been successful in administering special education programs in their respective districts, as well as individuals with firsthand expertise with the Individuals with Disabilities Education Act (IDEA). The team visited the

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district on January 25-28, 2009, and analyzed its organizational structure, accountability systems, curriculum strategies, related services, and other components of the programs serving students with disabilities. The team also reviewed the superintendent's priorities and briefed her at the end of the visit on the team's preliminary findings and proposals.

The Strategic Support Team carried out its charge by interviewing members of the school district staff and others, reviewing numerous documents and reports, and developing initial recommendations and proposals before finalizing them in this report. This approach to providing technical assistance to urban school districts by using small Strategic Support Teams of senior managers from other urban school systems across the nation is unique to the Council and its members. The organization finds this approach to be effective for a number of reasons.

First, it allows the superintendent and staff to work with a diverse set of talented and successful practitioners from around the country.

Second, the recommendations have power because the individuals who developed them have faced many of the same challenges now encountered by the district requesting review. No one can say that these individuals do not know what working in an urban school system is like or that their proposals have not been tested under the most rigorous conditions.

Third, using senior urban school managers from other communities is faster and less expensive than retaining a large management-consulting firm. The learning curve is rapid, and it would be difficult for any school system to buy the level of expertise offered by these teams on the open market.

Finally, the teams comprise a pool of expertise that superintendents and staff can call upon for advice or help in implementing the recommendations made in the teams' reports.

Members of the Strategic Support Team for this project included the following individuals –

SUE GAMM, ESQ. Former Chief of Specialized Services Chicago Public Schools	PATRICIA TOARMINA, ED.D. Executive Director Exceptional Children and Health Services Memphis City Schools
WILL GORDILLO Administrative Director Division of Special Education Miami-Dade County Public Schools	JULIE WRIGHT HALBERT, ESQ. Legislative Counsel Council of the Great City Schools

Contents of This Report

The Strategic Support Team spent many hours interviewing parents, advocates, related-services staff members, special education teachers, principals, and administrative leaders at the central offices for special education and regular education. In addition to conducting these

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interviews, the team reviewed studies, reports, statistics, and other special education reports pertaining to the BPS.

Chapter 1 of this report has presented a brief overview of the Boston Public Schools. This chapter, Chapter 2, has highlighted the purpose and origin of the project. Chapter 3 presents findings and recommendations of the Strategic Support Team in 13 areas. Chapter 4 summarizes all the recommendations in the report, and Chapter 5 provides a synopsis and discussion of the team's overall impressions.

Appendix A contains a template for response to intervention (RTI) planning. Appendix B shares the Louisiana Department of Education Rule 1508 for special education eligibility. Appendix C displays the Special Education Parent Advisory Council (SPED PAC) audit feedback from participants in the SPEDPAC meeting on February 26, 2009. Appendix D shows incident rate data. Appendix E compares staff ratios for special educators, paraprofessionals, and related service providers across a variety of school districts in the country. Appendix F lists individuals with whom the team talked either individually or in groups. Appendix G identifies the documents reviewed. Appendix H shows the team's agenda. Appendix I presents brief biographical sketches of team members. Appendix J presents a brief description of the Council of the Great City Schools and a list showing all the Strategic Support Teams it has conducted over the last 10 years.

CHAPTER 3. FINDINGS AND RECOMMENDATIONS

The Strategic Support Team of the Council of the Great City Schools had a number of observations and findings based on its interviews, school visits, data analysis, and review of documents. The team’s findings and recommendations are presented here in 13 broad areas, including—

- Incidence of Students with Disabilities
- Racial/Ethnic and Gender Disproportionality
- Performance of Students Receiving Special Education Services
- Organization of and Support for Special Education and Related Services
- Accountability Framework
- Tiered Interventions, Progress Monitoring, and Differentiated Instruction to Strengthen General Education
- Substantially Separate Services
- Inclusive Practices
- Early Childhood Services
- Services for Students with Autism Spectrum Disorder
- Data and State Performance Indicators Not Addressed Above
- Transportation Services
- Parental Involvement and Communication

Each category has a number of positive findings and areas of concern. These observations are followed in each category by a series of recommendations and proposals.

A. Incidence of Students with Disabilities

Positive Findings

- ***Reduction of Referrals.*** As noted in the Overview section of this report, some 11,060 (20 percent) of all students in the Boston Public Schools have disabilities, including 5,290 students with mild to moderate disabilities; 5,050 with more severe disabilities attending special BPS schools and programs; 410 students with severe disabilities who attend private-day and residential schools; and 310 students whose parents have placed them in nonpublic or parochial schools but who receive special education services through BPS, even though they are not formally enrolled in the public school system. Over the past 11 school years, however, there has been a notable reduction in the number of BPS students referred for special education services. According to a district report that number dropped

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from 2,092 in 1996-1997 to 1,451 in 2007-2008, a decrease of 30.6 percent.³ In contrast, the school district's total enrollment experienced a decrease of only 11 percent.⁴

- **Monitoring of Referrals.** The Boston Public Schools tracks school-based special education data in elementary, middle, and high school and by race, gender, and grade. These data are used to provide technical assistance and to monitor schools that appear to require assistance.
- **Boston Connects Progress Report.** A 2007-08 "Boston Connects" report presents quantitative and qualitative data to illustrate how the program has helped change school culture, leading to an overall decline in special education referrals over time.⁵
- **Eligibility Criteria for ELLs.** Bilingual psychologists in the school district have identified useful guidelines from Washington State designed to help determine special education eligibility for English language learners (ELLs). These psychologists are working with the Massachusetts School Psychologists Association to adapt these guidelines for Massachusetts.

Areas of Concern

- **Special Education Incidence Rates**
 - **Purpose of Incident Data.** In general, the purpose of looking at incidence data by disability is to determine whether state and/or school district policies and practices may affect the overidentification or underidentification and placement students. Relatively higher rates, such as those found in the Boston Public Schools, indicate the need for the district to review its eligibility policies, procedures, and practices to ascertain what needs to be changed to lower those rates.
 - **Background.** Historically, the state of Massachusetts has adopted a lower threshold for providing special education services than required under the Individuals with Disabilities Education Act (IDEA). Before 1992, the state's special education regulation only required schools to document the presence of a disability to support service eligibility. The IDEA, however, also requires that a student need special education and related services to benefit educationally. Beginning in 1992, however, Massachusetts added a second criterion, which required a determination that a student was not making effective progress in regular education. In essence, the state rejected the IDEA's *free appropriate public education* standard in favor of its *maximum feasible development* standard, which was enacted in 1972. Massachusetts passed legislation in July 2000, however, that aligned its special education eligibility standard to IDEA.⁶ As illustrated in the graph below, this change did not produce a

³ Analysis of Special Education Referrals from School Year 2007–2008. Analysis of BPS Special Education and Transportation Report

⁴ BPS Enrollment and Transportation Statistics.

⁵ Boston Connects collects information that includes the following to analyze reasons for referrals, reasons for ineligible categorization, and who initiated the referrals to fully evaluate the impact Boston Connects has on special education referrals.

⁶ Chapter 9 The Rising Costs of Special Education in Massachusetts: Causes and Effects by *Sheldon Berman, Perry Davis, Ann Koufman-Frederick, and David Urion* http://www.ppionline.org/documents/SpecialEd_ch09.pdf

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sustained reduction in the proportion of Boston’s students who received special education services.

Exhibit 1. Students with Disabilities Percent of Total Enrollment⁷

	1997-8	1998-9	1999-0	2000-1	2001-2	2002-3	2003-4	2004-5	2005-6	2006-7	2007-8	2008-9
BPS	22.0	19.6	17.4	18.0	17.7	19.1	19.5	19.7	19.3	19.7	20.1	20.5
MA	16.6	17.0	16.6	16.3	15.2	15.8	15.7	15.9	16.4	16.7	16.9	17.1
Difference	5.4	2.6	0.7	1.7	2.5	3.3	3.8	3.6	3.0	3.0	3.2	3.4

Note: 2001-2001 U.S. incidence rate: 12.1%⁸

- ***Steady Increase.*** Consistent with Massachusetts’ lower eligibility threshold, the Boston Public Schools had a comparatively high special education incidence rate of 22 percent in the 1997-98 school year. While that rate began to go down prior to the change in state eligibility (to a low of 17.4 percent in the 1999-2000 school year), the downswing was short-lived and has been increasing since to a level of 20.5 percent this school year.
- ***Comparison to State.*** Historically, the Boston Public Schools has reported a higher incidence rate than that of school systems in Massachusetts as a whole. The differential was greatest in 1997-1998 (5 percentage points) and smallest in 1999-2000 (0.7 percentage points). Since 2002-2003, the differential has been as high as 3.8 percentage points (2003-2004) and as low as 3 percentage points (2005-2007).
- ***Comparison with Other Urban School Districts.*** Based on data collected by the Urban Special Education Leadership Collaborative and by the Council of Great City Schools, 26 (84 percent) of 33 urban school districts had special education rates that were smaller than Boston’s. Two districts had larger rates: one was 22 and one was 27. Four urban school districts had incidence rates under 10 percent; 10 districts had rates between 11 and 13 percent; nine districts had rates between 13 and 16 percent; and 5 districts had rates between 17 and 18 percent. (The data are several years old for several districts, but they remain the best available for comparative purposes. See Appendix D.)
- ***Relationship between Incidence Rates and General Education Interventions.*** It appears that the Boston school district’s comparatively higher special education

⁷ 2007-2008 Boston Public Schools Least Restrictive Environment Report (LRE Report) and *Special Education* Data Submission to CGCS; Massachusetts Department of Elementary and Secondary Education – Enrollment Data <http://www.doe.mass.edu/infoservices/reports/enroll/>; Massachusetts Department of Elementary & Secondary Education - Special Education Enrollment by Percent and by Placement/Prototype <http://www.doe.mass.edu/sped/data.html>

⁸ Twenty-Fifth Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act <http://www.ed.gov/about/reports/annual/osep/2003/index.html>

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incidence rate results from the lack of a systemic core literacy program, weak interventions and progress monitoring, undefined positive behavior intervention and supports (PBIS) programming, inadequate differentiated instruction and technology—and the subsequent reliance on special education services for struggling learners. Individuals interviewed by the team also expressed concerns that some ELLs were being inappropriately classified as eligible for special education services when the problem may be better related to second language acquisition issues.

- **Rates by Disability Area**

- **Comparison to State and Nation.** The table below compares the incidence rates for each disability area in Boston and the U.S. as a whole. Each set of data shows that most students receive special education services because of a learning disability (LD).

Exhibit 2. Comparison of Incidence Rates by Disability Area⁹

	LD	Comm	EI	Intel	DD	Aut	Phys	Mult	HoH	OHI	Neu	Vis	D/B
BPS	4667 40.5	1890 16.4	1454 12.6	1434 12.4	848 7.4	493 4.3	187 1.6	168 1.5	147 1.3	126 1.1	49 0.4	42 0.4	29 0.3
MA	35.7	17.3	8.4	6.6	10.1	5.9	1.0	2.9	0.7	6.9	3.9	0.3	0.1
US¹⁰	46.4	18.8	9.3	9.3	N/A	2.7	N/A	N/A	N/A	8.4	N/A	N/A	N/A

- **EI and Intelligence.** Boston’s incidence rates exceed both state and national rates in two areas: emotional impairment (EI) and intelligence.
 - < In the area of EI, the district’s rate of 12.6 is 50 percent higher than the state’s (8.4) and 36 percent higher than the nation’s rate (9.3).
 - < The differential is greater in the area of intelligence, where the district’s rate of 12.4 is almost twice the rate of the state (6.6) and is 33 percent higher than the national rate (9.3).
 - **Autism.** In the area of autism, the district’s rate (4.3) is significantly higher than the nation’s (2.7) but lower than the state’s (5.9).
 - **Health.** The school district identifies children in the area of health at a much lower rate (1.1) than the state (6.9) or the nation (8.4). Typically, higher rates are a reflection of students with attention deficit hyperactivity disorder (ADHD).
- **Referrals for Evaluations for Special Education Services**
 - **BPS Referrals.** As indicated above, there has been a reduction of district referrals for special education over the past 11 school years. As illustrated in the exhibit below,

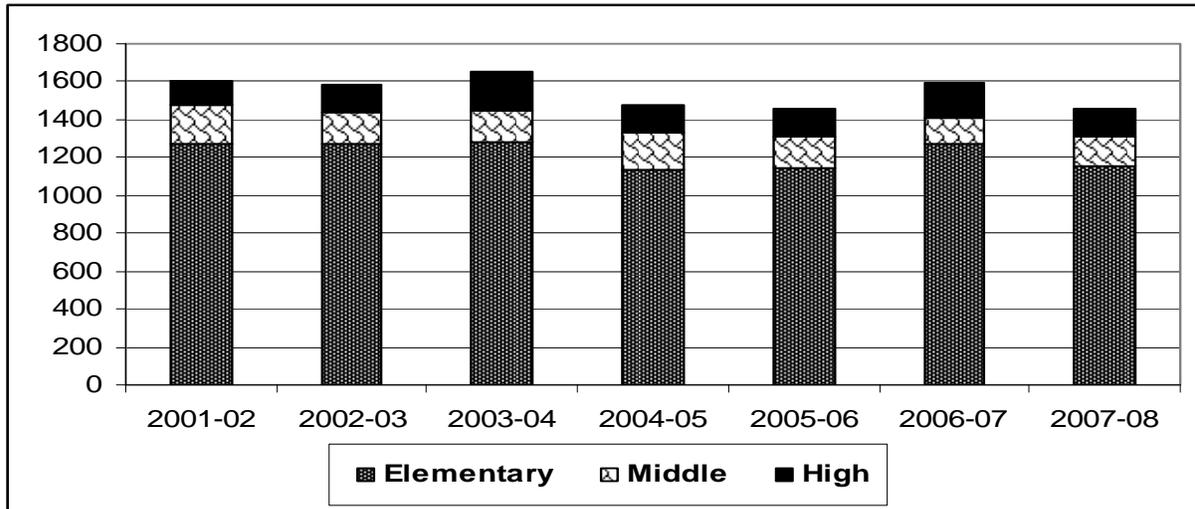
⁹ The disability areas are: learning disabilities; communication; emotional disturbance, intelligence, developmental delay, autism, physical, multiple, hard-of-hearing/deaf, health, neurological, visual/blind, and deaf/blind. Data are from the Massachusetts Department of Elementary & Secondary Education Special Education Enrollment Data <http://www.doe.mass.edu/InfoServices/reports/enroll/?yr=sped0809>

¹⁰ Twenty-Fifth Annual Report to Congress, *Ibid*.

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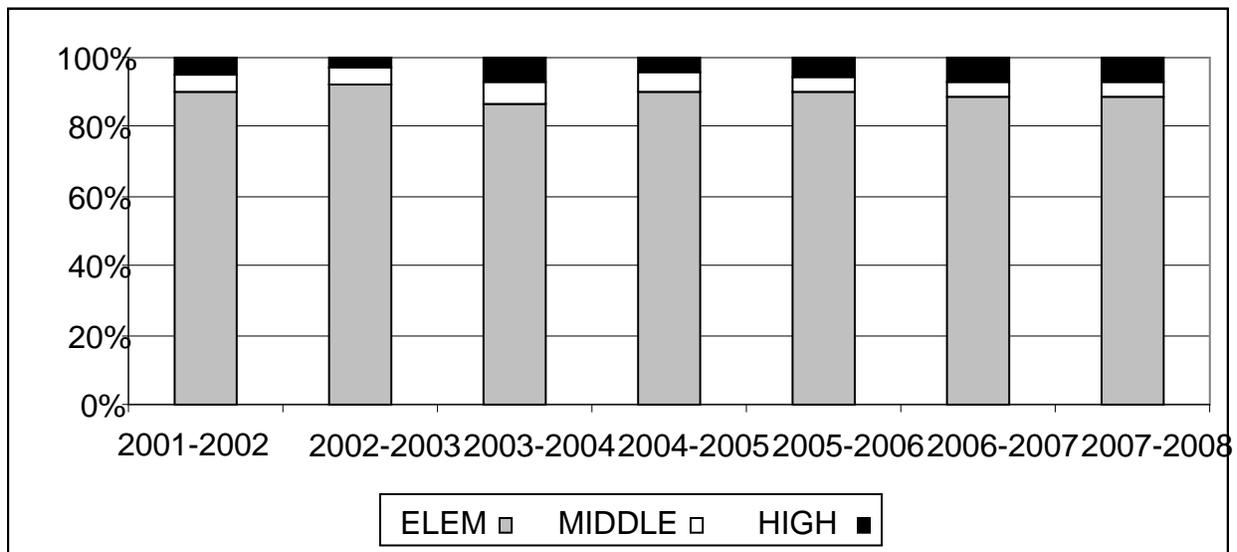
the proportion of general education students referred at the elementary, middle, and high school levels has been relatively stable since the 2001-2002 school year. The elementary referral proportion has been about 5 percent of all general education students; middle school referrals increased from 2.3 to 2.8 percent; and high school referrals have been relatively stable at about 1.0 percent.

Exhibit 3. Number & Proportion of BPS Referrals by Grade Level¹¹



Most district referrals for special education start in the second grade after teachers and parents become concerned about problematic academic performance (usually in reading) and behavior. Last school year, 79 percent (1,153) of the referrals were for children in the elementary grades.

Exhibit 4. Number of Referrals on Behalf of Nonattending BPS Students



¹¹ Percentages and numbers for elementary, middle and high school are from the 2007-2008 LRE Report; and special education enrollment data is based on a BPS Special Education submission to Council of Great City Schools.

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- *Non-district Referrals.* As illustrated by the exhibit above, referrals made between the 2001-2002 and the 2007-2008 school years of students not attending a district school (e.g., placed by parents in a private school) have been relatively stable overall during this time period (555 to 563) at the elementary, middle, and high school levels.

Recommendations

1. Review and revise the district’s eligibility criteria for special education services. Consider adopting relevant portions of the Louisiana eligibility criteria referenced above (see Appendix B) to the extent they do not contradict but may supplement Massachusetts criteria.
 - Review the district’s practices for determining emotional impairments and guidance for ruling out social maladjustment. Consider reviewing and adopting, as appropriate, guidance from the Wayne County, Indiana, Regional Educational Service Agency, *Social Maladjustment: A Guide to Differential Diagnosis and Educational Options Wayne County Regional Educational Service Agency.*¹²
2. Expedite development of district guidelines for ensuring that students who are English language learners are appropriately assessed and that special education eligibility is not based on factors related to second language acquisition.
3. Ensure that all relevant staff members—including school-based ETFs, members of Student Support Teams, psychologist, special education teachers, general education teachers, principals and others—receive differentiated professional development on the meaning and application of eligibility criteria, including those for ELLs, and develop a mechanism for ensuring that criteria are applied consistently districtwide.
4. Review school-based referral data monthly for all schools and assist any school with percentages that exceed established benchmarks. Collect and analyze the following Boston Connects data recommendations: individual initiating the referral, reason for the referral, reason for any ineligibility, and other items necessary to fully evaluate special education referrals.

B. Racial/Ethnic and Gender Disproportionality

Positive Findings

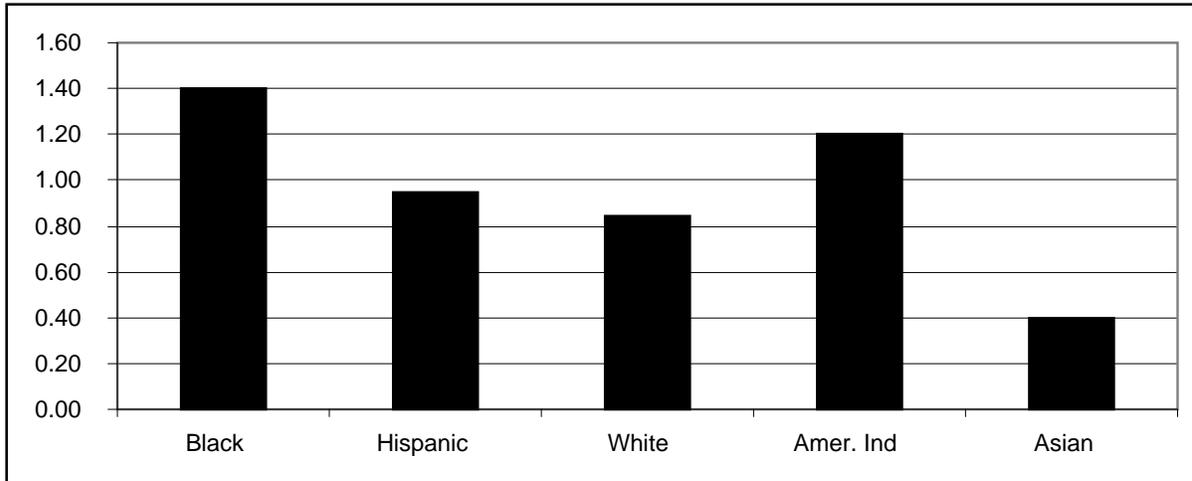
- *State Criteria.* As stated in its State Performance Plan, the Massachusetts Department of Education (MDE) determines that a school district has disproportionate racial and other representation when its weighted risk ratio is 3.0 or above for overrepresentation and 0.25 or less for underrepresentation, i.e., the likelihood that students in one racial/ethnic subgroup compared with those in another are receiving special education services. A minimum cell size of 20 for each race/ethnic group is required for this calculation. The MDE then reviews each identified district to determine whether policies, practices, or procedures have resulted in inappropriate identification of students with disabilities.

¹² www.resa.net/downloads/special_education_guidelines/social_maladjustment.pdf

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- **Overall Special Education.** If one applies the risk ratio to all students receiving special education services using October 1, 2008, data, one sees that none of the district’s racial/ethnic groups met the state’s definition of disproportionality.

