

**ORGANIZATION, ADMINISTRATION AND DELIVERY
OF
SPECIAL EDUCATION SERVICES**

NORTH SYRACUSE CENTRAL SCHOOL DISTRICT

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By

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BACKGROUND

The organization, administration and delivery of special education services have been a challenge for the North Syracuse Central School District for some time. As recent as 2014 the district engaged the services of Stephen Frawley, former Director of Special Education at the Oswego Board of Cooperative Educational Services (BOCES). He conducted a series of “Listening Forums” from late March, 2014 through June, 2014. These forums included participation from parents, teaching staff, building administrators and central office administrators. His instructional and organizational findings were summarized in a final report submitted to the district in July, 2014.

While the present initiative does not focus on instruction, many of the organizational issues referenced in Frawley’s work still resonate today. Among those issues identified was the belief that the district needs a collective recognition of what is not working so that the district can move forward. This continues to be the major challenge for the district. Some of the issues related to the interface between general education and special education that Frawley articulated are worth repeating in that they have resurfaced in the present audit. He noted that the number of students achieving at Levels 3 and 4 on the various New York State Tests is less than 50%. He proposed that classroom instruction become differentiated across the district and the necessary professional development be provided to address this goal.

Professional development in other areas such as co-teaching must also be provided.

Unfortunately, even when staff development is offered, staff participation is voluntary per the teacher contract. Additionally, steps need to be taken to increase the viability of the

Response to Intervention (RTI) program, the Academic Instructional Support (AIS) and the

Instructional Support Team (IST) because students are placed in special education too quickly. Special education practice is not consistent with the special education policies and procedures and there is a need for common language and expectations for Special Education across the district. He found that most students are placed into existing programs rather than in settings designed to better meet identified needs.

In the fall of 2014, the district established a Special Education Study Team. This team remains in place today. It is comprised of parents, teachers, teaching assistants and administrators and it is facilitated by the Superintendent of Schools. Initially, the team spent time researching, studying and determining whether the district could provide more effective programming to meet the needs of all learners but the general perception of the staff is that this team worked in relative isolation.

Also in the fall of 2014, the district engaged the consultative services of Dr. Julie Causton and Dr. George Theoharis of Syracuse University to assist the team with this formidable task and to, as described by these consultants, “help facilitate the move toward more inclusive schools in North Syracuse and to increase the skills of general education teachers, special education teachers, paraprofessionals and other service providers to educate students with disabilities in the general education classrooms through collaboration, differentiation, and inclusion.”

In February, 2016, based on the recommendation of the Special Education Study Team and the involvement of the District Steering Committee, the Superintendent sent a letter to parents indicating that in the fall of 2016 the district would be moving forward with a more inclusive model of programming for many students receiving special education services and

that students currently in blended classrooms would receive special education services in their neighborhood schools. Dr. Julie Causton, whose professional research interests focus on the delivery of special education instruction and related services to identified students within the general education classroom, continues as a consultant with the district.

During the summer of 2016, which was prior to the implementation of the new inclusive model promulgated by Dr. Causton, the Superintendent of Schools contacted the Western New York Education Service Council (WNYESC) to explore possibilities regarding an audit of the district's special education department. At that time the district expressed concern about the number of requests for formal hearings brought about by parents of special education students regarding placement, services, evaluations and assessments and the accompanying growing financial liability and legal fees associated with these procedures as required by the Regulations of the Commissioner of Education.

INTRODUCTION

The Western New York Education Service Council clearly understands the district's specific concern regarding the number of hearings requested and associated legal fees and financial liability but proposed a framework for the requested audit that would broaden the its scope and provide more useful recommendations for the improvement of the organization, administration and delivery of special education services. The audit involved, over the course of several visits to the district, a comprehensive review of special education focusing specifically on the following:

- Impactful District Practices, Operations and Characteristics
- Organization and Administration of the Special Education Program

- Culture of Special Education in the District
- Compliance Issues

The focus of this study is the “in-district” special education program, specifically those special education services supporting students whose needs are generally in the mild to moderate range. This group of students comprises the majority of those classified by the CSE.

This audit will highlight major systemic issues affecting the special education program and offer recommendations that may be helpful to the district in addressing them. This audit is not intended to be a quantitative assessment of the special education program. A quantitative assessment will be helpful to assess program effectiveness, but priority must first be given to addressing the nature, structure, design and delivery of special education.