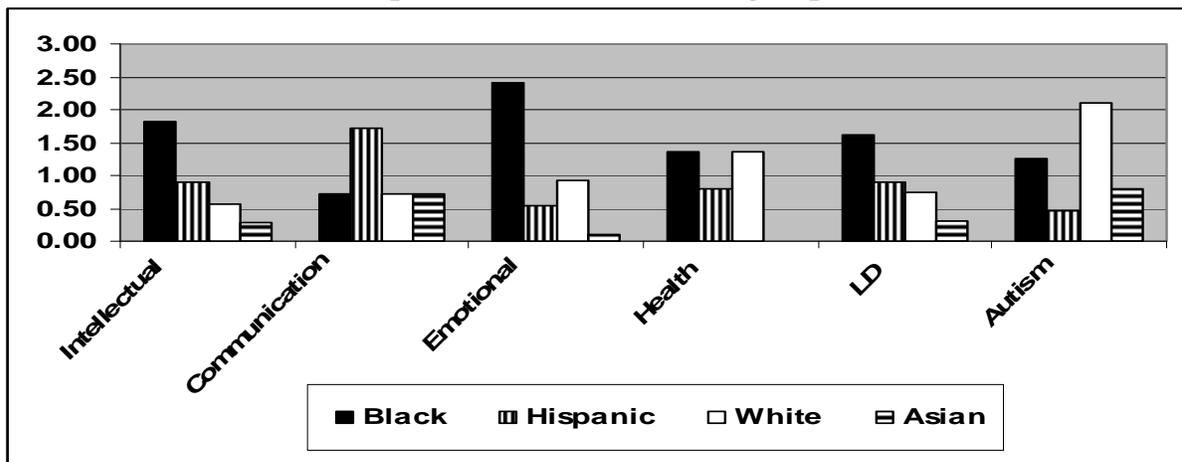
Exhibit 5. Risk Ratio for Subgroups of All Students Receiving Special Education Services



Areas of Concern

- **Six Most Common Disability Areas.** The state is also required to apply the risk ratio to the following six most common disability areas: intellectual, communication, emotional, health, learning disabilities (LD), and autism. As shown by Exhibit 6 below, none of these disability areas exceeded the risk ratio of 3. However, African American students are almost 2.5 times more likely to be identified as having an emotional impairment when compared with other students. Asian students also exceeded the lower threshold of 0.25, indicating underrepresentation in emotional impairment.

Exhibit 6. Risk Ratio for Most Common Disability Areas by Race/Ethnic Subgroup Compared With All Other Subgroups

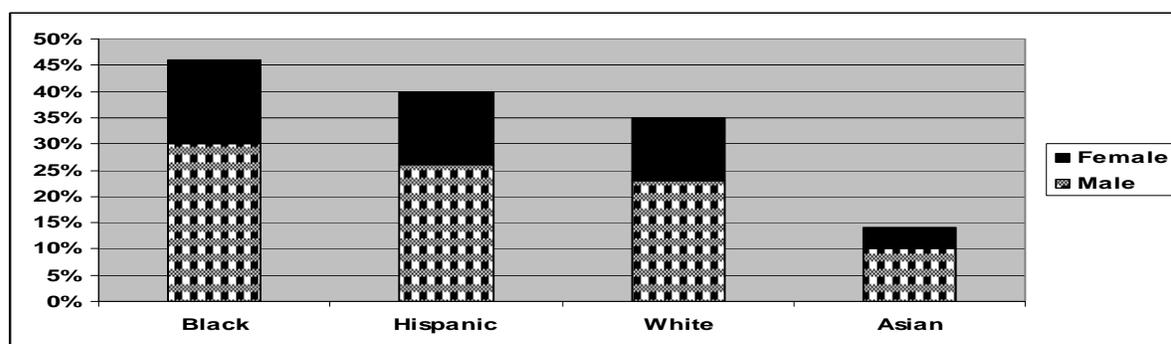


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Although the risk ratio showed some underrepresentation for Asian students in the area of emotional impairment, the state uses a weighted risk ratio that adjusts for district variability in the racial/ethnic composition of comparison groups. This measure allows for a comparison of risk across districts and enables states to rank districts when deciding how to target technical assistance. Thus, the district may not have disproportionate representation when using this more complicated comparative measure.

- **Race/Ethnicity and Gender.** Data reported by the June 2006 *Boston Plan for Excellence* showed that a much larger proportion of males than females received special education services and that the greatest differential was among African American students. Although the state does not analyze data by gender for disproportionality and although across the country males tend to be overrepresented in special education, the district's differential by race and gender combined is problematic.

Exhibit 7. Gender Disproportionality by Race/Ethnicity



Recommendations

5. See recommendations made in Section F (Tiered Interventions, Progress Monitoring and Differentiated Instruction to Strengthen General Education).

C. Performance of Students Receiving Special Education Services

Positive Findings

- **Achievement and Other Cities.** The academic achievement of students with disabilities in the Boston Public Schools is comparable with that seen in other large central city school systems across the country. The tables below show the average reading and math scale scores of students with disabilities in Boston, compared with the average nationwide; the large central city average; and participating cities in the Trial Urban District Assessment (TUDA) of the National Assessment of Educational Progress, or NAEP. (Exhibits 8-11). The tables also show the percentage of students with disabilities who score at or above basic and at or above proficient levels of attainment in both subjects.¹³

¹³ Note that achievement rates can sometimes appear high when special education identification rates are high because they include a disproportionately higher number of students with milder disabilities.

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Exhibit 8. Rank Order of Average NAEP Reading Scale Scores of Fourth-Grade Students with Disabilities in Boston, Compared with Other Major Cities, 2007

Grade 4	Average scale scores	Percentage at or above basic	Percentage at or above proficient
Nation	190	36	13
Large Central Cities ¹⁴	178	25	9
Atlanta	191	33	14
Austin	190	36	14
Charlotte	187	32	12
Boston	183	20	5
New York City	181	23	7
Houston	174	20	8
Chicago	172	21	8
San Diego	171	21	7
Cleveland	NA	NA	NA
Los Angeles	166	19	5
District of Columbia	162	15	5

Exhibit 9. Rank Order of Average NAEP Reading Scale Scores of Eighth-Grade Students with Disabilities in Boston, Compared with Other Major Cities, 2007

Grade 8	Average scale scores	Percentage at or above basic	Percentage at or above proficient
Nation	226	34	7
Large Central Cities	214	23	4
Austin	228	37	11
Charlotte	228	35	7
Boston	223	26	3
Houston	217	22	3
New York City	216	21	3
San Diego	214	25	4
Chicago	213	20	4
Cleveland	210	19	1
District of Columbia	210	19	4
Los Angeles	200	10	2
Atlanta	NA	NA	NA

¹⁴ The large central cities variable is based on a national random sample of public schools in cities with populations of 250,000 or more and includes cities not listed.

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Exhibit 10. Rank Order of Average NAEP Math Scale Scores of Fourth-Grade Students with Disabilities in Boston, Compared with Other Major Cities, 2007

Grade 4	Average scale scores	Percentage at or above basic	Percentage at or above proficient
Nation	220	60	19
Large Central Cities	208	44	13
Austin	226	66	23
Charlotte	222	59	19
Boston	214	51	8
Houston	214	51	10
New York City	213	50	12
Atlanta	207	38	13
San Diego	201	37	12
Chicago	196	27	10
Los Angeles	196	31	8
District of Columbia	188	20	3
Cleveland	NA	NA	NA

Exhibit 11. Rank Order of Average NAEP Math Scale Scores of Eighth-Grade Students with Disabilities in Boston, Compared with Other Major Cities, 2007

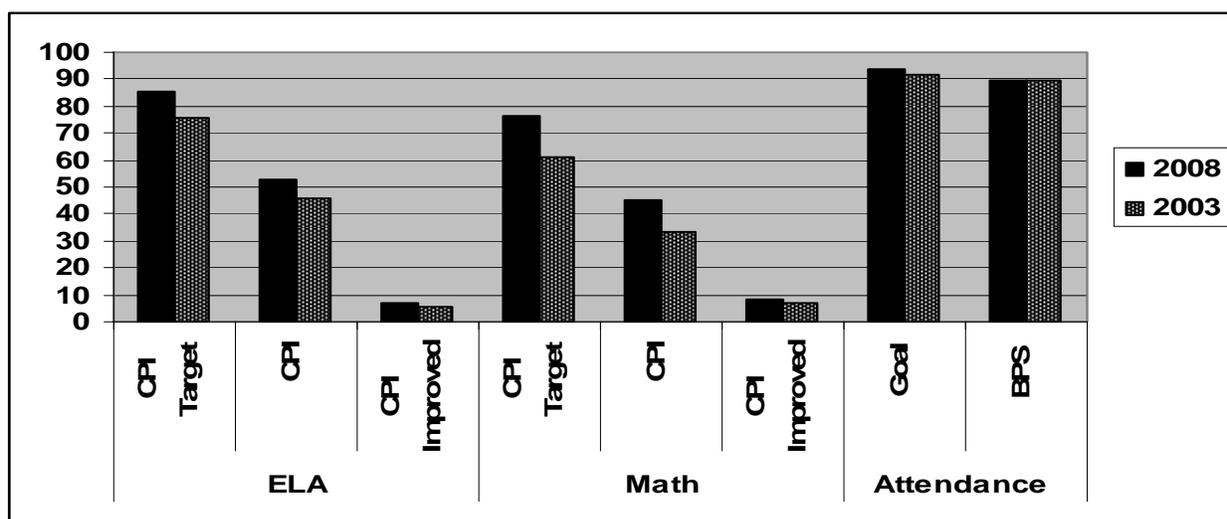
Grade 4	Average scale scores	Percentage at or above basic	Percentage at or above proficient
Nation	246	33	8
Large Central Cities	233	22	4
Charlotte	256	41	12
Austin	252	38	13
Boston	247	30	7
Houston	240	23	5
New York City	235	20	2
San Diego	234	21	5
Chicago	228	18	3
Cleveland	222	10	0
Los Angeles	220	10	3
District of Columbia	211	7	1
Atlanta	NA	NA	NA

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In general, students with disabilities in Boston score higher in math than in reading. At the same time, the overall achievement levels suggest that students with disabilities enrolled in the Boston Public Schools do about as well as their disabled peers in other major cities.

- **Improvement in Performance.** Students receiving special education services in the Boston Public Schools improved their performance between 2002-2003 and 2007-2008 in both English Language Arts (ELA) and math on the Massachusetts Comprehensive Assessment System (MCAS).

Exhibit 12. ELA and Math Performance of Students Receiving Special Education Services in Boston



Areas of Concern

- **Graduation Rate.** The state's special education target rate for graduation in 2006-07 was 61.7 percent. The state's actual performance rate was 62.8 percent and Boston's rate was 35.8 percent.
- **Dropout Rate.** The state's special education target rate for dropping out in 2006-07 was 5.6 percent. The state's actual performance rate was 5.8 percent and Boston's rate was 11.2 percent.
- **Academic Performance and Attendance**¹⁵
 - **Comparison of 2008 to 2003 Performance**
 - * **ELA.** During the 2007-08 school year, the state required 85.4 percent of its students to meet the Composite Score Index (CPI),¹⁶ indicating that students were making progress toward proficiency in ELA. Some 52.7 percent of Boston's

¹⁵ MDE Adequate Yearly Progress (AYP) and Accountability Status Determinations

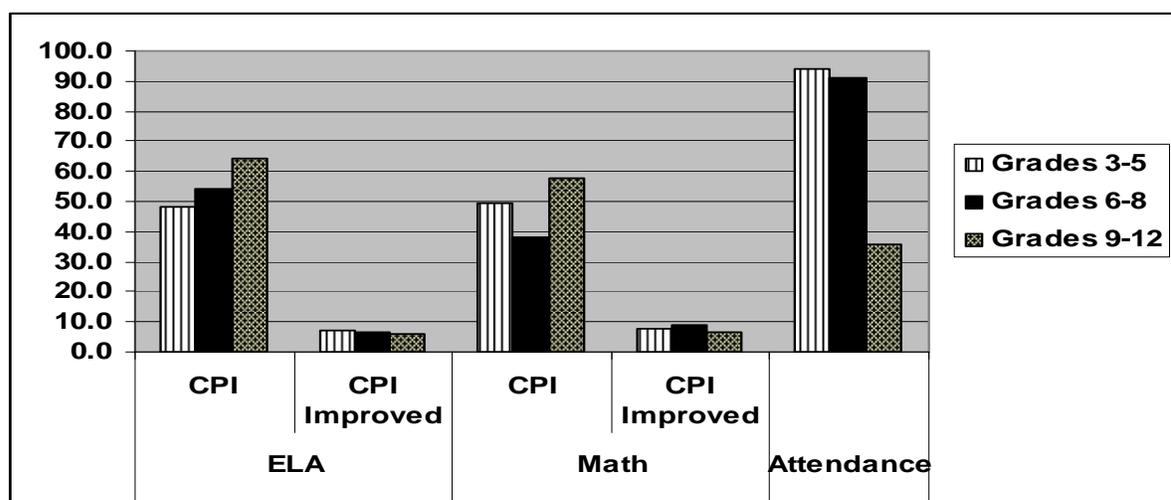
¹⁶ The CPI is a metric used by MDE to measure school and district performance and improvement. It is based on a 100-point index that combines scores of students who participate in standard state assessments and those who participate in the state's alternate assessment. It is used to determine Adequate Yearly Progress (AYP) status.

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students receiving special education services met this target, compared with 45.5 percent five years earlier. In 2008, the proportion of students meeting the CPI increased by 6.9 percentage points over the prior year, compared with a 5.6 percentage-point improvement in 2002.

- * **Math.** During the 2007-08 school year, the state required 76.5 percent of its students to meet the CPI. Some 44.9 percent of Boston's students receiving special education services met this target, compared with only 33.5 percent five years earlier. In 2008, the proportion of students meeting the CPI increased by 8.1 percentage points over the prior year, compared with a 6.6 percentage-point gain in 2002.
 - * **Attendance.** In 2007-08, students receiving special education services through the Boston Public Schools had a 90 percent attendance rate, which almost met the state target of 93.6 percent. The district's attendance rate this year is comparable to the one five years earlier.
- **Performance by Grade Span.** The graph below illustrates ELA and math performance and attendance by grade span.
- * In ELA, students in grades 9-12 had higher performance rates (56.8) than those in other grades: 3-5 (48.0) and 6-8 (54.4). This pattern was also seen in math where the performance rate of 9-12th graders was 56.8, compared with 49.2 among 3rd-5th graders. However, younger students' performance in math was higher than that of the 6-8th graders (38.1).
 - * The higher performance of high school students stood in stark contrast with their poorer attendance rate (35.8), compared with grades 3-5 (93.8) and the middle grades (91.2). (The Council team could not explain this anomaly in the data.)

Exhibit 13. Comparison of 2008 Performance by Grade Span



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- **Alternative Assessments.** The team did not see any separate reporting of student achievement results using alternative assessments. Alternative assessment data were folded into the overall results.

Recommendations

6. Determine what research-based interventions and progress monitoring tools are currently available at each school in reading and math and what tools might be needed to meet each student's individualized needs.
7. Conduct a structured review of each school to determine the extent to which general and special educators are utilizing differentiated instruction appropriately and identify additional support needed to do so, e.g., coaching, professional development, etc.
8. Develop a plan based on the structured review for purchasing or developing any necessary additional systemwide intervention programs, progress monitoring tools, and/or tools for differentiating instruction that are not currently in place, and provide professional development and coaching on their implementation and use. The district should also put into place a mechanism for monitoring the use of new programs, including mechanisms for holding staff accountable for the faithful implementation of the programs. Finally, the district should identify and gather data necessary to support these activities and determine whether they are producing growth in student performance.

D. Organization of and Support for Special Education and Related Services

Positive Findings

- **Direct Reporting to the Superintendent.** The Senior Director of Special Education and Related Services reports directly to the superintendent and sits on her executive leadership team.
- **Interdisciplinary Approach.** The Department Special Education and Related Services functions with an interdisciplinary approach that includes the provision of special education instruction, along with psychological and health services. The members of the Department's senior team report that they have a positive working relationship with the responsible parties involved.
- **Deep Knowledge.** The Department has a significant number of individuals with institutional and historical knowledge and expertise. Presumably, this collective know-how was a valuable asset in the Department's initiative to reduce the number of students the district placed in private facilities.
- **Generous Staff Ratios.** Based on data collected through an Urban Special Education Leadership Collaborative survey and obtained by the Council of Great City Schools, the district has generous staff-to-total-enrollment ratios of special educators, paraprofessionals, speech/language pathologists, psychologists, nurses, occupational therapists (OTs), and physical therapists (PTs). The district has the smallest special educator ratio of all reporting districts; it is tied for fourth in the number of special

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educators-only to students with disabilities. This ratio should assist the district in future efforts to support more students being included in general education classes. A number of districts (out of 31 reporting) had smaller staffing ratios in the following areas: six districts for paraprofessionals; four for speech/language pathologists; and 13 for psychologists. The numbers of districts with smaller ratios in other areas were: nursing (6 of 26); OT (1 of 30); and PT (8 of 27). (See Appendix E for additional information.)

- ***Behavior Specialists.*** A common theme among focus groups interviewed by the team was a recognition and appreciation of the behavior specialists' expertise and their provision of ongoing training and support to teachers in handling students with challenging behavior.
- ***Psychologists.*** Focus group participants also had positive things to say about central-office psychologists and their expertise.

Areas of Concern

- ***Compliance Driven.*** Massachusetts law and regulations originated with disability eligibility criteria that exceeded federal requirements and promoted substantially separate placements of students with disabilities. The district's organizational structure for administering special education and related services was designed accordingly and has acculturated with these requirements. While the Department of Special Education and Related Services is structured and staffed to support compliance activities, as with most urban school districts, it has been challenged to transcend that arrangement and provide adequate support for research-based instruction and promote inclusive practices. As a result, some focus group members perceived the Department as lacking sufficient vision and were concerned about the unit's ability to take the steps necessary to change its culture and advance to a higher level of operation.
- ***Generic Support.*** Ten of 15 individuals on the Department's organization chart provided to the team have generic job descriptions, such as assistant program directors, with no specified areas of expertise delineated (e.g., literacy, sensory and multiple involvement, etc.) As a result, it could be difficult for other departmental and school staff, community members, and parents to identify key contacts and obtain assistance. And, it is not clear from the chart how the organization, as a whole, has the collective expertise to provide necessary technical assistance and support to schools.
- ***Alignment with Academic Superintendents.*** The Assistant Program Directors do not work with the same schools as those associated with the five Academic Superintendents, who have direct responsibility for supervising principals within their respective clusters. The lack of staff alignment is likely to present problems with communications, coordination, and school support.
- ***Social/Emotional Support.*** Many of the focus group participants indicated that more and more students have increasingly challenging behaviors. Although participants expressed appreciation for the behavioral specialists in place, participants also noted that the lack of widespread training and professional development in the area of positive behavior intervention and supports (PBIS) make staff members more reliant on these specialists who are not always able to meet demand. Also, the school district only reported having

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six social workers for the entire system. Of the 31 districts in the Appendix E survey, only five do not employ a significant number of social workers. Some of these districts, such as those in Los Angeles and Philadelphia, are able to utilize city and county resources to support students and families.

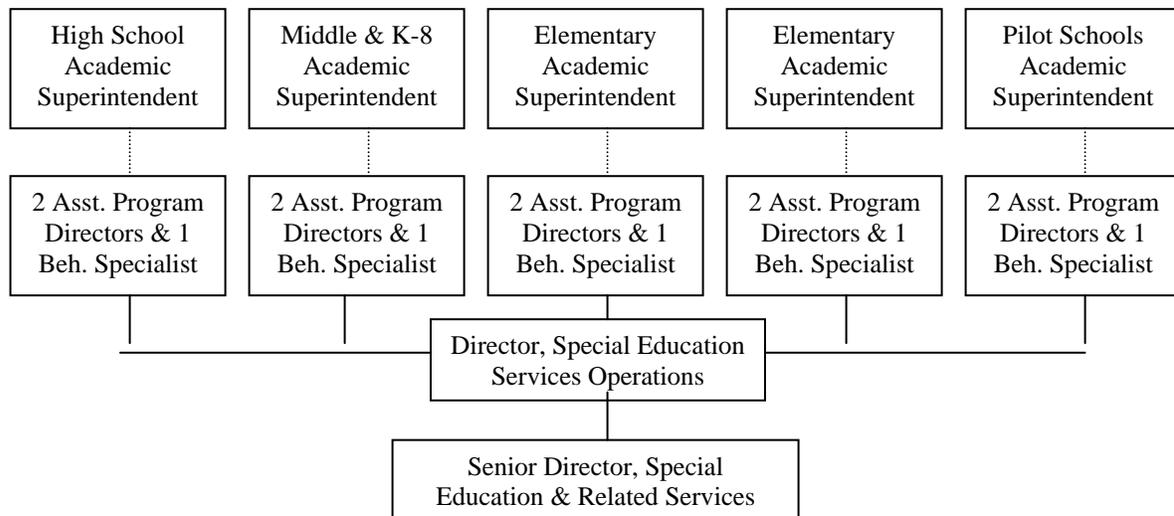
- **Placement.** Currently, three individuals administer the process of placing students in programs outside of their current school or a school they would attend if not disabled. This process relies on individuals who are not involved in the individualized education program (IEP) process, a situation that reportedly leads to a disconnect between student needs and actual service delivery. Because so many students are identified as needing a substantially separate program that is not available in the school that they are attending, placements rely on a process that functions too bureaucratically to facilitate the movement of large numbers of students in a timely manner. Access to more inclusive educational opportunities, although not the only solution, would reduce the systemic stress endemic with such separate programmatic placements.
- **Out-of-District Placements.** The out-of-district placement unit is in the same division as the unit providing classroom support (i.e., psychologists, related services/504, school health, and the medical director for school health). Aligning this unit with staff involved in the support of special education services might promote better communications, stronger coordination, and more effective in-district assistance for students with disabilities.
- **Counseling and Intervention Center.** The Counseling and Intervention Center reports directly to the Senior Director and is not grouped with other support services, such as psychology, related services, and school health.
- **ETFs.** The largest number of administrators and quasi-administrators were affiliated with citywide and school-based evaluation team facilitators (ETFs). These longstanding *Allen v McDonough*-mandated positions have been used to provide expertise and support for the evaluation, eligibility determination, and IEP process. The citywide positions have been used to safeguard eligibility and guard the movement of students to substantially separate placements. Yet the district's reliance on ETFs has not resulted in national- or state-expected levels of disability or a higher rate of inclusive services. Also, as discussed in the upcoming Section F (Tiered Interventions), the Boston Connects schools have shown some positive results with their coordinated general education interventions. Several coordinators expressed concern, however, that they have very little role in the special education referral process in schools having full-time ETFs but have a greater role in schools with part-time ETFs. Also, some parents viewed ETFs as not having a common role or consistent effectiveness.
- **ETF Clerks.** Some focus group participants questioned the need for ETF clerks and viewed some as ineffective. The district's move to an electronic IEP process, which will significantly reduce paperwork requirements for teachers, calls into question the need to continue to use these clerks.
- **Cluster Administrators.** Learning and adaptive behavior (L/AB) cluster administrators are used in a variety of roles: Assistant principals and administrators within the L/AB cluster—some with classroom responsibilities and some without.

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- Department Web Site.** The Department has two Web pages with a minimal amount of information. One (under BPS Departments) lists staff and contact information,¹⁷ along with a PDF organization chart of the district that includes the Department’s director. The staff members identified on the website and those listed on the organizational chart provided to the team are not the same. The second Web page (under Academics) contains a few sentences describing federal and state special education law; brief programmatic references (i.e., the Resource/Learning Center), substantially separate settings, services for students with significant disabilities, and the district’s special schools); child-find information; and a few internal and external resources. The Web site also features pertinent information about the Special Education Parent Advisory Council (SPED PAC), with links to information on its monthly meetings and bylaws.

Recommendations

- Review the organizational structure of the Department of Special Education and Related Services to ensure that it has the leadership and components necessary to implement the suggested reforms effectively. The team did not study the organizational structure of the unit extensively, but would urge the district to consider the viability of—
 - Moving the Out-of-District unit to Specialized Instructional Support in order to better coordinate special education services for all district students, regardless of whether they are educated within district schools or outside of them.
 - Moving the Counseling and Intervention Center to Comprehensive Related Services in order to maximize coordination and communication.
 - Align the Assistant Program Directors and Behavior Specialists with the five Academic Superintendents with an indirect reporting line to Academic Superintendents and maintaining a direct reporting line to Special Education Operations. The following diagram illustrates how this might work—



¹⁷ <http://www.bostonpublicschools.org/node/790>

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10. Ensure that Assistant Program Directors have the expertise necessary to provide technical assistance, research-based professional development, and follow-up support in order to strengthen specialized instruction and related services. These administrators should be clearly identified as the contact persons in their respective areas of expertise so that community members, parents, and school staff can access their expertise as appropriate. A list of such areas of expertise might include: early childhood education, assistive technology, intensive reading and intervention, progress monitoring, blindness, deafness, ADHD, physical disabilities, and transitions. All Assistant Program Directors should be well trained in supporting inclusive practices, including differentiated instruction and tier I behavioral supports. To support schools in all ways required to improve student performance, implement district initiatives, and maintain and improve compliant practices, care should be taken to ensure that administrator allocations to schools are based on the student population and what the individual school needs in the way of weekly attention and expertise.
11. Ensure that Department administrators have access to and professional development on the “live” electronic data needed to facilitate the placement process and empower administrators to facilitate the provision of additional services, as appropriate, to meet the needs of students with disabilities in general education classes or separate classes in regular schools.
12. Consider an alternative to the current ETF structure. Other school districts, such as that in Philadelphia, require special educators to organize IEP meetings for students in their caseloads, and have principals designate key staff (i.e., special education leads) to become knowledgeable about compliance requirements pertaining to child-find, evaluation, eligibility, and IEP processes. Ultimately, principals and headmasters should be held accountable for their school-based practices. The administrators discussed above should support principals/headmasters and their staffs in the provision of research-based instructional and inclusive practices. As the district moves toward full implementation of an electronic IEP process, the district should consider whether ETF clerks continue to be essential and whether the resources devoted to them could be better used to support instruction.
13. Make sufficient behavioral support staff available to schools to provide technical assistance, professional development and support to school-based staff members in order to implement PBIS, functional behavior assessments, and behavior implementation plans.
14. Review the role and functions of the L/AB administrators to ensure that the current or new organizational structure is staffed in a manner that effectively supports teachers and students.
15. Improve the district’s Web site in the area of special education to provide better access to a wide range of information about district services, including key staff members available to provide assistance on general and specific issues. In addition, the Web site should provide links to community supports and services, and other Web sites (including those of other school districts) having valuable information. For example, the New York City Department of Education has an excellent Web site that provides resources and

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information pertinent to students with significant disabilities.¹⁸ Other examples of especially helpful Web sites include those produced by the Broward County Public Schools¹⁹ and the School District of Philadelphia.²⁰ Finally, staff should identify key information on the BPS Web site that is suitable for broad distribution and make this information available through brochures or other user-friendly documents for parents who do not have Internet access.

E. Accountability Framework

Positive Findings

- **Acceleration Agenda.** The superintendent has established an overall strategic document called *The Acceleration Agenda*, which specifies goals and benchmarks through 2012 for all students in the school district, including students with disabilities. Goals, for example, are set in reading by the end of grades 1 and 3; analytical writing goals in grade 7; Algebra 1 in grade 8; and evaluation of math and ELA targets for students to graduate by the end of grade 10.
- **Balanced Scorecard.** The school district is developing a Balanced Scorecard for itself and its schools that the district intends to be in effect by October 2009.
- **Office of Accountability.** The school district has established an Office of Accountability to address *No Child Left Behind* requirements, and is making core infrastructure investments, e.g., K-12 core curriculum across schools, progress monitoring/assessments at all schools, and a single data system.
- **Formative Assessments.** The school district is planning to acquire a system of formative assessments that can be used in all grades to give teachers and schools the appropriate tools to monitor student outcomes during the school year.²¹ This system will provide information about students' academic achievement, behavior, and attendance in a timely manner so that schools can respond quickly to student needs. Baseline data were collected this school year for the K-4 formative assessments and for common writing assessments in grades 4-12.

Areas of Concern

- **Accountability Framework.** There does not appear to be a universal framework that establishes core principles of expected research-based practices for struggling learners in general education or that informs professional development, supports monitoring to insure fidelity of implementation, and demands accountability for results.

¹⁸ <http://schools.nyc.gov/Offices/District75/default.htm>

¹⁹ <http://www.broward.k12.fl.us/studentsupport/ese/>

²⁰ <http://webgui.phila.k12.pa.us/offices/s/oss>

²¹ Source: March 23, 2009, memorandum regarding 2010 Budget Recommendations from Dr. Johnson to Chairperson and Members Boston School Committee.

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- **Goals.** The team did not see specific academic goals or targets for the specific academic attainment of student with disabilities in district documents.
- **Personnel Accountability.** No one in the district appears to be held explicitly accountable for the academic achievement of students with disabilities. Personnel evaluations do not include this expectation for performance or suggest what happens if and when students with disabilities fail to achieve as expected.
- **Tiered Interventions and Use of Progress Monitoring.** The team did not find evidence of a core literacy curriculum or program, a standard reading series, or a plan designed to produce academic results for students with disabilities that would include the following practices—
 - **Universal screening** to identify students early on who were not performing at expected levels;
 - **Early interventions** with tiers of increasing intensity to address academic and behavioral difficulties; or
 - **Frequent progress monitoring** using curriculum-based measurement that is reviewed regularly to drive decision making and adjust instruction.

Elements of the above practices appear sporadically in some schools or clusters (e.g., Boston Connects schools), but interviewees consistently told the team that these instructional practices were neither systemic nor was there clear expectation communicated by the district that they be developed, implemented, or used.

- **Universal Design.** There does not appear to be a systemwide expectation that general education teachers practice “universal design” practices through differentiated instruction, accommodations, and technology for learning.
- **Cross-Functional Teaming.** The team saw examples in the school district where cross-functional teams were used to address districtwide issues related to the instruction of students with disabilities. However, the team did not sense that this practice was used in a consistent manner to lead and shape expectations for all school system initiatives for these students.
- **Inclusivity and Choice.** There does not appear to be a systemwide expectation that all students with disabilities will have access to the zone schools that they would normally attend if not disabled (i.e., through the district’s controlled choice program). Conversely, there seems to be no systemwide expectation to place as few students with disabilities as possible in a school outside their zones to receive appropriate services. And there appears to be little expectation that students with disabilities will have broad access to and inclusion in general educational services.

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Recommendations

16. Establish a universal accountability framework for the district's special education program that specifies core principles of research-based and expected practices, including practices in the following areas—
 - Response to intervention (RTI);
 - Positive behavior intervention and supports (PBIS);
 - Specialized instruction and related services; and
 - Inclusive practices.
17. Include in the accountability framework the following components—
 - Research-based indicators that describe key elements and in-depth descriptions of expected standards;
 - Differentiated professional development that supports expected standards for all stakeholders and ongoing classroom support;
 - Data collection and regular reports that are systemwide, area-wide, schoolwide, grade-wide, etc., with the reports providing necessary data needed to support the accountability framework and analyze its effectiveness;
 - Monitoring of data and practices to ensure fidelity of implementation; and
 - A Balanced Scorecard to track school performance on key data elements of the framework.
18. Identify and support exemplary schools to showcase practices and leadership in professional development, and include schools needing greater attention and support in the school district's regular accountability system.
19. Review job descriptions and personnel evaluations for senior instructional staff and principals to ensure that there are components of those evaluations devoted to holding personnel responsible for increasing achievement among students with disabilities or implementing programs and initiatives proven to be effective with these students.
20. Utilize cross-functional teams to develop and execute the accountability framework.

F. Tiered Interventions, Progress Monitoring, and Differentiated Instruction to Strengthen General Education

Positive Findings

- ***Literacy Workshop Model.*** Beginning in the 2002-2003 school year, the Boston Public Schools began to implement the Readers' Workshop, which supplemented the district's Writers' Workshop program. The structure of the program is based on a combination of

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mini-lessons (20 percent); independent work (60 percent) in which teachers support individual or small groups of students; and sharing (20 percent) with a focus on application of information and teacher/class interaction. Teachers are expected to use the model for instruction in all core areas to encourage active student engagement and higher-order thinking skills.

- **Literacy Investment.** The school district is planning to use a portion of its American Recovery and Reinvestment Act (ARRA) funds to purchase core literacy materials for all classes, and will provide professional development in literacy for classroom teachers in grades K-3.²²
- **General Education Interventions.** The district also proposes in its 2010 budget to acquire equipment and software to enable schools to implement general education and behavioral interventions and provide training and materials for this effort.²³ This new investment will supplement the various intervention programs currently used in some schools: Read 180, Reading Recovery, Lexia, Wilson, etc. In addition, several schools are implementing positive social/emotional supports through Second Steps and Cooperative Discipline. Considerable training has been provided already in Crisis Prevention and Intervention.
- **Boston Connects.** In 2001, the Boston Public Schools and Boston College, in partnership with the YMCA of Greater Boston, launched “Boston Connects” in nine elementary schools (Cluster Five in Allston-Brighton). The program offers comprehensive services for students to enhance their ability to succeed academically. A student support team at each school screens children for assets and risks (sometimes every child in a class) and identifies needs. A school site coordinator then identifies services within the school and in partnering community agencies to address student difficulties. In the last five years, the number of cooperating agencies has grown from 20 to 65. Boston Connects data show that the special education referral rate of new students in involved schools dropped from 4.9 percent to 3.4 percent between 2000-01 and 2006-07, a 29 percent decline. For every 100 students referred in the baseline year, 29 fewer were referred in 2006-07.²⁴
- **Progress Monitoring.** The team was told that some schools use dynamic indicators of basic early literacy skills (DIBELS) for progress monitoring, to determine the extent to which students are benefiting from interventions, and to adjust services if necessary to accelerate progress.
- **Technology.** A number of schools are using technology through Kurzweil software, which translates text to speech and supports reading, writing, and study skills to meet the needs of struggling learners, including ELL students and students with disabilities.
- **Support Staff.** There are some student support coordinators in some of the district’s large schools and some schools have “pupil adjustment coordinators” (social workers) as well.

²² *Ibid.*

²³ *Ibid.*

²⁴ Boston Connects 2007-2008 Progress Report Preprint.

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Areas of Concern

- ***Overreliance on Special Education for Students with Learning and Behavior Problems.*** In June 2006, Ellen Guiney published a paper, *Escaping from Old Ideas: Educating Students with Disabilities in the Boston Public Schools*. The paper documented the district's disproportionate use of special education to address the academic needs of students with learning and behavior problems. Many of the issues discussed in the paper continue to be concerns and are addressed throughout this report. For example, the school district continues to classify one in five of its students as having a disability. The special education rate of 20.1 percent is 70 percent higher than the U.S. average of 12.1, and 20 percent higher than Massachusetts' rate of 17.1 percent.
- **Learning Disabilities.** Students diagnosed as learning disabled constitute the largest area (40.5 percent) of students receiving special education services in the district. Research shows that 80 to 90 percent of these students have learning disabilities in the area of reading. The second major area of disability is in emotional impairment (12.6 percent). Many interviewees reported being ill-equipped to handle students' challenging behavior. Special education appears to be the strategy of first choice when confronting this issue. Staff members voiced considerable support for additional professional development and instructional and support strategies in this area.
 - ***Poor Reading Ability.*** By one estimate, the number of words read by a middle school student who is a good reader approaches one million, compared with 100,000 words for a poor reader. This difference places poor readers at a significant disadvantage with respect to vocabulary development, sight-word development, and reading fluency. For them, reading becomes an onerous chore to be avoided, sometimes through negative behavior.²⁵
 - ***Research-Based Advances.*** Strong scientific research has demonstrated that it can be difficult in practice to distinguish internal child traits (i.e., disabilities) that require ongoing special education from an inadequate opportunity for learning and behavior. However, when students with reading problems receive effective instruction early and intensively, they often make large gains in general academic achievement. In addition, these general education supports and accompanying interventions, along with positive behavior interventions and supports (PBIS), often reduce problematic behavior. Early intervention and prevention studies supported by the federal government have shown a reduction in reading failure rates from up to 40 percent down to six percent or less with appropriate literacy development, along with positive reduction in racial/ethnic discrepancies.²⁶

²⁵ Statement by Dr. Reid Lyon before the House Committee on Education and the Workforce Subcommittee on Education Reform (2002) at hhs.gov/asl/testify/t020606a.html; Technical Assistance Center on Positive Behavior Interventions and Support at <http://www.pbis.org/apbs2008.html>; National Center on Student Progress Monitoring at <http://www.studentprogress.org/>; Minority Students in Special and Gifted Education (2001) at http://books.nap.edu/openbook.php?record_id=10128&page=15

²⁶ Trzesniewski, K.H., Moffitt, T.E., Caspi, A., Taylor, A., & Maughan, B. (2006). *Revisiting the association between reading achievement and antisocial behavior: New evidence of an environmental explanation from a twin*

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- ***Variation in Literacy Curriculum and Workshops.*** It was consistently reported to the team that the district’s literacy curriculum varies from school to school with every school is “doing its own thing.” Students transfer from school to school and will often experience a discontinuity of instruction from one site to another. This lack of continuity presents especially difficult problems for students with reading problems and those with disabilities, who have high mobility related to placements in other school programs. Successful reading programs depend on a strong core curriculum that is implemented consistently across the district. The district’s current variation from school to school makes it difficult to ensure that literacy programs are implemented with any degree of fidelity or can be supported adequately with professional development and technical assistance. In addition, district staff members indicated that they would not be developing and implementing a response to intervention (RTI) framework until after a core literacy program was developed and implemented.
- ***Boston Connects and Student Support Teams.*** Schools participating in Boston Connects have shown positive results with their use of coordinated general education interventions. However, 11 of 13 coordinators commented that sometimes teachers and/or principals suggest to parents that they request a special education referral as a way of bypassing the intervention process. As a result, there is little opportunity for the coordinators to assess whether a student would benefit from school or community-agency support services. Several coordinators also indicated that they have little role in special education referral decisions in schools having full-time evaluation team facilitators (ETFs). They did report having a greater role in schools having a part-time ETF, however. It appears that each school has a student support team (SST), but the SSTs do not always have access to interventions, strategies, and progress monitoring tools.
- ***Lack of Appropriate Instruction.*** One of the essential elements in determining and documenting a student’s eligibility for special education services involves the assessment of whether the need for services is based on the lack of appropriate instruction in reading or math.²⁷ Interviewees expressed concern that instructional interventions in these areas are not consistently provided and that data are not routinely used and reviewed in order to make this determination.
- ***PBIS.*** A common theme heard by the team was that the school district does not have a systemwide framework for the implementation of positive behavior intervention and supports (PBIS), including tiered interventions and the collection of data to drive decision making about the need for adjustments. While some schools are engaged in PBIS, the district itself does not appear to have a comprehensive plan that would lead to systemwide implementation of a positive behavior intervention and support system.
- ***Cross-Functional Teaming.*** A number of staff members indicated to the team that there has not been sufficient cross-functional planning for RTI and PBIS. Staff members recognized that their work on special education was conducted largely in separate silos, but that the separation created over many years of the district’s attempts to comply with

study. Child Development, 77, 72-88, in Guiney, E. (2006). *Escaping from Old Ideas: Educating Students with Disabilities in the Boston Public Schools*, Boston Plan for Excellence.

²⁷ IDEA Regulation at 34 CFR § 306(b)(1).

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the federal special education consent decree, *Allen v. McDonough*, was beginning to break down. District staff members also indicated that they did not always meet in cross-functional teams to discuss the use and results of such interventions as Read 180 that the district was using.

- ***Assessment of Children in Grades K-2.*** The district does not appear to have a standardized assessment program to gather data on children in grades kindergarten through second grade. It is difficult to determine without these data the extent to which students are on target for third-grade proficiency in reading and in math.
- ***Differentiated Instruction and Technology.*** Professional development on the use of differentiated instruction and technology for students with disabilities has been made available for teachers and staff, but the training is not mandatory and is not being used consistently in all schools. Also, some schools are using research-aligned technology, such as the Kurzweil program²⁸ that supports differentiated approaches in reading and writing, but the school district does not appear to have a plan for systemwide implementation of programs that appear to work.²⁹
- ***Literacy Workshop Model.*** The school district relies on the workshop model to encourage active student engagement and higher-order thinking skills in literacy, but some focus group participants told the team that they believe the model restricts their ability to provide off-grade instruction in such skill areas as phonemic awareness, telling time, and money-related skills (among upper-grade students). General education teachers with students with significant disabilities in their mainstream classrooms were among those who liked the workshop model's structure and its emphasis on increased rigor and heightened expectations. They reported that the workshop model boosted their ability to differentiate and modify instruction based on individual needs of their students. Regardless of opinions about the program's merits or liabilities, it appears that teachers are not implementing the workshop model with fidelity and do not share a clear understanding of its requirements.

Recommendations

20. Expedite the development or adoption and implementation of a comprehensive literacy framework for the school district, including a common reading series. In addition—
 - Train staff to understand that the workshop model may be adapted to address the needs of diverse learners, including students with significant disabilities;
 - Evaluate the implementation of the workshop model to ensure it is consistently practiced in an appropriate manner; and
 - Provide professional development to ensure that all teachers are proficient with the underlying core practices necessary to implement the workshop model with fidelity.

²⁸ <http://www.kurzweilededu.com/>

²⁹ O'Hearn School site visit.

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21. Initiate the development of a comprehensive RTI and PBIS framework, with implementation phased in as soon as possible, but no later than September 2010. Struggling students should have general education interventions as a first means of addressing poor performance, so that special education does not remain the “only place” to receive necessary interventions.
 - Identify and phase in universal screening, a three-tiered intervention system of increasing intensity, progress monitoring tools, frequent collection and review of data, and the monitoring of practices and effects. This process should help ensure that disability eligibility decisions are not the result of a student’s lack of access to research-based instructional practices.
 - Include appropriate interventions and progress monitoring for reading, math and social/emotional performance. A template for reading intervention and progress monitoring that the district could consider is provided in Appendix A. In addition, see the eligibility criteria developed by the Louisiana Department of Education (Appendix B) that includes RTI provisions for various areas of disability, e.g., emotional impairment. The district could adapt these criteria for local use if Massachusetts does not require them.
 - Include in the district’s framework fidelity indicators for determining the faithful implementation of differentiated instruction and technology.³⁰
 - Evaluate and reconsider the role of the student support teams (SSTs) as the RTI and PBIS frameworks are being developed based on the track record to date of Boston Connects and other similar models.
 - Utilize cross-functional teams to review data and determine next steps.
22. Ensure that school-based staff and district administrators have standardized assessment data to determine whether young children are on track to read proficiently at third grade. Consider using an assessment system such as Children’s Progress Academic Assessment.³¹
23. Develop a comprehensive plan for professional development to ensure that all teachers have the skills necessary for appropriate implementation of the core literacy program and its accompanying intervention system. The research cited above indicates that a beneficial outcome of the improved academic performance by students is a reduction in the need for special education services. The professional development should stress this benefit as a motivation to improve performance for students in the general education setting.

³⁰ Fidelity of implementation is the delivery of instruction in the way in which it was designed to be delivered. See National Center on Response to Intervention at

http://www.rti4success.org/index.php?option=com_content&task=view&id=733&Itemid=2

Also see "Differentiated Instruction with Fidelity" at http://www.doe.in.gov/indiana-rti/docs/2009-01-Academy/di_with_fidelity.pdf

³¹ <http://www.childrensprogress.com/products/public-schools.shtml>

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24. Discuss with the Massachusetts Department of Education (MDE) whether state regulations are stricter than those in the Individuals with Disabilities Education Act (IDEA) and mandate initiation of a special education evaluation whenever one is requested by a parent. The IDEA authorizes school districts to review and deny an evaluation when data show it is not necessary, as long as staff provides parents with procedural safeguards, including the right to request a due process hearing to challenge the district's response.

G. Substantially Separate Services

Positive Findings

- **Low Incidence Disabilities.** Several individuals interviewed by the team reported that the district provides high-quality programs and services to students who have multiple disabilities, severe autism, cerebral palsy, severe intellectual impairments, and those who are deaf and blind.
- **L/AB Cluster.** The school district developed the learning and adaptive behavior (L/AB) cluster program, so more students with emotional impairments, who would otherwise be placed in a private special-day school, could have access to a regular school education.
- **Private Placements.** As shown by the exhibit below, the number of students with disabilities placed by the Boston Public Schools into private schools fell dramatically from 929 (1997-98) to 346 in December 2008, a 168 percent drop. According to the district, this change saved \$28 million in tuition payments (adjusted for in-district costs) and \$6 million in transportation costs. Also, the private placement rate of students between the ages of six and 21 is 2.3 percent, lower than the state's 2008-2009 target rate of 6.7 percent or less.

Areas of Concern

- **Categorical Service Model.** The Boston school district continues to rely on a special education categorical service model of substantially separate and special day-school placements for almost half (47.3 percent) of its eligible students. As a result, these students are instructed with their nondisabled peers much less often than are their statewide (68 percent) or national peers (78 percent).