METHODOLOGY

Individual and small group interviews were conducted on-site between November 2, 2016 and December 1, 2016. The common beliefs, attitudes, and behaviors discerned serve as the substantive basis for the qualitative nature of this report. All of the interviews were conducted in individual or small group settings. There were one hundred and fifty-nine participants in the interview process. The participants included the following personnel:

- Special Education Teachers (46)
- General Education Teachers (54)
- Teaching Assistants (5)
- Counselors (2)
- Social Worker
- Psychologist (8)
- Occupational Therapists (2)
- Speech Therapists (9)

- Building Principals (10)
- Associate Principals (7)
- Association Presidents (3)
- Executive Director for Diverse Learning and Student Support
- Executive Director for Data, Accountability, Social Studies and Music
- Assistant Director of Special Education
- Director of Educator Effectiveness and Mathematics
- Director of Science, Technology Education and Art
- Director of Response to Intervention
- School Attorneys (2)
- Associate Superintendent for Teaching and Learning
- Associate Superintendent for Business Services
- Assistant Superintendent for Instruction
- Superintendent of Schools

It is important to note that those who participated in the interviews did so voluntarily. It appeared that most of the participants had a vested interest in the initiative based on their thoughtful commentary. The following was also reviewed:

- New York State testing data
- District generated CSE data
- Staff Rosters and District Organizational Charts
- Various district-generated reports publications
- Academic Intervention Services Enrollment Data
- SED Verification Reports for 2015-16
- District Enrollment Data
- Special Education Enrollment Data
- Recent CSE and CPSE agendas
- District Related Services Enrollment Data
- AIS Enrollment Data
- Classification and Declassification Rates
- Section 504 Data
- Staff Development Plan for Special Education
- Response to Intervention (RTI) Plan
- Disciplinary referrals for special education students and the number of nexus hearings for recent years
- Graduation statistics in General Education and Special Education for the last three years
- Special Education budget for the last three years

Finally, in addition to the above, the consultant had an opportunity to meet with the District Special Education Study Team to discuss this initiative and share concerns regarding the special education program.

KEY OBSERVATIONS AND FINDINGS

Impactful District Practices, Operations and Characteristics

1. There is a high degree of organizational paralysis in the district. This is most likely due to two major factors: an overly-litigious culture and a preponderance of undesirable, unproductive staff behaviors. In its ongoing intent to avoid litigation, there seems to be an overreliance on legal counsel for the day to day administration of the district. The litigious environment probably stems from the management and execution of the various employment contracts, the various job descriptions, desire for change, tenure areas for administrators, Civil Service Law, New York State Law, and the Regulations of the New York State Commissioner of Education (which include those governing Special Education). For reasons that were not always clear, the district is also challenged by certain staff behaviors and perhaps their beliefs. For example, sabotage and purposeful miscommunication was in evidence. Unfortunately, these end-results appear to be related to conflicted personal histories and/or the passive/aggressive dispositions of those involved, retribution, and internal and/or Board of Education politics.

2. The above results in issues with communication, planning, implementation, clarity, competence, confidence, leadership, proactivity and trust. Not only has the organizational health of the district been compromised, but the academic program and student achievement have been compromised as well.

3. The district appears to be more adult-centered than student-centered.
4. Principals see their roles differently and this is not helpful because principals should make all the difference in student achievement. Most principals believe they are in more of a management role than an instructional role. Teachers consider central office administrators, rather than their principals, to be the instructional leaders, albeit ineffective.
5. As difficult as it has been, the district has embraced new initiatives that include Professional Learning Communities, Curriculum Alignment, Standard-based Grading/Evaluation, Reading, Writing and Special Education, the focus of this audit. Many staff members believe that this is too much at one time and they are expecting follow-up to be negligible. Principals do not appear to be engaged in these initiatives.
6. Shared decision making both at the building level and the district level is not consistent.
7. There is a high degree poor intra-district communication patterns. For example, in their search for direction, clarification, approvals and the like, staff is typically referred to central office administrators by their respective principals. Many staff avoid their principals and access central office administrators directly and then inform their principals if they so choose. These are usually conversations as opposed to written communication. Teachers do not always get the same answers to the same questions and “she said-he said” discussions ensue. This same pattern is also in evidence among principals and central office administrators themselves.