Exhibit 14. Comparison of Educational Settings at District, State and National Levels

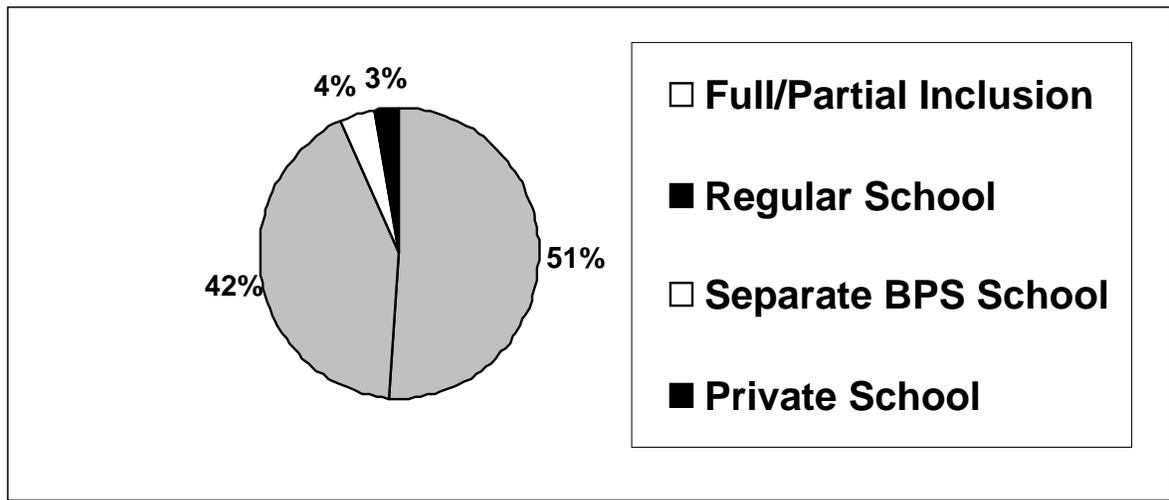
Students with Disabilities 6–21 Years of Age	BPS 12/4/08 ³²		State Data 2006- 07	State Target 2008-09	U.S. Fall 04
	No.	%			
Full Inclusion: In gen ed >79%	3,423	31.7%	53.0%	55.5%	52.1%
Partial Inclusion: In gen ed 40-79%	2,241	20.8%			26.3%
Substantially Separate: Gen ed <40%	4,417	40.9%	15.3%	14.9%	17.5%
Students in public day schools	441	4.1%	2.3%		4.0%
Students in private day schools	274	2.3%	3.0%	6.7%	

³² BPS LRE Data of 12/4/08 provided by the district to the Council of Great City Schools

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- **Full Inclusion.** According to the Massachusetts Department of Education’s Special Education State Performance Plan, the target in 2008-2009 for students educated within a general education setting for at least 80 percent of the day is 55.5 percent (three points higher than the U.S. percentage in 2004).³³ Boston’s current data shows that 31.7 percent of its students with disabilities are educated in this general setting, 24 percentage points less than the state target for the current school year.
- **Substantially Separate.** The Boston school district educates some 40.9 percent of its students with disabilities in substantially separate placements, which does not meet the state’s 14.9 percent target for 2008-09 or the state’s 15.3 percent actual percentage for the 2006-07 school year. In its February 1, 2008, Annual Performance Report to the U.S. Department of Education, the MDE indicated that it will be submitting a revised target to reduce its percentage of children educated in substantially separate settings. The Boston school district’s discrepancies between this placement and placement in full-inclusion settings are large and will require significant district planning and support to reduce the service gaps.
- **Day Schools.** The school district’s rate of 6.4 percent for students in special day-schools also exceeds the state’s rate of 5.3 percent in the 2006-07 school year, although there is evidence that the discrepancy may be narrowing.
- **Substantially Separate and Day School.** Of students in general education classes less than 40 percent of the day, almost half (47.2 percent) are in regular and separate schools. Of the 6.4 percent in separate schools, 4.1 percent are served by the Boston Public Schools and 2.3 are served privately.

Exhibit 15. Proportion of Students in Various Educational Settings



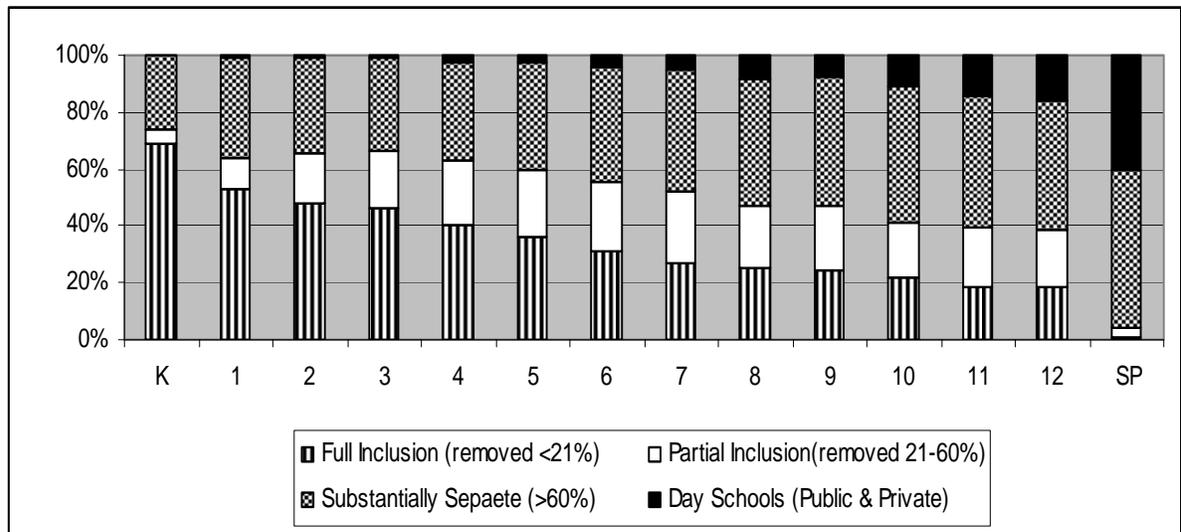
- **Variance by Grade.** Exhibit 16 shows that the placement of students becomes progressively more restrictive from kindergarten through high school in the Boston Public Schools. Disproportionately more students are educated in fully inclusive settings

³³ Data are the most recently available.

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in kindergarten and first grade than in later grades, and conversely the percentage of substantially separate placements increases from kindergarten. The higher proportion of high school students with disabilities in separate day-schools may be related to two factors: 1) a high drop out rate among students with disabilities that may reflect a larger proportion of students with high incidence disabilities attending regular schools; and 2) the presence of students in separate settings having low-incidence disabilities with parents able to have more influence over their child’s continued education.

Exhibit 16. BPS Educational Settings by Grade ³⁴



- Choice.** The Boston Public Schools has a goal to provide multiple school choices for students with disabilities, but the choices for 47 percent of them are limited when their individualized education program (IEP) provides for a special day-school or a substantially separate setting that is not available in their school of choice. One particularly negative consequence of the district’s categorical placement system is that schools often do not have sufficient space for students in order to house a substantially separate program at all grade levels. Generally, students are transferred to “cluster” sites having multiple-grade students in the same classroom. In addition, it was reported to the team that students are often required to transfer to other schools when they age out of a school’s program. These transfers are particularly difficult for students with serious learning challenges.
- Impact on School.** Because of the significant achievement gaps between students with disabilities and those without them, the team was told schools with high concentrations of special education services frequently have the poorest MCAS scores and appear regularly on public lists of “schools in need of improvement.” As a result, fewer general education

³⁴ *Id.*

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students choose those schools, further dampening the schools' scores and accelerating exits.³⁵

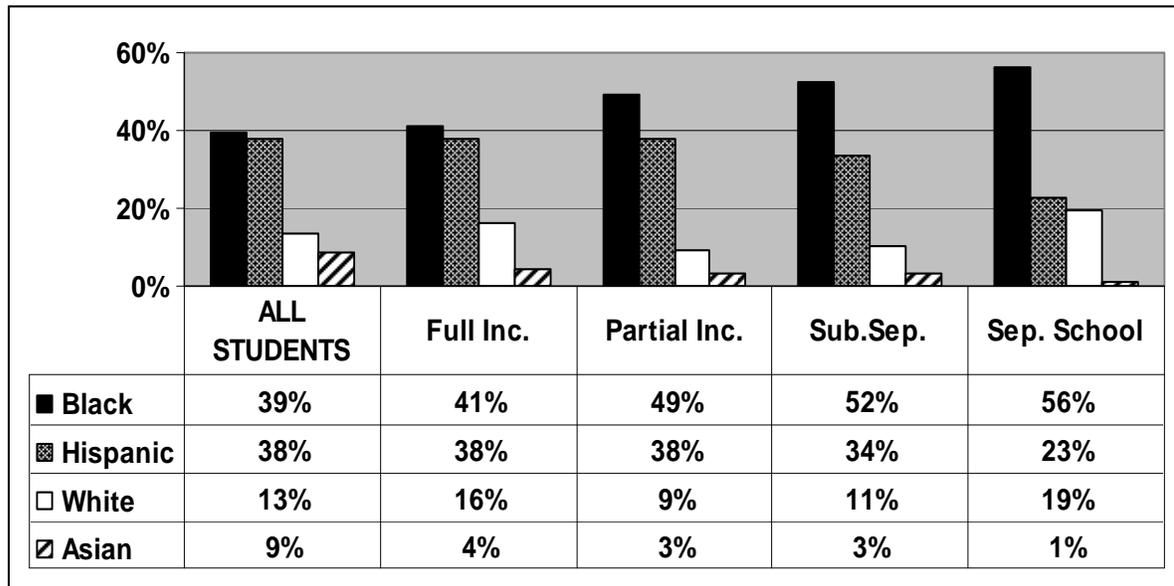
- ***L/AB Clusters.*** As noted above, the Boston Public Schools developed the learning and adaptive behavior (L/AB) program to support more students with emotional impairments and encourage them to remain in a regular district school or a set of schools known as the McKinley schools. The L/AB cluster groups several L/AB classes in one school and typically functions as a school within a school. This grouping is supported by a counselor and coordinator. Each L/AB class typically enrolls eight students with a teacher and paraprofessional.
 - ***Inconsistent Program Implementation.*** Individuals interviewed by the team expressed concern about a lack of consistent implementation of the L/AB model. Principals and L/AB staff throughout the district do not meet and discuss common issues and challenges. In addition, the L/AB program lacks consistent administrative ownership and oversight by building principals.
 - ***Promising Practices.*** In its 2006 paper on special education, the Boston Plan for Excellence (BPE) highlighted promising results for one L/AB cluster at the Manning Elementary School.³⁶ At this school, the cluster does not operate as a school within a school and the students are an important part of the school culture. They are not referred to as “L/AB students.” Instead, they attend regular classes as appropriate, and they mix with other students during lunch, recess, library, assembly, and all field trips. According to the report, Manning staff avoided suspensions that allow students to get out of academic tasks and the school’s results are improving. For example, no Manning student scored proficient or higher on the Massachusetts Comprehensive Assessment System (MCAS) math test in 2004, compared with 22 percent the following year.
 - ***L/AB Program: Gender and Race/Ethnicity.*** The Boston Public Schools also reported disproportionate gender and race/ethnicity placements in the L/AB program. Three times more males than females are enrolled in the program. Of the males, 68 percent are African American, compared with 39 percent of all students districtwide.
 - ***Costs and Outcomes.*** The school district also spends some \$28,000 per L/AB student, raising questions about the program’s cost-effectiveness. Of the 119 students in ninth grade L/AB classes in 2001, only 32 (27 percent) graduated five years later. Further, small numbers of L/AB students are reading at proficient or above levels, even though the students are not cognitively impaired.
- ***Race/Ethnicity by Educational Setting.*** As illustrated in Exhibit 17 below, more African American students are placed in more restrictive special education settings than are students in all other subgroups. It does not appear, however, that African American students reach the threshold of significant disproportionality set by the MDE for special education and disability placements (i.e., three times as likely).

³⁵ Guiney, E. *Escaping from Old Ideas: Educating Students with Disabilities in the Boston Public Schools*, Boston Plan for Excellence, 2006.

³⁶ *Escaping from Old Ideas: Educating Students with Disabilities in the Boston Public Schools*

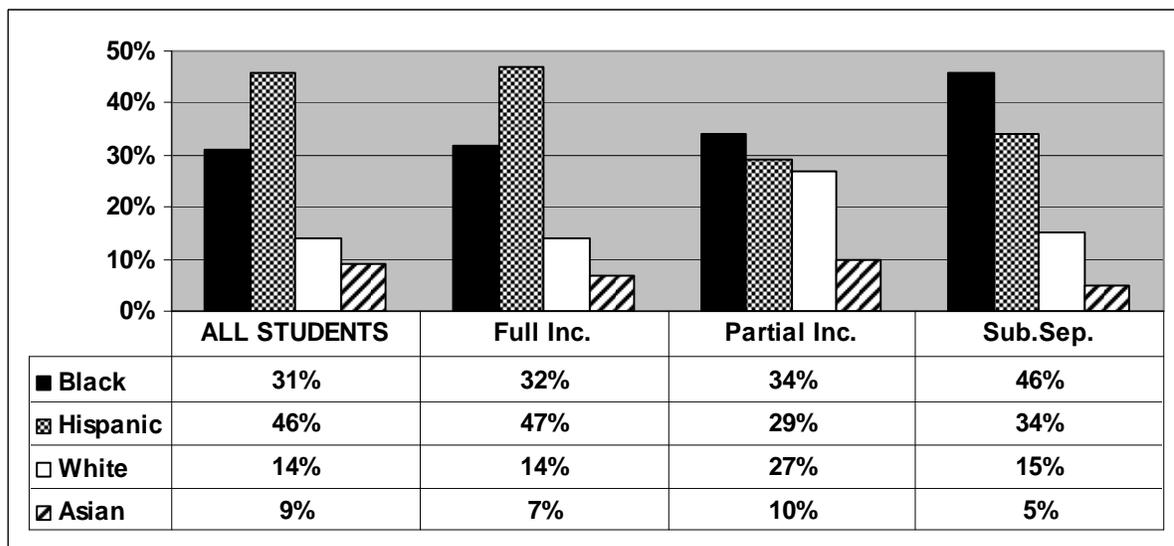
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Exhibit 17. Educational Settings by Race/Ethnicity Students in 1st Grade Through High School



At the prekindergarten and kindergarten levels, the pattern reflects that of upper-grade students in that African American students are also more likely to be in substantially separate settings, compared with students in other subgroups. (See Exhibit 18.)

Exhibit 18. Pre-K and Kindergarten



- *Placements by Department of Social Services*

- According to a Massachusetts Department of Education regulation, educational costs for students placed by the Department of Social Services (DSS) are the responsibility of the school district where the parent(s)/legal guardian resides. The school district within which the residential school is located must provide educational and special

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- educational services to the student in accordance with his or her IEP, participate in any team meetings convened by the school district of resident, and receive reimbursement from the district where the parent (s)/legal guardian resides. [603 CMR 28.10(3)(3)]
- According to district staff, the school must pay for all educational costs related to residential placement of students with disabilities regardless of whether the student requires a separate school for educational purposes. Last year the district paid the costs for 27 students placed by the DSS; and 26 students had already been placed this year at the time of the team’s visit.
 - The regulation referred to above appears to give the resident district the authority to convene a meeting about and develop IEPs for students placed by the DSS in another school district. Therefore, it appears that the serving district would be required to implement an IEP developed by the Boston Public Schools for a student that required special education services provided in a regular school or class. In addition, the district may have the authority to review and question, as appropriate, charges from the serving school district.

Recommendations

25. Discuss with the Massachusetts Department of Education the authority that the school district appears to have to convene meetings and develop IEPs for students placed in residential facilities in another district. Assuming that the Boston Public Schools has such authority, develop an administrative mechanism to convene meetings and develop IEPs that consider placements and services that would be in a least restrictive environment appropriate for each student. In addition, the district should negotiate rates and review all bills regarding the provision of special education services to students placed in residential settings to ensure their appropriateness. The School District of Philadelphia initiated such a strategy several years ago that resulted in significant cost reductions.
26. See the recommendations in the next section related to inclusive services.

H. Inclusive Practices

Positive Findings

- ***Recognized Inclusive Services.*** There are a number of schools in the district that are nationally recognized for serving virtually all their students with disabilities at the school they would normally attend if not disabled through universally designed and inclusive educational practices. Boston leads the country in having several fully inclusive schools: Boston Arts Academy, Mary Lyon, Mason, and O’Hearn. The Harbor Middle School is now partnering with O’Hearn and the Social Justice Academy at Hyde Park High is planning to transition to a full inclusion model. The Mary Lyon School will expand from its current K-8 model to a K-12 model with a pilot school for grades 9-12 that will provide additional opportunities for high school students with disabilities. In addition,

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there are formal as well as informal “integrated” classrooms in regular schools and some early childhood sites.

- ***Characteristics of Exemplary Inclusive Schools.*** These exemplary inclusive schools have many of the following features in common—
 - A large number of students with significant disabilities, including students with moderate to severe disabilities in the areas of intellectual impairment, multiple disabilities, autism, blindness, deafness, emotional impairment, etc.;
 - An absence of any substantially separate classes;
 - Use of universal design, differentiated instruction, interventions, and progress monitoring;
 - Co-teaching and plentiful use of technology and assistive technology; and
 - An overriding school philosophy that all children can learn to high levels and assessments that reflect this belief system.

Areas of Concern

- ***No Systemic Support for Inclusive Services.*** In spite of the presence of exemplary inclusive practices in some schools, individuals interviewed by the team expressed concern that the district had done little to promote, expand, and expect these practices to exist in schools citywide. Instead, the district’s current structure appears to promote and reinforce substantially separate placements. A number of individuals interviewed commended behavior specialists who work to support students and teachers, but there was concern that some schools rely on these specialists excessively instead of developing positive interventions. Others blamed a lack of staff training for resistance to inclusion and indicated that staff members who were engaged in inclusive services felt overwhelmed and lacked appropriate supports. There was also a perception that those schools practicing successful inclusive services had smaller staff ratios. (The team was unable to confirm this perception.)
- ***Inclusivity Influenced by Parental Persuasion.*** Administrators reported that parental involvement and advocacy often determined which students were more likely to be placed in an inclusive school environment rather than in a substantially separate class. One example involved a parent who advocated for an inclusive setting for her child with autism. When an inclusive setting was not available in the student’s residential zone, staff facilitated the child’s placement in a private school.
- ***Observations.*** The words below were written by Dr. Thomas Hehir, former director of the U.S. Office of Special Education and former director of special education for the BPS. They were not written specifically for the BPS, but they might indeed apply to the district’s practices—

“Although the law is clear, I frequently hear from parents and teachers that children with disabilities are not allowed in general education classes because they cannot read on

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grade level or because they need support in meeting classroom behavioral requirements. The ‘tolerance level’ for this discriminatory behavior is too high. Though it may be difficult for school principals to force integration on a recalcitrant teacher, failure to do so will keep the system in place and result in lost opportunities for students. From its inception, the IDEA has been about changing how schools serve students with disabilities. Difficult as they may be, we must continue to push for full access for all students.”³⁷

- **2007-2008 LRE Report.** The Boston Public Schools annually produces a least restrictive environment (LRE) report that provides data on referrals for special education services and school practices pertaining to placing students in more restrictive settings.
 - **Type of Data Shared.** The district uses its LRE report to provide a significant amount of district- and school-based data to facilitate analysis in the following areas—
 - < Trends of students referred for an evaluation for special education services;
 - < Students placed:
 - With no special education services in general education to a substantially separate classroom (0-4);
 - With no service to substantially separate services (new to .4);
 - In out-of-district placements (.5/.6); and
 - In restrictive behavioral settings (Q4).
 - **School-Based Analysis.** Schools are provided with these data and instructions about how to compare their performance in these areas with the school district’s overall averages and with other schools in their grade band, i.e., elementary, middle, and high schools.
 - **Data Not Provided.** While the LRE report provides considerable data for the district and schools, it does not provide the following—
 - < Data on students who are placed from more to less restrictive settings;
 - < A description of expectations that schools exceeding established targets provide more inclusive services for students; and
 - < A worksheet that would facilitate a uniform analysis by schools to document their findings and determine whether they should take steps to provide students with access to more inclusive services.
- **Union Contract.** It was reported to the team that the teachers’ contract requires a majority faculty vote prior to implementing a schoolwide inclusive model. This practice

³⁷ Hehir, T. (2005, November/December). The changing role of intervention for children with disabilities. *Principal* magazine, 85, 22-25.

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may have legal consequences, if the provision prevents students with disabilities from receiving services in a least restrictive environment.

Recommendations

27. Develop a comprehensive plan that would lead to a substantial decrease in the district's reliance on substantially separate classes and clusters, so more students with disabilities, including three-to-five year olds and those with significant disabilities, could attend the school where they would have otherwise attended if they were not disabled. Include expected outcomes and targets for the high performance of all students, accountability measures (such as components in the Balanced Scorecard), appropriate support and monitoring strategies, progress data, and specific timeframes for implementation.
- Consider the following programmatic elements described in the Boston Plan for Excellence (BPE)special education report in addition to those described above—
 - < Classes with strong administrative support, including adequate resources;
 - < Inclusion teachers with support from special education personnel in the form of co-planning, the design of curriculum adaptations, co-teaching, classroom assistance, and common planning time;
 - < An accepting, positive classroom atmosphere;
 - < Teachers with effective teaching skills, classroom structure, clarity, enthusiasm, appropriate pacing, and high student engagement;
 - < Classrooms with peer assistance, and students with many different ways to respond; and
 - < Teachers with disability-specific skills that inform instruction for individual students in the classrooms.³⁸
 - Consider the following actions related to students with challenging behavior—
 - < Identify the characteristics of students having the most challenging social/emotional needs who require the most intensive positive interventions and supports. Based on these results, review the students who are currently served through the L/AB clusters and schools and identify those students who do not have such needs and could benefit from less restrictive settings with appropriate supports and services. Develop a plan to provide support to these students in less restrictive settings at the beginning of the next school year.
 - < Ensure that the plan has a three-tiered system of increasingly intensive positive behavior interventions and supports, along with progress monitoring. Put the system into place in order to reduce the number of students with significantly challenging behavior and to support those who do exhibit this behavior.

³⁸ Mastropieri, M.A. & Scruggs, T.E. (2001). *Promoting inclusion in secondary classrooms*. Learning Disability Quarterly, 24, 265-274.

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- < Identify essential research-based practices that promote positive behavior and high academic performance for students with the most challenging social/emotional needs. Determine the extent to which each L/AB class, cluster, and school demonstrate these practices. Based on these results, determine which of these programs are successful, potentially successful with additional support, or require significant change in implementation or design.
 - Include in the plan measures that would enable students to remain in their schools until they reach the upper-level grades.
28. Include the following participants in the planning process: school principals and staff knowledgeable about or open to inclusive practices, district cross-function representatives, and knowledgeable community-based individuals.
29. Require the chief academic officer, academic superintendents, special education director, and other cabinet members to plan differentiated professional development to ensure that they and each person under their supervision receive the information that she or he needs to support ongoing implementation of the plan.
30. Develop a process—based on a template that includes core components necessary to support successful inclusive practices—for school-based planning, professional development, data gathering and review, and support for implementation of this plan.
- Involve all relevant stakeholders in the development of the school plan.
 - Require principals and headmasters to incorporate relevant professional development in their school-based training for all general and special educators to embed a true understanding and practice of inclusion.
31. Have the district’s legal department research any IDEA implications related to the teachers’ contract. Of special concern is any requirement for a majority faculty vote prior to implementing a schoolwide inclusion model.

I. Early Childhood Services

Positive Findings

- ***Increased Opportunities.*** The school district has made a concerted effort to substantially increase early childhood educational opportunities for children at four years of age.
- ***State Grant.*** The district received a state grant to support and expand early childhood programming in the district.
- ***Inclusive Settings.*** Formal and informal integrated classes exist for preschoolers. At one school visited by the team, an inclusive educational setting was available for three-year-olds.

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Areas of Concern

- **Placement Backlog.** Individuals interviewed by the team expressed concern that students who are three years old and found eligible for special education and related services are placed on a waiting list for a substantial period of time. Data from the state's latest Annual Performance Report (2006-2007 results) show that of 253 students referred by a birth-through-three agency serving children with disabilities, 87.1 percent have IEPs proposed or implemented by their third birthday, compared with 92.1 percent statewide. The required target in this area is 100 percent.

Recommendations

32. Determine immediately whether there are any early childhood students with disabilities who are currently or likely to be awaiting placement in September. If there are, gather their addresses, educational plans (Individualized Family Service Plans [IFSPs] or Individualized Education Plans [IEPs]), other information about their characteristics and learning needs, and consider taking the following actions—
 - Form a cross-functional team—including individuals knowledgeable in early childhood education for students with disabilities exhibiting special learning needs; staff members with experience in inclusive practices; assistant academic superintendents responsible for schools located within the identified youngsters' attendance zones; other appropriate staff (e.g., assistant program directors, ETFs); and additional staff who may be necessary, e.g., finance and transportation professionals—in order to resolve placement and referral issues with the youngest children.
 - Review the information about the children and execute appropriate placements for them. As appropriate, staff members should consider the provision of compensatory services for students with delayed placement. Within one to two weeks, the team should report the placement outcomes to the superintendent and any difficulties they encountered.
 - Develop and execute a plan to ensure that such children do not wait for placements in the future. (*See also recommendations above under Inclusive Services regarding the expansion of inclusive opportunities for young children.*)

J. Services for Students with Autism Spectrum Disorder

Positive Findings

- **New Initiatives.** As part of her March 23, 2009, memorandum to the Boston School Committee, the superintendent stated that the district would invest American Recovery and Reinvestment Act funds in assistive technology equipment and professional development for teachers to support students with autism.

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- **Wide Range of Services.** Some individuals interviewed by the team indicated that they believed that the district provides a wide range of services for students with autism spectrum disorder.
- **Inclusive Service Examples.** During the team’s visit to the O’Hearn School, there were examples of children with autism being instructed alongside their nondisabled peers in an engaging manner.
- **ABA.** The district provides training and support for school- and home-based applied behavioral analysis (ABA).
- **Autism Summit.** The mayor is organizing an autism summit to increase awareness of autism, to galvanize resources, and to identify the most effective and proven strategies for addressing the needs of these students. Representatives from the school district’s Special Education Parent Advisory Council (SPEC PAC) expressed their strong desire to be included in this activity.

Areas of Concern

- **Strategic Planning.** Parents have a concern that the Boston school district is not a leader in the provision of services for students with autism and that it does not have a comprehensive strategic plan for handling these students.
- **ABA Services.** A consistent theme heard during the team’s visit was the increasing number of students enrolled in the district with autism and requiring ABA services. As is the case with many school systems across the country, the district appears to be having difficulty keeping up with demand for this service. As a result, it was reported that there is a waiting list and difficulty receiving compensatory services.

Recommendations

33. Establish indicators for expected ABA support and services, including—
 - Research-based practices, including the use of ABA, for students along the autism spectrum in a user-friendly manner that will enable practitioners and administrators to determine the extent to which practices are consistent or different from the identified expectations;
 - Identified gaps between expected and actual practices, and a comprehensive plan with professional development and other mentoring/coaching activities to address these gaps; and
 - An analysis of the extent to which identified practices are implemented in the district’s accountability framework.
34. Identify immediate needs for the provision of ABA to students having this area of need on his or her IEP. Analyze the extent to which any students are not receiving this IEP-related service and the internal/external resources available to meet these needs. Expediently execute a plan to provide all IEP-related ABA services, track progress in implementing services—and report to the superintendent.

K. Data and State Performance Indicators (Not Addressed Above)

Positive Findings

- **SEIMS.** The district has developed and is about to implement an electronic IEP record system called the special education information management system (SEIMS), which will connect the district's various databases, e.g., assignment, transportation, and centralized services, etc. This system, if implemented fully, will eliminate the need for much of the paper-dependent processing currently in place. In addition, the system will provide much more robust data for analytical use and instructional decision making, including attainment of measurable annual IEP goals.
- **Referral Data.** Significant data are collected, reported, and analyzed pertaining to the initial referral of students for a special education evaluation and placement in a more restrictive setting.
- **Balanced Scorecard.** The Balanced Scorecard process will provide useful data for programmatic decision making.
- **Secondary Transition Planning.** The district exceeds state performance in the area of secondary transition planning. As reported in MDE's 2007-2008 Directory Profile for the Boston Public Schools, the district had a perfect score (100 percent) for records reviewed that showed appropriate transition planning. This score exceeded Massachusetts' statewide average of 99 percent.

Areas of Concern

- **Timeliness of Initial Evaluations.** According to the state's Directory Profile for 2007-2008, of 684 signed evaluation consent forms received by the district, 90.1 percent of the evaluations were completed within state time frames, compared with 94.8 percent statewide. Although the school district's performance is good, the U.S. Department of Education has set the target at 100 percent.
- **SEIMS Support.** People interviewed by the team expressed concerns about the extent to which sufficient and knowledgeable staff will be available to provide the training and support necessary to fully and appropriately implement the SEIMS by the beginning of the next school year. Interviewees reported that data integrity and system analysis could be significantly affected if critical training and support are not in place.
- **IEP Calculation of Educational Setting.** The IEP form that the team received did not include a section that reflected the total number of minutes and related percentage of time that a student would receive special education and related services in and outside of general education classes. This information is critical for the district to use in designing, implementing, and monitoring strategies to promote more inclusive services and to track progress toward meeting the above-discussed State Performance Plan targets in this area.
- **IEP Section on Transportation.** Information received by interviewees indicated that more collaboration on the configuration of the IEP transportation section is needed to

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ensure that appropriate decisions will be made in this regard, e.g., the need for bus monitors. At the time of the team's visit, individuals responsible for providing transportation to students with disabilities had not had the opportunity to review the transportation section of the SEIMS. Such collaboration is necessary to ensure that information considered by these individuals to be necessary is fully considered and included when appropriate.

- **Transportation Data.**
 - **Regular Reports.** There appears to be an issue about the regular and automatic generation of reports showing the number of students with disabilities receiving transportation services in various categories, e.g., door-to-door, wheelchairs, cross-zone attendance, etc. Such a monthly report could target greater than expected school incidence rates that merit follow-up review.
 - **Electronic Placement Data.** As discussed in the next section on transportation, according to an April 4, 2007, analysis of transportation costs, the lack of “live” data to support placement decisions is one reason that students are placed in out-of-zone schools, contributing to the high cost of transportation services.
- **Public Information.** Community advocates and parents expressed concern about a lack of available special education data, especially in areas of academic performance and placement of students in various educational settings. In addition, they expressed a desire for data to be more parent-friendly in order to promote transparency.

Recommendations

35. Analyze immediately the support that is available to provide training and technical assistance necessary to facilitate full execution of the SEIMS by September 2009. If additional support is necessary, identify and obtain that assistance from either internal and/or external sources.
36. Facilitate an immediate review of the SEIMS in collaboration with transportation staff to ensure that it includes all necessary information relevant to the transportation needs of students with disabilities and provides data necessary to manage these services.
37. Review the SEIMS IEP format to ensure that it provides the total number of minutes and percentages of time each student is expected to receive special education and related services in and outside of general education classrooms. Also, ensure that all appropriate staff members are provided information about the importance and relevance of these percentages with respect to full inclusion, partial inclusion, and substantially separate placements.
38. Consider how electronic placement data could be added expeditiously to the SEIMS if it does not contain a module that shows the “live” data necessary to support placement decisions and reports.
39. Consider how regular reports can be produced on a districtwide, area-wide, and schoolwide basis at a frequent enough occurrence to track performance, recognize high

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performance, and trigger follow-up activities. These reports should include the following data reports—

- Least restrictive environment (LRE) reports, including the extent to which students are moved to less restrictive settings.
- Reports on the number of students with disabilities receiving transportation services in a variety of categories, e.g., door-to-door, wheelchairs, cross-zone attendance, etc. Determine which department can most effectively generate such reports on a regular basis and allocate responsibility for the reports' generation, distribution, review and follow-up activity.

L. Transportation Services

Positive Findings

- **Mass Transit.** To the fullest extent possible, the school district utilizes transportation services through the city's mass transit system for high school students—a practice that promotes students' independent functioning.
- **Transit Routing.** Strategies employed by district staff members have resulted in more efficient transportation routing, providing revenue for use in other critical areas. Such strategies include zone-placement requirements, appropriate usage of door-to-door transit, and the reduction of out-of-district placements.
- **Inclusivity.** The district appears to maximize the transportation of students with disabilities alongside their nondisabled peers.

Areas of Concern

- **Disparate Cost of Transportation.** According to a PowerPoint document, *Analysis of Special Education Transportation Service*, that was presented to the Boston School Committee on March 19, 2008, 43.8 percent (\$32 million) of the school district's transportation costs relate to students receiving special education services. The only comparative data available are from a 2002 Special Education Expenditure Project study (*What Are We Spending on Transportation Services for Students with Disabilities, 1999–2000?*), which reported that special education transportation accounted for 28 percent of the nation's transportation expenditures.³⁹ The team was unclear about how to reconcile these very disparate estimates, but calls the district's attention to them.
- **Cost Analysis.** A document dated April 4, 2007, contained a detailed and comprehensive analysis of special education transportation issues and recommendations for potential policy and programmatic changes to improve service delivery. The report identified the following immediate causes for the high special education transportation costs:

³⁹ <http://csef.air.org/publications/seep/national/Transportation.PDF>

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- *Door-to-Door.* High levels of door-to-door transportation services, particularly at high schools and for students with “mild” disabilities.
- *Cross-Zone Assignments.* At the time of the report, 662 elementary/middle school students with disabilities were bused cross-zone to 76 (72 percent) different schools. The report identified the following factors as contributing to the costly use of cross-zone assignments: classroom space limitations; weak projection of assignments; lack of physical accessibility; the desire to maintain student placements in the same school throughout primary and elementary grades; limitation of schools with programs matching student needs; the role of parents in the assignment decision; lack of “live” enrollment data when making school assignment decisions; and lack of an effective database to support the placement process. Two of these factors (placement in separate programs and technology) were discussed above.
- *Criteria.* There does not appear to be consistent implementation of clearly written criteria regarding IEP transportation in areas such as door-to-door pickup, corner stops, and use of bus monitors.
- *Internal Recommendations.* The April 2007 document contained eight thoughtful and credible recommendations for addressing the identified problems. These recommendations were divided into three general areas—
 - Tactical solutions for immediate results;
 - Systemic solutions to address ongoing challenges; and
 - Long-term systemic solutions to improve the special education department’s ability to track, query, report on, and project student enrollment and capacity.
- *Implementation of Recommendations.* Interviewees reported that whereas there has been progress in some of the recommended areas, this progress was not translated into a districtwide plan with measurable goals, time frames for implementation, designated individuals accountable for action, and regular monitoring.
- *Students in Private/Parochial Schools.* In 2002, the state legislature eliminated its mandate for school district transportation of all students enrolled in private and parochial schools. However, the district did not stop providing transportation to these schools. According to the superintendent’s March 23, 2009, memorandum regarding the FY2010 budget, the district received a legal opinion that it must continue to provide transportation to these students. As a result, the \$1.4 million that the district hoped to save for these services has been restored in its proposed budget.

Recommendations

40. Develop clear written criteria for various transportation services to support consistent implementation across the district for the provision of IEP-required transportation arrangements, such as door-to-door pickup, corner stop, and the use of bus monitors.

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41. Name a cross-functional team of special education, general education, transportation and budget administrators to develop a comprehensive plan with long- and short-term activities and measurable outcomes, expected time frames, and accountability for implementing the cost savings in the superintendent's March 23, 2009, memorandum outlining transportation cost savings in the following areas—

- \$450,000: Out-of-zone special education assignments; and
- \$293,000: Door-to-door services.

The plan should include—

- Professional development to communicate relevant aspects of the plan; and
- Data collection on such activities as out-of-zone placements and strategies for identifying exemplary activities and schools requiring greater support and assistance.

Also, refer to the strategies discussed in the sections on Inclusive Practices (to support more placements in students' school zone) and Data (to provide "live" programmatic information to support placement decisions and a review of the SEIMS to ensure appropriate transportation services).

M. Parental Involvement and Communication

Positive Findings

- **SPED PAC.** The district has reinstated the BPS Special Education Parent Advisory Council (SPED PAC) with an energetic and strong group of parents. Their comments to the team were comprehensive and thoughtful.
- **Boston Resources.** A wide variety of organizations and resources in the greater Boston area are involved with and supportive of schools and children.
- **Recognition of Superintendent.** Superintendent Johnson is viewed positively by parents and is highly regarded for her commitment to listening to and collaborating with the community.

Areas of Concern

- **Parent Survey.** According to the 2007-2008 Directory Profile for the Boston Public Schools, a strong majority (73.2 percent) of parents indicated in a survey that their child's school facilitated their involvement in improving IEP services and results for their children. This response, however, is below MDE's target of 77.5 percent.⁴⁰
- **Communication and Access to Information.** Parents expressed a strong desire for better communications with the district's special education department, between parents, and with partners who deliver services to their children. They also reported a lack of

⁴⁰ Annual Performance Report (MA APR) for FY 2006.

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transparency in a variety of processes, including access to information about key contact persons for assistance (e.g., organization chart), assignment and placement criteria, program availability and location, etc. It should be noted, however, that the Department's Web site does list staff members, along with their contact information. (See <http://www.bostonpublicschools.org/node/835>)

- **Placement.** A strong perception exists that students are placed where there is an opening and no consideration is given to whether services could be made available in the current school or another controlled-choice school. In addition, parents expressed concern that programs exemplifying research-based practices have not been replicated sufficiently.
- **Vision.** Parents interviewed by the team expressed concerns that the district does not have a vision or comprehensive plan for educating students with disabilities and that the district is maintaining the status quo.
- **Transition Planning.** Particularly in the area of postgraduation transition activities, parents expressed a desire for road maps that would support consistent and effective transition planning and services.
- **Translation Services.** Parents interviewed by the team expressed concern that IEPs were not translated in a timely manner for parents who do not read and speak English well, or at all.⁴¹
- **Language.** A variety of individuals interviewed shared concerns about the extent to which staff members do not use “people first” language and provided anecdotes that reflect a lack of respect for students with disabilities. For example—
 - It was reported that some staff members refer to students as “R2s,” “L4s,” “Q4s,” etc., which the interviewees believed reflected a bureaucratic disrespect for their children. Also, there was concern that some administrators, teachers, and students routinely refer to those receiving special education services as “sped.”
 - Those who raised these concerns believed that this language limits what adults believe might be possible of students and that this perception becomes internalized by the students themselves. This concern was expressed in the Boston Plan for Excellence paper on special education where a focus group student reportedly stated, “Miss. Please do one thing for me, tell them not to call me a ‘sped kid’ anymore.”

Recommendations

42. Develop and document with a group of SPED PAC representatives effective strategies for improved collaboration between the group and district staff, between parents, and with community partners. In addition, the group might—
 - Identify the type of information that would be reasonably and most usefully provided to parents and others, e.g., information about various special education programs, the

⁴¹ See Appendix I for SPED PAC Audit Feedback from Parents at SPEDPAC Meeting 2/26/09.

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- special education department organization, and internal and external special and general educators who work on issues affecting students with disabilities;
- Utilize the district’s Web site to better communicate information on the special education program. (See Section D); and
 - Develop a strategy for executing the strategies.

Periodically, the school district should obtain feedback from the SPED PAC on the extent to which the strategies have been effective and/or could be enhanced.

43. Discuss with the SPED PAC representatives their concerns about placement issues and strategies for resolution. Incorporate these strategies into the plan developed in response to the recommendations above that deal with placement decisions and implementation.
44. Review the current process and timelines for providing IEP translations to parents and, as appropriate, revise and implement a new framework to ensure that the process is efficient and timely.
45. Make every attempt to eliminate the use of “alphabet soup” terminology when describing programs for children and youth with disabilities. Plan and execute a campaign to promote universal use of *People First Language*, which “puts the person before the disability and describes what a person has, not who a person is.”⁴²

⁴² See www.disabilityisnatural.com/peoplefirstlanguage.htm for resources that may be used for such a campaign.

Chapter 4. Summary of Recommendations

The following is a list of the recommendations prepared by the Strategic Support Team of the Council of the Great City Schools for the Boston Public Schools. Each recommendation is presented in summary form in this chapter. Readers who wish to read the full detail under each proposal should refer back to Chapter 3.

A. Incidence of Students with Disabilities

1. Review and revise the district's eligibility criteria for special education services. Consider adopting relevant portions of the Louisiana eligibility criteria referenced above (see Appendix B) to the extent they do not contradict but may supplement Massachusetts criteria.
2. Expedite development of district guidelines for ensuring that students who are English language learners (ELLs) are appropriately assessed and that special education eligibility is not based on factors related to second language acquisition.
3. Ensure that all relevant staff members receive professional development on the meaning and application of eligibility criteria, including those for ELLs, and develop a mechanism for ensuring that criteria are applied consistently districtwide.
4. Review school-based referral data monthly and assist any school with rates that exceed established benchmarks. Collect and analyze the following Boston Connects data recommendations: individual initiating the referral, reason for the referral, reason for any ineligibility, and other items necessary to fully evaluate special education referrals.

B. Racial/Ethnic and Gender Disproportionality

5. See recommendations in section on tiered interventions, progress monitoring, and differentiated instruction to strengthen general education.

C. Performance of Students Receiving Special Education Services

6. Determine what research-based interventions and progress monitoring tools are currently available at each school in reading and math and what tools might be necessary to meet each student's individualized needs.
7. Conduct a structured review of each school to determine the extent to which general and special educators are utilizing differentiated instruction appropriately, and identify additional support needed to do so, e.g., coaching, professional development, etc.
8. Develop a plan based on the structured review for purchasing or developing any necessary additional intervention programs, progress monitoring tools, and/or tools for differentiating instruction that are not currently in place, and provide professional development and coaching on their implementation and use. The district should also put into place a mechanism for monitoring the use of new programs, including mechanisms for holding staff accountable for the faithful implementation of the programs. Finally, the district should

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identify and gather data necessary to support these activities and determine whether they are producing growth in student performance.

D. Organization of and Support for Special Education and Related Services

9. Review the Department's organizational structure to ensure that it has the leadership and components necessary to implement the suggested reforms effectively, including moving the out-of-district unit to Specialized Instructional Support; moving the Counseling and Intervention Center to Comprehensive Related Services; and aligning the Assistant Program Directors and Behavioral Specialists with the five Academic Superintendents.
10. Ensure that the Assistant Program Directors have the expertise necessary to provide technical assistance, research-based professional development, and follow-up support in order to strengthen specialized instruction and related services. These administrators should be clearly identified as the contact persons in their respective areas of expertise so that community members, parents, and school staff can access their expertise as appropriate.
11. Ensure that administrators in the Department of Special Education and Related Services have access to and professional development on the "live" electronic data needed to facilitate the placement process and empower administrators to make needed changes in services.
12. Consider an alternative to the current evaluation team facilitator (ETF structure). Other school districts, such as Philadelphia's, require special educators to organize individualized education program (IEP) meetings for students in their caseloads, and have principals designate key staff (i.e., special education leads) to become knowledgeable about compliance requirements pertaining to child-find, evaluation, eligibility, and IEP processes. Ultimately, principals and headmasters should be held accountable for their school-based practices. As the district moves toward full implementation of a Web-based IEP process, it should consider whether ETF clerks continue to be essential and whether the resources devoted to them could be better used to support instruction.
13. Make sufficient behavioral support staff available to schools to provide technical assistance, professional development, and support to school-based staff members in order to implement positive behavior intervention and supports (PBIS), functional behavior assessments, and behavior implementation plans.
14. Review the role and functions of the learning and adaptive behavior (L/AB) administrators to ensure that the current or new organizational structure is staffed in a manner that effectively supports teachers and students.
15. Improve the district's Web site in the area of special education to provide better access to a wide range of information about district services, including key staff members available to provide assistance on general and specific issues. In addition, the Web site should provide links to community supports and services, and other Web sites (including those of other school districts) having valuable information. Finally, staff should identify key information on the BPS Web site that is suitable for broad distribution and make this information available through brochures or other user-friendly documents for parents who do not have Internet access.

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E. Accountability Framework

16. Establish a universal accountability framework for the district's special education program that specifies core principles of research-based and expected practices.
17. Build an accountability system with a number of key features.
18. Review job descriptions and personnel evaluations for senior instructional staff and principals to ensure that there are components of those evaluations devoted to holding personnel responsible for increasing achievement among students with disabilities.
19. Utilize cross-functional teams to develop and execute the accountability framework.

F. Tiered Interventions, Progress Monitoring, and Differentiated Instruction to Strengthen General Education

20. Expedite the development or adoption and implementation of a comprehensive literacy framework for the school district, including a common reading series.
21. Initiate the development of a comprehensive response to intervention (RTI) and positive behavior intervention and supports (PBIS) framework, with implementation phased in beginning September 2009. Struggling students should have general education interventions as a first means of addressing poor performance, so that special education does not remain the "only place" to receive necessary interventions.
22. Ensure that school-based staff members and district administrators have standardized assessment data to determine whether young children are on track to read proficiently at third grade. Consider using an assessment system such as the Children's Progress Academic Assessment.⁴³
23. Develop a comprehensive plan for professional development to ensure that all teachers have the skills necessary for appropriate implementation of the core literacy program and its accompanying intervention system.
24. Discuss with the Massachusetts Department of Education (MDE) whether state regulations are stricter than those in the Individuals with Disabilities Education Act (IDEA) and mandate initiation of a special education evaluation whenever one is requested by a parent. The IDEA authorizes school districts to review and deny an evaluation when data show it is not necessary, as long as staff members provide parents with procedural safeguards, including the right to request a due process hearing to challenge the district's response.

G. Substantially Separate Services

25. Discuss with the MDE the authority that the school district appears to have to convene meetings and develop individualized education programs (IEPs) for students placed in residential facilities in another district. Assuming that the Boston Public Schools has such authority, develop an administrative mechanisms to convene meetings and develop IEPs that consider placements and services that would be in a least restrictive environment appropriate

⁴³ <http://www.childrensprogress.com/products/public-schools.shtml>

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for each student. In addition, the district should negotiate rates and review all bills pertaining to the provision of special education services to students placed in residential settings to ensure their appropriateness.

26. See the recommendations in the next section related to inclusive services.

H. Inclusive Practices

27. Develop a comprehensive plan that would lead to a substantial decrease in the district's reliance on substantially separate classes and clusters, so more students with disabilities—including three-to-five-year-olds and those with significant disabilities—could attend school where they would have otherwise attended if they were not disabled. Include expected outcomes and targets for the high performance of all students, accountability measures (such as components in the Balanced Scorecard), appropriate support and monitoring strategies, progress data, and specific time frames for implementation.
28. Include the following participants in the planning process: school principals and staff knowledgeable about or open to inclusive practices, district cross-function representatives, and knowledgeable community-based individuals.
29. Require the chief academic officer, academic superintendents, special education director, and other cabinet members to plan differentiated professional development to ensure that they and each person under their supervision receive the information that she or he needs to support ongoing implementation of the plan.
30. Develop a process—based on a template that includes core components necessary to support successful inclusive practices—for school-based planning, professional development, data gathering and review, and support for implementation of this plan.
31. Have the district's legal department research any IDEA implications related to the teachers' contract requiring a majority faculty vote prior to implementing a schoolwide inclusion model when a negative vote prevents a student with disabilities from receiving services in the least restrictive environment.

I. Early Childhood Services

32. Determine immediately whether there are any early childhood students with disabilities who are currently or likely to be awaiting placement in September. If there are, gather the students addresses, educational plans (individualized family service plans [IFSPs] or individualized education programs [IEPs]), other information regarding their characteristics and learning needs, and consider a number of other actions.

J. Services for Students with Autism Spectrum Disorder

33. Establish indicators for expected applied behavior analysis (ABA) support and services.
34. Identify immediate needs for the provision of ABA to students having this area of need on his or her IEP. Analyze the extent to which any students are not receiving this IEP-related service and the internal and external resources available to meet these needs. Expediently

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execute a plan to provide all IEP-related ABA services, track progress in implementing services—and report to the superintendent.

K. Data and State Performance Indicators (Not Addressed Above)

35. Analyze immediately the support that is available to provide training and technical assistance necessary to facilitate full execution of the special education information management system (SEIMS) by September 2009. If additional support is necessary, identify and engage that assistance from either internal and/or external sources.
36. Facilitate an immediate review of the SEIMS in collaboration with transportation staff to ensure that it includes all necessary information relevant to the transportation needs of students with disabilities and provides data necessary to manage these services.
37. Review the SEIMS IEP format to ensure that it provides the total number of minutes and percentages of time each student is expected to receive special education and related services in and outside of general education classrooms. Also, ensure that all appropriate staff members are provided information about the importance and relevance of these percentages with respect to full inclusion, partial inclusion, and substantially separate placements.
38. Consider how electronic placement data could be added expeditiously to the SEIMS if it does not contain a module that shows the “live” data necessary to support placement decisions and reports.
39. Consider how regular reports can be produced on a districtwide, area-wide, and schoolwide basis at a frequent enough occurrence to track performance, recognize high performance, and trigger follow-up activities.

L. Transportation Services

40. Develop clear written criteria for various transportation services to support consistent implementation across the district for the provision of IEP-required transportation arrangements, such as door-to-door pickup, corner stop, use of bus monitors, etc.
41. Name a cross-functional team of special education, general education, transportation and budget administrators to develop a comprehensive plan with long- and short-term activities and measurable outcomes, expected time frames, and accountability for implementing the cost savings in the superintendent’s March 23, 2009, memorandum outlining transportation cost savings.

M. Parental Involvement and Communication

42. Develop and document with a group of Special Education Parent Advisory Council (SPED PAC) representatives effective strategies for improved collaboration between the group and district staff, between parents, and with community partners.
43. Discuss with the SPED PAC representatives their concerns about placement issues and strategies for resolution. Incorporate these strategies into the plan developed in response to the recommendations above that deal with placement decisions and implementation.

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44. Review the current process and timelines for providing IEP translations to parents and, as appropriate, revise and implement a new framework to ensure that the process is efficient and timely.
45. Make every attempt to eliminate the use of “alphabet soup” terminology when describing programs for children and youth with disabilities. Plan and execute a campaign to promote universal use of *People First Language*, which “puts the person before the disability and describes what a person has, not who a person is.”⁴⁴

⁴⁴ See www.disabilityisnatural.com/peoplefirstlanguage.htm for resources that may be used for such a campaign.

Chapter 5. Synopsis and Discussion

The Boston Public Schools (BPS) has a long history with special education and the requirements that come with it. Between 1976 and 1998, the Boston Public Schools was placed under court order to improve special education through the class-action lawsuit, *Allen v. McDonough*. During that period and since, the school district has worked to ensure that it meets federal and state laws and regulations governing services to students with disabilities. This work has produced numerous systemwide structures that guide and support special education services, and the Council of the Great City Schools found that the school district was largely in compliance with most federal requirements, although it had not attained various federal disproportionality goals and numerous state programmatic targets.

We saw from the work of the Council's Strategic Support Team, however, that the Boston school system finds itself in the same situation as many public schools systems across the nation—urban and nonurban alike—that were placed under a court order before the onset of the standards movement: they are often in substantial compliance with the law, but have not taught the students who were the subjects of the legal actions to a level that the nation now expects or needs. In short, the Boston public schools have devoted more attention to meeting legal and judicial requirements than to providing an instructional program strong enough to meet the needs of its students with disabilities.

One can see this dynamic in Boston in two ways. First, the central-office and school-based staff are largely organized and deployed in a way that is designed to meet the compliance requirements of the federal Individuals with Disabilities Act (IDEA), state requirements, and historically the consent decree. Second, the district's special education programs are highly categorical and separate in nature. There is too little cross-functional teaming to address the needs of students with disabilities. And there is not as much collaboration or communication as the Council often sees in other urban districts.

One of the abiding impressions left with the Council's team was how little students with disabilities were blended into the general instructional program of the district. Students were often moved around to schools outside their neighborhoods and largely separated from other students in a way that was well outside the intent of the IDEA and other programs to grant these students full access to the general education program afforded other students.

It was also the strong sense of the Council's team that exacerbating the academic problems of students with disabilities was a poorly defined and structured districtwide literacy strategy or program. There was evidence that students in Boston were being placed in special education, in part, because their lack of basic literacy skills may be mistaken, consciously or unwittingly, as a disability. There was also a considerable lack of clarity about the district's handling of behavioral problems in a consistent and constructive manner.

Finally, the state bears considerable responsibility, as well, for the unusually high rates of special education placement in Boston and other school systems across the state. The state's own rules and regulations essentially invited the overidentification and placement of students

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with disabilities. Over time, the state has modified the rules that may have contributed to the problem, but the culture underneath the issue changes more slowly.

The Council's team attempted to keep its broad recommendations to a minimum so as not to overwhelm the district, but considerable work is needed to reshape the special education services in the Boston school district. Part of the challenge that lies ahead involves attitude, for it was not always clear to the team that students with disabilities were as welcome in regular classes or in selected schools as they deserve to be.

The Council has a number of proposals designed to spur the development or adoption of a clearer and more straightforward literacy program that is applied districtwide and is accompanied by a series of tiered academic and behavioral interventions and differentiated instructional strategies designed for students who start to slip behind in their studies or begin to act out in a negative way. Many urban school systems have found that they can either mitigate high special education placement rates or prevent higher rates by some strong preventive academic and behavioral strategies. These steps would also come with clear and cohesive professional development around the literacy program and a districtwide program of positive behavioral supports.

There are also a series of proposals to clarify special education eligibility requirements and to provide training to staff and teachers on those requirements. There was evidence that eligibility standards were not uniformly understood or applied in the schools. In addition, the Council's team proposes to breathe some more convincing accountability into the system for the academic progress of students with disabilities. By and large, the team found little mechanisms for holding the staff responsible for the growth of these students.

There are also a considerable number of recommendations to design and build a much more inclusive educational program for the district's students with disabilities. There was some indication that the collective bargaining contract may present issues to address in future bargaining, so they don't prevent more inclusive practices in the schools.

In addition, there were concerns about how ready the staff was for the full implementation of the data system that would be needed to track and monitor program implementation and student services and programs.

Finally, it was clear that parents and the community thought very highly of the superintendent, Carol Johnson. But there was also a hunger on the part of parents for more communications and transparency, a consistent challenge for all urban school systems across the country.

In many respects, the Boston Public Schools are well-positioned, despite all the challenges, to substantially raise student achievement—both for students with disabilities and those without. The city enjoys excellent leadership, and the school committee and superintendent appear determined to take the next steps in an important series of reforms that the district has been pursuing for some years. The Council of the Great City Schools sees no reason why the school district can't be one of the finest big-city school systems in the nation.

Appendix A. Template for RTI Planning

Interventions & Progress Monitoring

Grade Level: _____

Reading Assessments & Supplementary Interventions for Struggling Readers (Including English as a Second Language & Students with Disabilities)

Core Reading for All Students, utilizing audio tapes,

Phonemic Awareness: Most students able to decode words on a 3rd-4th grade instructional reading level will not experience phonemic awareness deficiencies.

Universal Screening Tool(s):			
	Core	Strategic	Intensive
Interventions			
Fidelity	For each intervention: Max Group Size: Session Length: Sessions per week:	For each intervention: Max Group Size: Session Length: Sessions per week:	For each intervention: Max Group Size: Session Length: Sessions per week:
Progress Monitoring	Tool(s): Monitoring Frequency: Review Frequency:	Tool(s): Monitoring Frequency: Review Frequency:	Tool(s): Monitoring Frequency: Review Frequency:

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PHONICS

Universal Screening Tool(s):

Interventions	Core	Strategic	Intensive
Fidelity	Max Group Size: Session Length:	Max Group Size: Session Length:	Max Group Size: Session Length:
Progress Monitoring	Tool(s): Monitoring Frequency: Review Frequency:	Tool(s): Monitoring Frequency: Review Frequency:	Tool(s): Monitoring Frequency: Review Frequency:

FLUENCY

Universal Screening Tool(s):

Interventions	Core	Strategic	Intensive
Fidelity	Max Group Size: Session Length:	Max Group Size: Session Length:	Max Group Size: Session Length:
Progress Monitoring	Tool(s): Monitoring Frequency: Review Frequency:	Tool(s): Monitoring Frequency: Review Frequency:	Tool(s): Monitoring Frequency: Review Frequency:

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VOCABULARY

Universal Screening Tool(s):			
Interventions	Core	Strategic	Intensive
Fidelity	Min Group Size: Session Length:	Min Group Size: Session Length:	Min Group Size: Session Length:
Progress Monitoring	Tool(s): Monitoring Frequency: Review Frequency:	Tool(s): Monitoring Frequency: Review Frequency:	Tool(s): Monitoring Frequency: Review Frequency:

COMPREHENSION

Universal Screening Tool(s):			
Interventions	Core	Strategic	Intensive
Fidelity	Min Group Size: Session Length:	Min Group Size: Session Length:	Min Group Size: Session Length:
Progress Monitoring	Tool(s): Monitoring Frequency: Review Frequency:	Tool(s): Monitoring Frequency: Review Frequency:	Tool(s): Monitoring Frequency: Review Frequency:

Appendix B. Louisiana Department of Education Rule 1508 Eligibility Criteria

A. *Autism*

The multidisciplinary team may determine that the student displays autism if disturbances identified in all three of the categories below exist and adversely affect a student's educational performance. These disturbances may be characterized by delays, deviancies, arrests, and/or regressions in typical skill development, and/or precocious skill acquisition. While autism is behaviorally defined, manifestation of behavioral characteristics may vary along a continuum ranging from mild to severe.

1. Communication: A minimum of two of the following items must be documented:
 - a. disturbances in the development of spoken language;
 - b. disturbances in conceptual development (e.g., has difficulty with or does not understand time but may be able to tell time; does not understand the questions; has good oral reading fluency but poor comprehension; knows multiplication facts but cannot use them functionally; does not appear to understand directional concepts, but can read a map and find the way home; repeats multi-word utterances, but cannot process the semantic-syntactic structure, etc.);
 - c. marked impairment in the ability to attract another's attention, to initiate, or to sustain a socially appropriate conversation;
 - d. disturbances in shared joint attention (acts used to direct another's attention to an object, action, or person for the purposes of sharing the focus on an object, person or event);
 - e. stereotypical and/or repetitive use of vocalizations, verbalizations and/or idiosyncratic language (students with Asperger's syndrome may display these verbalizations at a higher level of complexity or sophistication);
 - f. echolalia with or without communicative intent (may be immediate, delayed, or mitigated);
 - g. marked impairment in the use and/or understanding of nonverbal (e.g., eye-to-eye gaze, gestures, body postures, facial expressions) and/or symbolic communication (e.g., signs, pictures, words, sentences, written language);
 - h. prosody variances including, but not limited to, unusual pitch, rate, volume and/or other intonational contours;
 - i. scarcity of symbolic play.
2. Relating to people, events, and/or objects: A minimum of four of the following items must be documented:
 - a. difficulty in developing interpersonal relationships appropriate for developmental level;

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- b. impairments in social and/or emotional reciprocity, or awareness of the existence of others and their feelings;
 - c. developmentally inappropriate or minimal spontaneous seeking to share enjoyment, achievements, and/or interests with others;
 - d. absent, arrested, or delayed capacity to use objects/tools functionally, and/or to assign them symbolic and/or thematic meaning;
 - e. difficulty generalizing and/or discerning inappropriate versus appropriate behavior across settings and situations;
 - f. lack of/or minimal varied spontaneous pretend/make-believe play and/or social imitative play;
 - g. difficulty comprehending other people's social/communicative intentions (e.g., does not understand jokes, sarcasm, irritation; social cues), interests, or perspectives;
 - h. impaired sense of behavioral consequences (e.g., using the same tone of voice and/or language whether talking to authority figures or peers, no fear of danger or injury to self or others);
3. Restricted, repetitive and/or stereotyped patterns of behaviors, interests, and/or activities: A minimum of two of the following items must be documented.
- a. unusual patterns of interest and/or topics that are abnormal either in intensity or focus (e.g., knows all baseball statistics, TV programs; has collection of light bulbs);
 - b. marked distress over change and/or transitions (e.g., substitute teacher, moving from one activity to another);
 - c. unreasonable insistence on following specific rituals or routines (e.g., taking the same route to school, flushing all toilets before leaving a setting, turning on all lights upon returning home);
 - d. stereotyped and/or repetitive motor movements (e.g., hand flapping, finger flicking, hand washing, rocking, spinning);
 - e. persistent preoccupation with an object or parts of objects (e.g., taking magazine everywhere he/she goes, playing with a string, spinning wheels on toy car, interested only in church steeple rather than the church);

B. Deaf-Blindness

Evidence of 1, 2, and 3 are required.

- 1. Vision Impairment - any of the following:
 - a. measured corrected visual acuity is 20/70 or less in the better eye, and/or a previous chronic condition has interfered, is interfering, or will interfere with the visual learning mode;
 - b. cortical blindness in the presence of normal ocular structure as verified in the report of an ophthalmologist, pediatrician, or pediatric neurologist;
 - c. field of vision that subtends an angle of 20 degrees or less in the better eye; or

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- d. other blindness resulting from a documented medical condition.
2. Deafness
 - a. Sensorineural hearing loss of 25 decibels (ANSI) or more across the speech frequencies in the better ear with amplification and/or a previous chronic condition that has existed which has interfered, is interfering, or will interfere with the auditory learning mode.
3. Educational Need
 - a. Educational determination that the student's combined vision and hearing losses are such that he/she cannot be served appropriately solely by the special education program for either visual impairments or hearing impairments.

C. Developmental Delay

The student/child must be between the ages of three through eight years, and functioning significantly below age expectancy (i.e., exhibiting a delay of 25 percent or more on criterion-based measures or achieving a standard score greater than or equal to 1.5 standard deviations below the mean on norm-based measures) in one or more of the following areas:

1. Physical Development, which includes:
 - a. gross motor skills;
 - b. fine motor skills;
 - c. sensory (visual or hearing) abilities; and
 - d. sensory-motor integration.
2. Social, Adaptive or Emotional Development, which includes:
 - a. play (solitary, parallel, cooperative);
 - b. peer interaction;
 - c. adult interaction;
 - d. environmental interaction; and
 - e. expression of emotions.
3. Cognitive or Communication Development, which includes:
 - a. language (receptive or expressive);
 - b. concrete or abstract reasoning skills;
 - c. perceptual discriminations;
 - d. categorization and sequencing;
 - e. task attention;
 - f. memory; and
 - g. essential developmental or academic skills, as appropriate.

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D. Emotional Disturbance

Criteria 1, 2, 3 and 4 shall all be met. The student exhibits behavioral or emotional responses so different from age appropriate, cultural, or ethnic norms that they adversely affect the student's educational performance which includes academic progress, social relationships, work adjustment personal adjustment, and/or behavior in the school setting. Such a disability is more than a temporary, expected response to stressful events in the environment; is consistently exhibited in two different settings, one of which must be the school setting; and persists despite individualized intervention within general education and other settings. Emotional disturbance can co-exist with other disabilities.

1. Functional Disability - There is evidence of severe, disruptive and/or incapacitating functional limitations of behavior characterized by at least one of the following:
 - a. the inability to exhibit appropriate behavior routinely under normal circumstances;
 - b. a tendency to develop physical symptoms or fears associated with personal or school problems;
 - c. the inability to learn or work that cannot be explained by intellectual, sensory, or health factors;
 - d. the inability to build or maintain satisfactory interpersonal relationships with peers and adults; or
 - e. a general pervasive mood of unhappiness or depression.
2. Duration - There is evidence of at least one of the following:
 - a. The impairment or pattern of inappropriate behavior(s) has persisted for at least one year.
 - b. There is substantial risk that the impairment or pattern of inappropriate behavior(s) will persist for an extended period; or
 - c. There is a pattern of inappropriate behaviors that are severe and of short duration.
3. Educational Performance - There is evidence that **all** of the following are true.
 - a. Educational performance must be significantly and adversely affected as a result of behaviors that meet the definition of emotional disturbance.
 - b. Behavioral patterns, consistent with the definition, exist after behavior intervention and/or counseling and educational assistance implemented through the RTI process which includes documented research-based interventions targeting specific behaviors of concern.

Documented evidence must show that scientifically research-based interventions implemented with fidelity did not significantly modify the problem behavior. The intervention(s) shall include operationally defined target behaviors, systematic measurement of the behaviors of concern, establishment of baseline, monitoring of the student's response to the intervention following intervention implementation, or prior to with repeated measures during the intervention. Documentation shall include graphing/charting of the results of the intervention(s), information regarding the length of time for which each intervention was conducted, and any changes or

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adjustments made to an intervention. *Significantly modify* means that a change in behavior is demonstrated to such a degree that, with continuation of the intervention program by the general education teacher and/or other support personnel, the student could continue in the general education program.

4. The behaviors of concern are exhibited across at least two different settings (home, school, and community), one of which must be school.

E. Hearing Impairment

Criteria 1 and 2 must be met.

1. There must be audiological evidence that the student is either deaf or hard of hearing, consistent with the definition; and
2. There must be evidence that the hearing loss adversely affects the student's educational performance.

F. Mental Disability

Criteria 1 through 5 must all be met.

1. Documented evidence must show that evidence based intervention(s) implemented with fidelity did not significantly modify the areas of concern. The intervention(s) shall include operationally defined target behaviors, systematic measurement of the academic and/or social areas of concern, establishment of baseline, and monitoring of the student's response to the intervention. These results may not be available for students with low incidence impairments.
2. For all students meeting the classification of Mental Disability as defined in a. through c., the degree of impairment shall be specified.
 - a. The measured intelligence and adaptive behavior functioning of a student with a Mental Disability - Mildly Impaired generally falls between two and three standard deviations below the mean. The student's adaptive behavior functioning falls below age and cultural expectations and is generally commensurate with the assessed level of intellectual functioning.
 - b. The measured intelligence and adaptive behavior functioning of a student with a Mental Disability - Moderately Impaired generally falls between three and four standard deviations below the mean. The student's adaptive behavior functioning falls below age and cultural expectations and is generally commensurate with the assessed level of intellectual functioning.
 - c. The measured intelligence and adaptive behavior functioning of a student with a Mental Disability - Severely Impaired generally falls greater than four standard deviations below the mean. The student's adaptive behavior functioning falls below age and cultural expectations and is generally commensurate with the assessed level of intellectual functioning.
3. The learning problems are not due primarily to such factors as:
 - a. other disabling conditions;

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- b. lack of appropriate explicit and systematic instruction in reading which includes the essential components of reading instruction: phonics, phonemic awareness, fluency, comprehension, and vocabulary;
 - c. lack of appropriate instruction in math;
 - d. limited English proficiency;
 - e. lack of educational opportunity;
 - f. emotional stress in the home or school; or
 - g. environmental, or economic disadvantage.
4. The student's academic or pre-academic functioning levels are generally commensurate with the assessed level of intellectual ability.
 5. The deficits occurred during the developmental period.

G. Multiple Disabilities

Criteria 1 and 2 must both be met.

1. The full criteria for eligibility for each exceptionality described in this *Handbook* must be met. Each of these conditions must additionally be to a severe or moderate degree.
2. The individual cannot be educated in a special educational program specifically designed for one of the impairments with additional related services for the other condition.

H. Orthopedic Impairment

Criteria 1 or 2, and 3 must be met.

1. muscular or neuromuscular disabilities that significantly limit the ability to move about, sit, or manipulate the materials required for learning; or
2. skeletal deformities or abnormalities that affect ambulation, posture, and body use necessary in schoolwork; and
3. impaired environmental functioning that significantly interferes with educational performance.

I. Other Health Impairment

Criteria 1 or 2, and 3 must be met. If the diagnosed impairment has behavioral implications that research has shown to respond to behavioral interventions, criterion 4 must also be met.

1. The disability results in reduced efficiency in schoolwork because of temporary or chronic lack of strength, vitality, or alertness, and includes such conditions as those specified in the definition; or
2. A severe disability significantly limits one or more of the student's major life activities (that is, caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working); and
3. The student exhibits impaired environmental functioning that adversely affects his or her educational performance.

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4. Documented evidence must show that scientifically research-based interventions implemented with fidelity did not significantly modify the problem behavior. *Significantly modify* means that a change in behavior is demonstrated to such a degree that, with continuation of the intervention program by the general education teacher and/or other support personnel, the student could continue in the general education program.

J. Specific Learning Disability

Criteria 1, 2, 3, and 4 must be met.

1. The learning problems are not primarily the result of:
 - a. visual, hearing, or motor disability;
 - b. mental disability;
 - c. emotional disturbance;
 - d. cultural factors;
 - e. environmental or economic disadvantage;
 - f. limited English proficiency;
2. There shall be a comprehensive and documented review of evidence-based intervention(s) conducted with fidelity and for the length of time necessary to obtain sufficient data to determine their effectiveness. Interventions shall be appropriate to the student's age and academic skill deficits and shall address the area(s) of concern presented by the SBLC. The RTI process shall provide sufficient data to determine if the student is making adequate progress in the general educational curriculum. The individual intervention(s) summary must include graphing of the results of the intervention(s), information regarding the length of time for which each intervention was conducted, and any changes or adjustments made to an intervention. If adequate progress is not evident or the interventions require such sustained and substantial effort to close the achievement gap with typical peers, further assessment using standardized achievement measures shall be conducted to determine if the child/youth exhibits a specific learning disability consistent with the definition. The intervention data shall demonstrate that the child/youth does not achieve adequately for his/her age or to meet state approved grade level standards in one or more of the following areas:
 - a. oral expression;
 - b. listening comprehension;
 - c. written expression;
 - d. basic reading skills;
 - e. reading fluency skills;
 - f. reading comprehension;
 - g. mathematics calculation; or
 - h. mathematics problem solving.

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3. To ensure that underachievement in a student suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the evaluation team must document the review of data that demonstrate that prior to, or as part of, the referral process:
 - a. the student was provided appropriate instruction in math within the general education classroom, delivered by qualified personnel; and/or
 - b. the student was provided explicit and systematic instruction in reading which includes the essential components of reading instruction: phonics, phonemic awareness, fluency, comprehension, and vocabulary within the general education classroom, delivered by qualified personnel; and
 - c. the general education instruction was delivered by qualified personnel; and
 - d. data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, was provided to the student's parents.
4. To support the findings in 1 through 3 above, evidence of a pattern of strengths and low achievement must be documented as follows:
 - a. area of low achievement addressed by the interventions shall be demonstrated by performance greater than one and one-half standard deviations below the mean in grades 1 and 2, or greater than two standard deviations below the mean in grades 3 through 12 using chronological age norms in one or more of the areas listed in 2 a-h above; and
 - b. area of strength as demonstrated by performance no more than one-half standard deviation below the mean in grades 1 and 2 or no more than one standard deviation below the mean in grades 3 through 12 using chronological age norms in one or more of the areas listed in 2 a-h above.
 - c. When the combination of the scientifically research-based intervention outcomes and standardized testing does not result in clearly established strengths and weaknesses, but a preponderance of all data collected supports the team's position that the student is a student with a specific learning disability, a full explanation and justification must be included in the evaluation report.

K. Speech or Language Impairment

Criteria 1, 2, 3 or 4, and 5 must be met.

1. Articulation – Non-maturational speech disorder of one or more phonemes characterized by consistent addition, omission or incorrect production of speech sounds, and
 - a. for a student in grade K or above, data from documented intervention(s) conducted by a speech-language pathologist or speech-language pathology assistant that indicates that it is unlikely based on the student's rate of learning, that the student will acquire correct use of targeted phoneme(s) within a reasonable period of time; or
2. Fluency- Inappropriate rate and time patterning of speech at least five percent of the time, characterized by any of the following: sound and syllable repetitions, sound

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prolongations, audible or silent blocking, interjections, broken words, circumlocutions, or words produced with an excess of tension and accompanied by ancillary movements that are indicative of stress or struggle, and

- a. for a student in grade K or above, data from documented intervention(s) conducted by a speech-language pathologist or speech-language pathology assistant that indicates it is unlikely, based on rate of learning, that the student will attain normal fluency within a reasonable period of time.
 - b. a student exhibiting normal non-fluencies occurring during the developmental speech stage does not meet this criterion. Or
3. Voice - Any inappropriate consistent deviation in pitch, intensity, quality, or other basic phonatory or resonatory attribute, and
 - a. for a student in grade K or above, data from documented intervention(s) conducted by a speech-language pathologist or speech-language pathology assistant that indicates it is unlikely, based on rate of learning, that the student will attain normal voice quality within a reasonable period of time. There must be an assessment conducted by the appropriate medical specialist prior to conducting intervention(s). Or
 4. Language - Impaired receptive or expressive disorder of phonology, morphology, syntax, semantics, or pragmatics.
 - a. A student shall exhibit a deficit of at least 1.5 standard deviations below the mean based on chronological age.
 - b. For a student in grade K or above, data from intervention(s) conducted by a speech-language pathologist or other appropriate personnel that indicates that it is unlikely, based on rate of learning, that the student will acquire targeted language skills that significantly impact the student's educational performance within a reasonable period of time; and
 5. There is documented evidence that the impairment significantly interferes with the student's educational performance or significantly interferes with the student's developmental functioning to a degree inappropriate for his or her cultural and social background or overall developmental level.
 - a. Some language difficulties cannot be described as a difference from the norm either because specific norms are not available or because the individual's language is deviant in a way not described adequately by developmental norms. In such cases, language samples should be analyzed and the language behavior should be documented with deviations described in various settings. An overall picture of language behavior should be described. Students who are non-verbal communicators shall be described, using their augmentative and/or alternative communication needs or modes.

L. Traumatic Brain Injury

Criteria 1 and 2 must be met.

1. Documented medical evidence of an external insult to the brain causing an impairment in accordance with the definition exists; and

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2. The impaired functioning significantly affects educational performance.

M. Visual Impairment

Criterion 1 and either 2, 3, 4, or 5 must be met.

1. Loss of vision which significantly interferes with the ability to perform academically and which requires the use of specialized textbooks, techniques, materials, or equipment; and
2. Visual acuity in the better eye or eyes together with best possible correction of
 - a. Blindness - 20/200 or less distance and/or near acuity, or
 - b. Partial sight - 20/70 or less distance and/or near acuity;
3. Blindness due to a peripheral field so contracted that the widest diameter of such field subtends an angular distance no greater than 20 degrees and that it affects the student's ability to learn;
4. Progressive loss of vision, which may in the future affect the student's ability to learn; or
5. Other blindness resulting from a medically documented condition.

Appendix C. Audit Feedback Provided by SPED PAC to Team

**Audit Feedback from Parents at SPEDPAC Meeting
February 26, 2009**

Question 1: What problems have you had in getting help from BPS for your child with special needs?

Communication

- Lack of communication or no communication with parents
- No information on Web site, in brochures; even BPS employees and ETFs claim not to know who is responsible or who can provide services.
- No interpreter
- No follow-up for families when they request information
- “I always get the run around”
- No answers to phone calls or e-mails.
- Passing the buck
- Difficult to find out who to talk to
- No one knows the identification or location of appropriate classrooms
- Too much bureaucracy
- Lack of information about ABA services and how they can help

Staff Education and Training

- Teachers and ETFs do not know about conditions
- Emotional mistreatment of children
- Lack of information about ABA
- Lack of ABA providers
- No one knows identification or location of appropriate classrooms
- Teachers don't know well the conditions of the children
- Lack of one-to-one's who are trained in working with children with special needs
- ETFs ignoring parents' concerns and imposing their diagnosis

Other Issues

- Department does not work with parents on letting them visit different placements before a parent signs an IEP
- Denial of services based on lack of funds; denial of services by ETF
- Comparison of children; clustering and categorizing of all children together
- The department does not place students efficiently – they tend to throw students anywhere that happens to be open
- Wrong placements by people who don't know child

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- BPS evaluators don't know child
- Difficult, time-consuming and expensive to get proper therapy
- Extended school year is nothing but chaotic and causes regression instead of maintenance
- Lack of supplementary education (before and after school programs)
- Decreased class time and poor test results when child is pulled out of classroom too much
- Child isolated in residential setting a long way from home and missing home visits because no classrooms available in Boston

Question 2: What could BPS do to improve things for you and your child with special needs?

- Be transparent: put information on programs on Web site, in brochures
- Communicate with parents
- More communication between families
- More communication by phone, especially for parents without e-mail
- Communication in between IEPs to know how child is doing
- Increase knowledge of ETFs and other BPS employees
- Better train teachers to know how to deal with special needs children
- More patient teachers
- Update skills of teachers and therapists and one-to-ones
- School needs to evaluate the specialists, such as OTs, and how they evaluate our children and make sure they take into account reports from medical providers
- Parents should be more involved with finding or viewing placements that are suggested for their child.
- Allow parents to visit classrooms more easily when choosing placement
- Training for parents regarding therapies, vocational opportunities and expectations
- Social pragmatic skill groups for kids on the autism spectrum
- Create a K-8 inclusion school in every zone
- Fix the transportation issues – buses don't show up consistently
- Create before and after school programs
- Provide consistent interpretation and translation services
- More ABA providers

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APPENDIX D. Ranking of District Incidence Rates and Staff Ratios ⁴⁵

(Comparison of Numbers to Total Enrollment)

As the numbers increase, there are fewer adults to total students.									
Number of LEAs	Incidence Rates	Special Educators	Paraprofessionals	Speech Language	Psychologists	Social Workers	Nurses ⁴⁶	OT	PT
1	8	47	40	253	520	437	643	803	1500
2	9	49	45	263	526	253	351	840	1835
3	9	54	54	331	540	305	410	902	1984
4	9	55	68	363	803	344	428	984	1988
5	10	59	69	383	913	358	469	985	2307
6	10	60	69	405	915	485	476	1000	3000
7	10	61	70	412	970	580	563	1080	3181
8	11	65	71	417	1000	734	600	1200	3296
9	11	67	78	425	1003	840	600	1263	3312
10	12	79	86	438	1007	863	610	1308	3643
11	12	79	89	500	1062	970	639	1366	3721
12	12	84	99	500	1062	1000	653	1678	4531
13	13	86	100	501	1105	1071	661	1699	4926
14	13	95	102	503	1173	1196	761	1750	5286
15	14	96	118	531	1200	1322	874	2190	6314
16	14	96	125	576	1309	1449	875	2316	7000
17	15	98	127	617	1323	1576	970	2375	7048
18	16	103	130	624	1359	1605	1186	2744	8730
19	16	103	141	857	1452	1609	1208	2846	8760
20	16	105	146	881	1500	2333	1773	3000	9265
21	16	106	154	913	1593	2439	1926	3872	10500
22	17	125	156	945	1608	2875	2562	4226	10500
23	17	134	167	1145	1617	3088	3658	5293	11238
24	18	136	173	1259	1653	5714	4630	5822	11535
25	18	138	185	1524	1665	8760	5250	5900	13720
26	18	147	187	1582	1778		6000	6548	17333
27	20	149	194	1819	1873			7000	24386
28	20	152	213	1985	1923			8667	
29	21	154	248	2105	1932			9772	
30	22	162	296	3658	2166			10,000	
31	27	182	514	6073	3077				

⁴⁵ BPS data is bolded

⁴⁶ BPS data was not available

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Appendix E. Comparison of Staffing Ratios⁴⁷

Comparison of Staffing Ratios: Urban Special Ed Leadership Collaborative Survey Special Educators, Para-educators, Speech/Language Pathologists, Psychologists & Social Workers, 2005-06

**BPS:
11,534 SwD
56,308 All**

	Incidence		Special Ed Teachers			Para-educators			Speech/Language			Psychologists			
	% Students w/Disability	SwD Enrollment	Number	Ratio To:		Number	Ratio To:		Number	% S/L Licensed*	Ratio To:		Number	Ratio To:	
				SwD	Enrollment		SwD	Enrollment			SwD	Enrollment		SwD	Enrollment
Alexandria City, VA	17.4	900	199	10	55	201	9	54	27		70	405	21	90	520
Atlanta, GA	8.8	4200	659 ⁴⁸	7	79	211	20	296	55		76	945	24	175	2166
Boston, MA 56308	20.5	11534	1200	10	47	800	14	70	147		78	383	48	240	1173
Buffalo, NY	17.8	9289	798	12	65	402	23	130	125		74	417	52	179	1003
Chicago, IL ⁴⁹	12.9	55050	4141	14	103	2387	24	194	339		169	1259	240	238	1778
Clark County, NV	10.9	31921	3019	11	98	2087	15	141	257		124	1145	153	209	1923
Dallas ISD, TX	8.1	13000	880	15	182	750	17	213	105	.86	124	1524	52	250	3077
Evanston, IL	19.6	1238	94	13	67	92	13	69	24		52	263	12	103	526
Hartford, CT	15.9	3883	289	13	84	240 ⁵⁰	16	102	46		84	531	23	168	1062
Homewd-Floss IL	9.2	267	18	15	162	23	12	127	1.6		166	1819	1.8	148	1617
Kalamazoo, MI	13.0	1462	68	22	154	63	23	167	11.5		127	913	11.5	127	913
Kyrene, AZ	10.3	1909	126	15	147	100	19	185	37		52	501	14	136	1323
Lakota, OH	8.8	1547	115	14	152	120	13	146	30.4		51	576	11	141	1593
Los Angeles, CA ⁵¹	9.65	76752	4971	17	149	7490	11	100	122		700	6073	566	151	1309
Memphis, TN	15.5	18226	854	21	138	683	27	173	56	.96	325	2105	61	299	1932
Miami-Dade, FL	11.8	43208	3538	12	103	1476	29	248	100		432	3658	252	171	1452
New Bedford, MA	20.4	2778	230	12	59	305	9	45	33		84	412	10	277	1359
Newport, RI	21.6	650	22	30	136	35	19	86	6	.96	108	500	3	216	1000
NYC, NY ⁵²	11.1	137930	11810	13	105	12516	12	99	2015		75	617	1170	128	1062
Norfolk, VG	13.89	37,000	428	12	86	237	22	156	42		122	881	23	223	1608
Passaic City, NJ	17.2	13563	187	73 ⁵³	422	135	100	584	19		714	4150	19	714	4150
Philadelphia, PA	12	26,814	1676	16	134	437	61 ⁵⁴	514	142		188	1582	135	109	1665
Pr. George's, MD	11.6	15362	1258	12	106	1125	14	118	67		229	1985	71	216	1873
Rochester	17.97	6019	681	9	49	491	12.3	68	132		45	253	62	97	540

⁴⁷ Prepared by the Council of Great City Schools for a special education review of Rochester Public Schools

⁴⁸ Includes central office administrators

⁴⁹ From 8/26/05 NYC, NY Hehir report (see F.N. 4) Data from Chicago Public Schools (04/05) – *number of students with disabilities based on 6-21 year olds and total population from district website

⁵⁰ From 2004-5 Hartford School District Strategic School Profile

⁵¹ From 8/26/05 NYC, NY report (see F.N. 4) Data from Los Angeles Public Schools (04/05) – *

⁵² 03-04 data from Tom Hehir, et. al., Report of NYC August 26, 2005 - *

⁵³ This ratio appears to be unusually large and may be due to an error in reporting.

⁵⁴ City behavioral health agencies provide paraprofessional support in the schools

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BPS:
11,534 SwD
56,308 All

	Incidence		Special Ed Teachers			Para-educators			Speech/Language				Psychologists		
	% Students w/Disability	SwD Enrollment	Number	Ratio To:		Number	Ratio To:		Number	% S/L Licensed*	Ratio To:		Number	Ratio To:	
				SwD	Enrollment		SwD	Enrollment			SwD	Enrollment		SwD	Enrollment
South Bend, IN	26.5	5573	350	16	60	306	18	69	48	.9	116	438	19 ⁵⁵	293	1105
Stafford, TX	9.6	289	24	12	125	16	18	187	6	.16	48	500	2	144	1500
St. Louis, MO	16	5696	652	9	54	229	25	154	97	.79	59	363	35	163	1007
Sun Prairie, WI	13.5	810	63	13	95	150	5.4	40	14		57	425	5	162	1200
Trenton PS, NJ	19.5	2679	225	12	61	175	15	78	22		122	624	15	179	915
Webster, MA	17.6	349	316	17	96	28	12	71	6	.83	58	331	1.2	291	1653
Waukegan, IL	16.1	2657	171	15	96	131	20	125	33		81	503	17	156	970
Yonkers, NY	14.9	3830	326	12	79	290	13	89	30		128	857	32	120	803
U. S.				16			18				157			223	

⁵⁵ Includes 4 diagnosticians

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Social Workers, Nurses, OTs & PTs

	Social Workers			Nurses			Occupational Therapists				Physical Therapists			
	Number	Ratio To:		Number	Ratio To:		Number	Licensed*	Ratio To:		Number	Lic.	Ratio To:	
		SwD	Enroll-ment		SwD	Enroll-ment			SwD	Enroll-men			SwD	Enroll-men
Alexandria City, VA	25	76	437	17	112	643	8		238	1366	3		633	3643
Atlanta, GA	33	127	1576	27	156	1926	6		700	8667	3		1400	17333
Boston, MA	6	--	--	100	115	563	67		172	840	17		680	3312
Buffalo, NY	36	258	1449	44	211	1186	53	.43	175	984	16.4		566	3181
Chicago, IL	357	160	1196	NA	-	-	101		556	4226	37		1548	11535
Clark County, NY	10	-	-	166	192	1773	76		420	3872	28	.89	1140	10500
Dallas ISD, TX	28	464	5714	183	71	874	16		813	10,000	1		-	-
Evanston, IL	25	50	253	18	69	351	5		248	1263	1		1238	6314
Hartford, CT	71	54	344	57 ⁵⁶	68	428								
Homewood-Flossmor IL	3	89	970	1	267	970	.5		534	5822	0			
Kalamazoo, MI	4.5	325	2333	2	731	5250	1.5		975	7000	1		1462	10500
Kyrene, OH	6	318	3088	4	477	4630	8	.38	239	2316	2		955	9265
Lakota, OH	2	773	8760	14.5	107	1208	8	.5	193	2190	2	.5	773	8760
Los Angeles, CA	38	-	-	NA	-	-	140		610	5293	24		3560	-
Memphis, TN	41	445	2875	46	396	2562	18	.63	1013	6548	13.5	.93	1350	8730
Miami-Dade, FL	150	288	2439	100	432	3658	62		697	5900	15		2881	24386
New Bedford, MA	38 ⁵⁷	73	358	29	96	469	8	.75	347	1699	3		926	4531
Newport, RI	3	217	1000	5	130	600	3	.33	217	1000	2		325	1500
NYC, NY	1440	104	863	N/A	-	-	1151		131	1080	625		241	1988
Norfolk, VG	23	223	1609	-			13	.92	395	2846	7		734	5286
Passaic City, NJ	19	714	4150	30	452	2628	C				C			
Philadelphia, PA	0	-	-	295	91	761	23		1165	9772	20		1340	11238
Prince George's Cty, MD	5	-	-	208 ⁵⁸	74	639	56		274	2375	27	.96	569	4926
Rochester	69	87	485	--			34		177	985	9		668	3721
South Bend, I	25	223	840	24	232	875	12	.92	464	1750	3	.33	1857	7000
Stafford, TX	0	-	-	5	57	600	1		289	3000	1		289	3000
St. Louis, MO	48	119	734	86	66	410	21		271	1678	5		1139	7048
Sun Prairie, WI	5.6	144	1071	1	810	6000	5		162	1200	2.6		311	2307
Trenton PS, NU	45	60	305	21	128	653	5		536	2744	1		2679	13720
Webster, MA	1.5	233	1322	3	116	661	2.2	.54	159	902	1		349	1984

⁵⁶ Includes 7 nurse practitioners;

⁵⁷ Refers to School Adjustment Counselors

⁵⁸ Includes 48 vacancies

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	Social Workers			Nurses			Occupational Therapists				Physical Therapists			
	Number	Ratio To:		Number	Ratio To:		Number	Licensed*	Ratio To:		Number	Lic.	Ratio To:	
		SwD	Enrollment		SwD	Enrollment			SwD	Enrollment			SwD	Enrollment
Waukegan, IL	28	91	580	27 ⁵⁹	98	610	12.6	.84	211	1308	5	.8	332	3296
Yonkers, NY	16	239	1605	54	71	476	32		120	803	14		274	1835
U. S.		363							472				959	

⁵⁹ Includes 16 certified school nurses

Appendix F. Individuals Interviewed

- Superintendent Carol R. Johnson
- Carolyn Riley
- Jane Sullivan
- Bill Kelley
- John McDonough
- Rich Jacobs
- Mark Tehan
- Arlene Swan-Mahoney
- Andria Amador
- Katherine Hannon-Perera
- Barbara Adams
- Kenneth Salim
- Elliot Stern
- Mary Nasst
- Victoria Megias –Batista
- Janet Palmer-Owens
- Irvin Scott
- Sharon Hucul
- Susan Battista
- Julie P. Barakat
- Maritza Agrait
- Denise Kelly
- Priscilla Paul
- Angela Christiani
- Linda Simonetti
- Claudette Mulligan-Gates
- Patrick Cleary
- Judy Bongiorno
- Bill Henderson
- Carlos Gibb
- Catherine MacCuish
- Suzanne Ricco
- Elizabeth Kurlan
- Mary Nash
- Katherine (KC) Crogan
- Fran Doyle
- Maria Lopes
- Kathleen Mador
- Nancy Haskell
- Margaret Marotta Smith
- Beth Simon
- Susan Cole

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- Jerry Mogul
- Leslie Lockhart
- Shiela Deppner
- John Mudd
- Tom Mela
- Deborah Rooney
- Michele O'Connell
- Peggy Kemp
- Edmund Donnelly
- Eileen Nash
- Andrew Bott
- Bonnie Miller
- Antonio Barbosa
- Kimberly Rice
- Mark Spolidoro
- Aixa Borrero
- Paula Honzik
- John MacDonald
- Maureen Starck
- Yolanda Devila Cohen
- Paula St. James
- Jackie Rodriguez
- Brenda Moseitch
- Doris Howell-Samuels
- Richard Asztalos
- Ellen Guiney
- Patrice DiNatale
- Frank Barnes
- Tom Hehir

APPENDIX G. DOCUMENTS REVIEWED

- The Acceleration Agenda: 2008-2012 [Presentation to the Boston School Committee September 24, 2008]
- Boston Public Schools at a Glance 2008-9
- Boston Public Schools Organization Chart, September 18 2008
- Boston Public Schools Special Education and Related Services Organization Chart for SY08-09
- A Decade of Urban Reform: Persistence and Progress in the Boston Public Schools: Special Education Evaluation of BPS
- Special Education: Transforming the Boston Public Schools by the Citizen Commission on Academic Success for Boston Children/June 2006
- Boston Connects 2007-08 Progress Report
- Boston Plan For Excellence –Memo to Dr. Johnson and the CGCS on BPE
- BPS Special Education Parent Advisory Council (SPED PAC) letter to Dr. Johnson
- SPEDPAC Group Feedback, September 25, 2008
- SPEDPAC Parent Representative Follow-up Email January 28, 2009 to Team and Email of Audit Feedback from Parents at SPEDPAC Meeting on February 26th, 2009
- Mass Advocates for Children Presentation on Boston Special Education
- Mass Advocates Case Presentation
- In Re: Leonard and Boston Public Schools / BSEA # 07-4997
- Mass Advocates Comparison of Boston and Massachusetts 06-07 Special Education Data
- Follow-up email by Jerry Mogul, Executive Director of Mass Advocates
- Reflections on Special Education in Boston (Principal Henderson)
- Analysis of BPS Special Education and Transportation: Summary
- Boston Public Schools Special Needs Transported Overview
- Overview of Boston Public Schools Transportation Program FY09 Budget (Presented to Boston City Council-June 6, 2008)
- Boston Public Schools Enrollment Statistics 1988-2008 (Door Transported)
- Analysis of Special Education Referrals from SY 2007-8
- Presentation to Boston School Committee: Analysis of Special Education Transportation Services
- Annual Least Restrictive Environment Report for BPS: 2007-8
- Report on Achievement Gap : The State of Student Subgroup performance: 2008 Performance and Improvement
- Total Number of Students with Disabilities by Race and Ethnicity
- Attachment A: Analysis of Students by Race and Grade
- Attachment B: BPS Total Enrollment (Analysis of Students by Race, by Grade)
- Data 4-year Graduation Rate
- Q and A Boston Public Schools 2006-7: Student Dropout
- Superintendent Johnson Memo to Principals and Headmasters on Expectations and Evaluations
- Update on NCLB Highly Qualified Educator Requirements, January 2008
- Related Services Caseloads and Staff Deployment in FTE, January 2009

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- Special Education Enrollment- 11 Year Comparison
- Readers' and Writers' Workshop Implementation Rubric (K-12)
- Powerpoint on the Workshop Model
- Workshop Instruction in Boston's Schools: Next Steps in Whole-School Improvement
- State Administrative Advisory SPED 2004-4: School District Responsibility for Children in Special Education Day Schools who are Transferred to a Residential School by the Department of Social Services, April 12, 2004.
- Closing the Special Education Achievement Gap: (Presentation to City Council May 23, 2008)
- Parents' Notice of Procedural Safeguards
- Special Education Eligibility/Initial and Reevaluation Determination Flowchart
- Internal Overview of Special Education (Includes Budget Snapshot, Enrollment Data, Out of District Placements, Staffing, Transportation Other)
- Assessment Trainings SY 05-06
- Professional Development SY06-07, SY07-08
- Assessment Specialty SY07-08
- Project Read Training SY05-06 [Sue-let's discuss the PD]
- Unified Student Services –Professional Development Opportunities SY08-09, 07-08, and 05-06
- Using Data to Improve Instruction at the Mason School (Harvard University Case Study)
- Boston Teacher Unions Contract About Class Size
- Massachusetts Regulations for Special Education Class Size Requirements
- Sample Psychological Reports
- Sample IEPs (old and new)
- Final State Report from Department of Elementary and Secondary Education on Special Education Services in BPS (Julie Too)
- Electronic IEP Information (Screen samples)
- Special Education Enrollment and Demographic Data
- Overview of the SEIMS
- Broad range of program materials and demographics from schools visited
- Special Education Expenditure Project in 2002, (*What Are We Spending on Transportation Services for Students with Disabilities, 1999–2000?*)
<http://csef.air.org/publications/seep/national/Transportation.PDF>
- Massachusetts Department of Elementary & Secondary Education, School District Profiles: Special Education http://profiles.doe.mass.edu/gis/sped_map.aspx?orgcode=00350000&; Graduation Rate:
http://profiles.doe.mass.edu/grad/grad_report.aspx?orgcode=00350000&fycode=2008&orgtypecode=5&
- Part B Massachusetts State Performance Plan (MA SPP) for FFY 2005-2010 and Annual Performance Report (MA APR) for FFY 2006
- Chapter 9 The Rising Costs of Special Education in Massachusetts: Causes and Effects by *Sheldon Berman, Perry Davis, Ann Koufman-Frederick, and David Urion*
http://www.ppionline.org/documents/SpecialEd_ch09.pdf
- Massachusetts Dept of Elementary & Secondary Education – Enrollment Data
<http://www.doe.mass.edu/infoservices/reports/enroll/> and
<http://www.doe.mass.edu/InfoServices/reports/enroll/?yr=sped0809>

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- Massachusetts Department of Elementary & Secondary Education - Special Education Enrollment by Percent and by Placement/Prototype <http://www.doe.mass.edu/sped/data.html>
- Twenty-Fifth Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act <http://www.ed.gov/about/reports/annual/osep/2003/index.html>
- MDE Adequate Yearly Progress (AYP) and Accountability Status Determinations Massachusetts Department of Elementary and Secondary Education http://profiles.doe.mass.edu/ayp/ayp_report/district.aspx?linkid=30&orgtypecode=5&fycode=2008&orgcode=00350000&ayp_report_mode=DETAILED#
- Enrollment of district by race ethnicity 2008-2009 <http://www.doe.mass.edu/infoservices/reports/enroll/?yr=0809>
- March 23, 2009 Memorandum from Dr. Carol R. Johnson, Superintendent, to Chairperson and Members, Boston School Committee, regarding FY2010 Budget Recommendations at <http://bostonpublicschools.com/files/BPS%20FY10%20Recommended%20Budget%20memo.pdf>
- Job Descriptions - Central Office
 - Senior Director
 - Director of Special Education Service Options
 - Director of Comprehensive Related Services
 - Assistant Director of Psychological Services
 - Assistant Director of School Health Services
 - Assistant Director of Service Options
 - Manager of Compliance and Quality Assurance
 - Senior Program Director for Litigation
 - Senior Program Director for Professional Development
 - Senior Program Director for Applied Behavior Analysis
 - Assistant Program Director of Related Services
 - Assistant Program Director – Out-of-District Placements
 - Assistant Program Director for Teaching and Learning
- Job Descriptions - Building level
 - School-based ETF
 - CWETF
 - Curriculum Access Specialist
 - L/AB Cluster Coordinator
 - Program Director – Special Education
 - Senior Curriculum Access Specialist
 - Adapted Physical Education Teacher
 - Applied Behavioral Analysis Technician
 - Behavior Specialist
 - Liaison for Homeless Students
 - Occupational Therapist
 - Orientation and Mobility Specialist
 - Physical Therapist
 - Pupil Adjustment Counselor
 - School Psychologist
 - Speech and Language Pathologist
 - Teacher of the Visually Impaired

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Appendix H. Agenda for Site Visit

SUNDAY	JANUARY 25
6:30 P.M.	Dinner with Superintendent and audit team: Julie Halbert, Patricia Toarmina, Will Gordillo, and Sue Gamm

MONDAY	JANUARY 26
8:30-9:15	Superintendent Carol R. Johnson
9:15-10:45	Carolyn Riley, Senior Director, Special Education; Jane Sullivan, Assistant Director; Bill Kelley, Assistant Director and Interim Director of Guidance
10:45 -11:45	John McDonough, Chief Financial Officer; Richard Jacobs, Director of Transportation
11:45-12:15	LUNCH
12:15-1:15	Central supervisors of providers, such as psychologists/OT/PT/speech pathologists, etc.
1:15-2:15	Barbara Adams, Chief Academic Officer; Academic Superintendents (5)
2:15-3:00	Special Education Parent Advisory Council and other parents (BPON)
3:00-3:30	Travel to Boston Teachers Union offices
3:30-4:30	General education teachers –No Show
4:30-5:30	Special education teachers
5:30	Travel time back to hotel
7:00–9:00 p.m	Working Dinner

TUESDAY	JANUARY 27
7:30 a.m.	Drive to Wilson Middle School
8:00-8:20	Claudette Mulligan-Gates, Wilson Principal; Pat Cleary; L/AB Coordinator
8:20-9:05	Observe Wilson L/AB Cluster
9:05-9:20	Travel time to O’Hearn Elementary School
9:20-9:40	Meet with O’Hearn Principal Bill Henderson
9:40-10:25	Observe O’Hearn classes
10:25-10:55	Travel time to Ellis Elementary School
11:00-11:20	Meet with Ellis Principal Carlos Gibb
11:20-12:05	Observe Ellis L/AB Cluster
12:05-12:30	Travel time to Court Street
12:30-1:30	Evaluation Team Facilitators and Assistant Program Directors
1:30-2:30	Massachusetts Advocates for Children
2:30-3:30	Eight principals, all levels
3:30-3:45	Kimberly Rice, Chief Information Officer
3:45-4:45	Related service providers
4:45-5:45	Ellen Guiney, Executive Director, Boston Plan for Excellence; Patrice DiNatale, Boston Connects

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5:45	Frank Barnes, Chief Accountability Officer
6:30	Working dinner , Tom Hehir
8 pm- 2 am	Findings Developed

WEDNESDAY JANUARY 28	
9 am.-1:00 pm	Recommendations Developed
1:00-3:30 pm	Debrief Dr. Johnson

Appendix I. Strategic Support Team

Sue Gamm, Esq.

Sue Gamm, a nationally recognized expert on special education, formerly served as Chief Specialized Services Officer for the Chicago Public Schools and Division Director for the Office for Civil Rights, Region V (Illinois, Minnesota, and Wisconsin). She has participated on Strategic Support Teams provided by the Council of the Great City Schools for school districts in the District of Columbia (1998), Guilford County, N.C., (2003), Richmond, Va., (2003), St. Louis (2003), Charleston, S.C., (2005), Milwaukee (2007), New York City, District 75 (2008), and Rochester (2008). Ms. Gamm recently served as consulting attorney on the Council's amicus brief in support of the New York City Board of Education in *Board of Education of the City School District of the City of New York v. Tom F., On Behalf of Gilbert F., A Minor Child* (2007).

Ms. Gamm currently consults with the Illinois State Board of Education on the state's monitoring of the Chicago Public Schools on least restrictive environment as part of the district's implementation of the *Corey H. v. ISBE* settlement agreement. Further, she consults with the Public Consulting Group and numerous school districts and state educational agencies and provides training at national, state and local conferences on special education matters, particularly in the area of special education disproportionality. Ms. Gamm was an expert in 2006 for the plaintiffs in *Blackman v. District of Columbia, et. al.*, Civil Action No. 97-1629 (PLF) Consolidated with Civil Action No. 97-2402 (PLF) in the areas of special education policies, procedures, and practices. In Baltimore, she completed a review of special education services in 2004-05 for the city's public schools and was an expert for plaintiffs *Vaughn G., et al. v. Mayor and City Council of Baltimore, et al.*, Civil Action No. MJG-84-1911.

Ms. Gamm has also done extensive special education consultation on least restrictive environment (LRE) issues for the Los Angeles County School District and is a consultant for the class action consent decree in Los Angeles. Finally, Ms. Gamm has provided expert advice over the past five years to the New York City Board of Education. This assistance included writing a *Principal's Quick Reference Guide to Special Education* (2003). She was also an author and participant on the Hehir report on Special Education Services and Processes in 2004, 2005. Ms. Gamm graduated with high honors from University of Illinois with a B.A. degree in regular and special education (1970) and earned a law degree from the De Paul College of Law (1976). She is admitted to practice before the Illinois Bar, the Federal, Bar and the U.S. Supreme Court Bar.

Will Gordillo

Will Gordillo is the Administrative Director for the Division of Special Education for Miami-Dade County Public Schools, the fourth-largest school district in the nation serving approximately 40,000 students with disabilities. In this role, he provides leadership for program planning and implementation, professional development, curriculum and instruction, and compliance in special education. In addition, his office oversees the direct operation of five exceptional student education centers serving

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students with emotional/behavioral disabilities and significant intellectual disabilities requiring the highest level of service intensity. He has extensive expertise in the areas of emotional/behavioral disabilities, inclusive practices, schoolwide positive behavior support, and the development of specialized programs for student ages 16-22 in collaboration with community-based organizations.

In his present position, he has overseen the implementation of the Individuals with Disabilities Education Act (IDEA), Florida Inclusion Network, The Miami-Dade/Monroe Multiagency Network for Students with Emotional/Behavioral Disabilities (SEDNET), and Schoolwide Positive Behavior, and Florida Diagnostic Learning Resource System-South (FDLRS-S) grants. Mr. Gordillo has been an active administrative representative on the United Teachers of Dade County Special Education Task Force, the Superintendent's Advisory Panel for Students with Disabilities, and the Autism Task Force. He has been instrumental in developing a Local Education Agency (LEA) Resource Guide for program specialists, implementing a computerized individualized education program (IEP) system, and developing a plan of action to serve students with disabilities at or in close proximity to their home schools.

He is an active member of various professional organizations, such as the Urban Special Education Leadership Collaborative, Council for Exceptional Children Miami Chapter 121 (where he was past-president), and the Dade County Association of School Administrators. He currently is the president-elect of the Florida Council for Administrators of Special Education.

Patricia Toarmina, Ed.D.

Dr. Patricia Toarmina is in her fifth year of service as the Executive Director of Exceptional Children and Health Services for Memphis City Schools, the 21st-largest school district in the nation. Memphis City Schools serves approximately 13,000 students with disabilities and operates its own licensed Mental Health Center. Over the last five years, Dr. Toarmina's tenure has focused on customer service, drastically reducing the number of administrative complaints filed with the Tennessee Department of Education against Memphis City Schools.

Dr. Toarmina previously served Memphis City Schools as principal in a middle school, principal in an elementary school, and assistant principal in a high school, after 15 years as a special education teacher. It is these experiences that prepared her to oversee the special education and mental health services of the school district effectively.

As a principal, Dr. Toarmina was awarded the Administrator of the Year Award, and since being named to her current position, she has received the Mid-South ARC Educator of the Year Award and the Yoakley Award for Tennessee Special Education Administrator. She has served on the State Regulations Task Force, is a board member for the Tennessee Association of Administrators in Special Education, and serves as a facilitator for the Harvard Public Education Leadership Project during the summer.

Julie Wright Halbert, Esq.

Julie Halbert has been legislative counsel for the Council of the Great City Schools for more than 13 years. In that capacity, she has served as a national education legal and

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policy specialist, with emphasis on special education. She worked extensively on the reauthorization of the Individuals with Disabilities Education Act (IDEA) in 1997 and 2004. Ms. Halbert is responsible for drafting numerous technical provisions in the IDEA and providing technical assistance to Congress and the U. S. Department of Education. In 1997 and, again, in 2005, she testified before the U.S. Department of Education on its proposed regulations on IDEA 2004.

Ms. Halbert has directed each of the Council's special education review teams, including special education reviews in the District of Columbia, Guilford County (N.C.), Richmond (Va.), St. Louis (Mo.), Charleston (S.C.), New York City, and Rochester (N.Y.)

She was Halbert was the Counsel of Record for the Council of the Great City Schools' amicus briefs in the Supreme Court of the United States in (a) *Board of Education of the City School District of the City of New York v. Tom F., On Behalf of Gilbert F., A Minor Child* (2007); (b) *Jacob Winkelman, a Minor By and Through His Parents and Legal Guardians, Jeff and Sander Winkelman, et.al., v. Parma City School District* (2007); (c) *Brian Schaffer v. Jerry Weast, Superintendent of Montgomery County Public Schools, et.al.*, (2005); (d) *Parents Involved in Community Schools v. Seattle School District and Meredith v. Jefferson County Board of Education* (2007) and *Forest Grove School District v. T.A.*, (2009). Ms. Halbert graduated with honors from the University of Maryland and the University of Miami School of Law. She is admitted to practice in the Federal Bar, the U.S. Supreme Court Bar, and the Florida and Pennsylvania Bars.

Appendix J. About the Council of the Great City Schools

The Council of the Great City Schools is a coalition of 67 of the nation's largest urban public school systems, including Boston.⁶⁰ The organization's Board of Directors is composed of the Superintendent, CEO or Chancellor of Schools, and one School Board member from each member city. An Executive Committee of 24 individuals, equally divided in number between Superintendents and School Board members, provides regular oversight of the 501(c)(3) organization.

The composition of the organization makes it the only independent national group representing the governing and administrative leadership of urban education and the only association whose sole purpose revolves around urban schooling.

The mission of the Council is to advocate for urban public education and assist its members in their improvement and reform. The Council provides services to its members in the areas of legislation, research, communications, curriculum and instruction, and management. The group convenes two major conferences each year; conducts studies of urban school conditions and trends; and operates ongoing networks of senior school district managers with responsibilities for areas such as federal programs, operations, finance, personnel, communications, research, and technology. Finally, the organization informs the nation's policymakers, the media, and the public of the successes and challenges of schools in the nation's Great Cities. Urban school leaders from across the country use the organization as a source of information and an umbrella for their joint activities and concerns.

The Council was founded in 1956 and incorporated in 1961, and has its headquarters in Washington, D.C. Since the organization's founding in 1956, geographic, ethnic, language, and cultural diversity has typified the Council's membership.

⁶⁰ Albuquerque, Anchorage, Atlanta, Austin, Baltimore, Birmingham, Boston, Broward County (Ft. Lauderdale), Buffalo, Caddo Parish (Shreveport), Charleston County, Charlotte-Mecklenburg, Chicago, Christina (Delaware), Cincinnati, Clark County (Las Vegas), Cleveland, Columbus, Dallas, Dayton, Denver, Des Moines, Detroit, Duval County (Jacksonville), East Baton Rouge, Fort Worth, Fresno, Guilford County (Greensboro, N.C.), Hillsborough County (Tampa), Houston, Indianapolis, Jackson, Jefferson County (Louisville), Kansas City, Little Rock School District, Long Beach, Los Angeles, Memphis, Miami-Dade County, Milwaukee, Minneapolis, Nashville, Newark, New Orleans, New York City, Norfolk, Oakland, Oklahoma City, Omaha, Orange County (Orlando), Palm Beach County, Philadelphia, Pittsburgh, Portland, Providence, Richmond, Rochester, Sacramento, Salt Lake City, San Diego, San Francisco, Seattle, St. Louis, St. Paul, Toledo, Washington, D.C., and Wichita

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History of the Strategic Support Teams

City	Area	Year
Albuquerque		
	Facilities and Roofing	2003
	Human Resources	2003
	Information Technology	2003
	Special Education	2005
	Legal Services	2005
	Safety and Security	2007
Anchorage		
	Finance	2004
	Communications	2008
Birmingham		
	Organizational Structure	2007
	Operations	2008
Boston		
	Special Education	2009
Broward County (FL)		
	Information Technology	2000
Buffalo		
	Superintendent Support	2000
	Organizational Structure	2000
	Curriculum and Instruction	2000
	Personnel	2000
	Facilities and Operations	2000
	Communications	2000
	Finance	2000
	Finance II	2003
	Bilingual Education	2009
Caddo Parish (LA)		
	Facilities	2004
Charleston		
	Special Education	2005
Charlotte-Mecklenburg		
	Human Resources	2007
Cincinnati		
	Curriculum and Instruction	2004
	Curriculum and Instruction	2009
Christina (DE)		
	Curriculum and Instruction	2007
Cleveland		

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	Student Assignments	1999, 2000
	Transportation	2000
	Safety and Security	2000
	Facilities Financing	2000
	Facilities Operations	2000
	Transportation	2004
	Curriculum and Instruction	2005
	Safety and Security	2007
	Safety and Security	2008
	Alternative Schools	2009
Columbus		
	Superintendent Support	2001
	Human Resources	2001
	Facilities Financing	2002
	Finance and Treasury	2003
	Budget	2003
	Curriculum and Instruction	2005
	Information Technology	2007
	Food Services	2007
Dallas		
	Procurement	2007
	Organization and Staffing Levels	2009
Dayton		
	Superintendent Support	2001
	Curriculum and Instruction	2001
	Finance	2001
	Communications	2002
	Curriculum and Instruction	2005
	Budget	2005
	Curriculum and Instruction	2008
Denver		
	Superintendent Support	2001
	Personnel	2001
	Curriculum and Instruction	2005
	Bilingual Education	2006
	Curriculum and Instruction	2008
Des Moines		
	Budget and Finance	2003
Detroit		
	Curriculum and Instruction	2002
	Assessment	2002
	Communications	2002

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	Curriculum and Assessment	2003
	Communications	2003
	Textbook Procurement	2004
	Food Services	2007
	Curriculum and Instruction	2008
	Facilities	2008
	Finance and Budget	2008
	Information Technology	2008
Greensboro		
	Bilingual Education	2002
	Information Technology	2003
	Special Education	2003
	Facilities	2004
	Human Resources	2007
Hillsborough County (FLA)		
	Transportation	2005
	Procurement	2005
Indianapolis		
	Transportation	2007
Jackson (MS)		
	Bond Referendum	2006
Jacksonville		
	Organization and Management	2002
	Operations	2002
	Human Resources	2002
	Finance	2002
	Information Technology	2002
	Finance	2006
Kansas City		
	Human Resources	2005
	Information Technology	2005
	Finance	2005
	Operations	2005
	Purchasing	2006
	Curriculum and Instruction	2006
	Program Implementation	2007
Los Angeles		
	Budget and Finance	2002
	Organizational Structure	2005
	Finance	2005
	Information Technology	2005
	Human Resources	2005
	Business Services	2005

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Louisville		
	Management Information	2005
Memphis		
	Information Technology	2007
Miami-Dade County		
	Construction Management	2003
	Food Services	2009
	Transportation	2009
	Facilities	2009
Milwaukee		
	Research and Testing	1999
	Safety and Security	2000
	School Board Support	1999
	Curriculum and Instruction	2006
	Alternative Education	2007
Minneapolis		
	Curriculum and Instruction	2004
	Finance	2004
	Federal Programs	2004
Newark		
	Curriculum and Instruction	2007
	Food Service	2008
New Orleans		
	Personnel	2001
	Transportation	2002
	Information Technology	2003
	Hurricane Damage Assessment	2005
	Curriculum and Instruction	2006
New York City		
	Special Education	2008
Norfolk		
	Testing and Assessment	2003
Philadelphia		
	Curriculum and Instruction	2003
	Federal Programs	2003
	Food Service	2003
	Facilities	2003
	Transportation	2003
	Human Resources	2004
	Budget	2008
	Human Resource	2009
	Special Education	2009
Pittsburgh		

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	Curriculum and Instruction	2005
	Technology	2006
	Finance	2006
Providence		
	Business Operations	2001
	MIS and Technology	2001
	Personnel	2001
	Human Resources	2007
Richmond		
	Transportation	2003
	Curriculum and Instruction	2003
	Federal Programs	2003
	Special Education	2003
Rochester		
	Finance and Technology	2003
	Transportation	2004
	Food Services	2004
	Special Education	2008
San Diego		
	Finance	2006
	Food Service	2006
	Transportation	2007
	Procurement	2007
San Francisco		
	Technology	2001
St. Louis		
	Special Education	2003
	Curriculum and Instruction	2004
	Federal Programs	2004
	Textbook Procurement	2004
	Human Resources	2005
Seattle		
	Human Resources	2008
	Budget and Finance	2008
	Information Technology	2008
	Bilingual Education	2008
	Transportation	2008
	Capital Projects	2008
	Maintenance and Operations	2008
	Procurement	2008
	Food Services	2008
Toledo		
	Curriculum and Instruction	2005

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Washington, D.C.		
	Finance and Procurement	1998
	Personnel	1998
	Communications	1998
	Transportation	1998
	Facilities Management	1998
	Special Education	1998
	Legal and General Counsel	1998
	MIS and Technology	1998
	Curriculum and Instruction	2003
	Budget and Finance	2005
	Transportation	2005
	Curriculum and Instruction	2007