Organization and Administration of the Special Education Program

1. In school year 2014-15, the district provided educational programs for 8894 students. In 2015-16 the district provided educational programs for 8821 students and in 2016-17 the district provided educational programs for 8731 students. These enrollment figures included special education students who attended district schools as well as those who were placed in non-district educational settings. The respective classification rates are approximately 13.5% (2014-15); 14% (2015-16); and 15% (2016-17). Even though the North Syracuse Central School District is experiencing a steady drop in enrollment, the classification rate is rising. This should be of concern to the district.

In addition to the special education population, approximately 17% of the students attending district schools receive instructional support in the Academic Intervention Services (AIS) program and approximately 4% of the student body has been approved for 504 plans. This data suggests that over 36% of the district's students are receiving some form of support service. Additionally, based on 2016 spring testing results for Grades 3 to 8, 68% of the district's students are not proficient in English Language Arts (ELA) and 63% of them are considered to be not proficient in Mathematics. By any measure these data too should be of concern to the district.

2. The Executive Director for Diverse Learning and Student Support is responsible for the instruction, administration, coordination, supervision and operation for programs for students with disabilities, Pre-K through 12 and for the social-emotional and educational support for all learners, Pre-K through 12. This professional reports directly to the Associate Superintendent for Teaching and Learning. Even though the Executive Director is

responsible for what is known in other school districts as pupil personnel services, the staff still regards the Executive Director as the Director of Special Education. One might assume that a district this size would have a full-time special education director but this is not the case here. There is, however, a full-time Assistant Director of Special Education but in total there are less than 2.0 FTE special education administrators in the district. The efficiency and effectiveness of this model should be questioned. In the recent past the department employed another special education administrator, but that position was eliminated.

3. Ostensibly the Associate Superintendent for Teaching and Learning oversees the entire special education department, but operationally it appears that the Superintendent of Schools has taken on this role. In fact, many staff members and parents deal directly with the Superintendent regarding special education issues and concerns rather than the Associate Superintendent or Executive Director since they feel their concerns are not being addressed.

4. This role for the Superintendent has been reinforced with the Superintendent's coordination of the Special Education Study Team's work.

5. Committee on Special Education (CSE) meetings are held regularly to determine students' needs, handicapping conditions (if any), educational placement and related services.

Program duration and intensity is also determined and an Individual Education Plan is developed. Each school maintains a CSE for those students whose placement remains constant and/or for those students whose recommended programs are less restrictive. The district maintains a CSE for those students whose recommended programs are more restrictive. At any rate, the CSE meeting is preceded by a meeting of the building-based Special Education Referral Team (SERT) where most of the placement recommendations are

formulated. Both SERT meetings and the CSE Meetings are usually chaired by a special education administrator. This process is not consistent across the district and many special education teachers and therapists reported that the SERT or pre-CSE meetings are not working in the best interests of the students. They further report that they are often pulled from their regular assignments to test and evaluate students in preparation for SERT meetings. In a related matter they are also pulled from their regular assignments to conduct required triennial evaluations.

6. There is a considerable lack of commitment across the district to child study teams. Both the Instructional Support Team (IST) and the Response to Intervention (RTI) Team are underutilized and not really functioning very well. In some schools they are non-existent. These are general education initiatives designed to support student success in the general education program. When they fail to do this, an increase in special education services should be anticipated. The data suggests that this is what is occurring in the district today.

7. The development, management and evaluation of IEPs are inadequate. The writing process is not consistent and language used is not consistent.

8. The district maintains self-contained classes for certain severely disabled students in need of a more restrictive setting and supports out of district placements which include BOCES for the most severely disabled students and tries provides for their participation in the general education program whenever appropriate. The district also provides an array of over-subscribed related services such as speech, occupational and physical therapy, as well as specialized instructional support services for the hearing and visually impaired.

9. The new model introduced by Dr. Causton and implemented in Grades K-7 in September 2016 may be compromised by at least the following factors:

- Classrooms are neither equipped nor designed for a full inclusion approach. There are real space limitations in most of the classrooms for additional adults and for the provision of special education services they provide. Additionally most classrooms appear to be set up rather traditionally and this too is a barrier to success.
- Teacher assistants are often paired with special education teachers, but they cannot and should not deliver special education services.
- Staff development is voluntary so there is no way of insuring that teaching and learning environments are meeting student needs. Professional conflicts regarding services, service delivery, and roles and responsibilities are increasing.
- Schedules for instruction and opportunities for teacher planning and collaboration are also a concern.

Culture of Special Education in the District

1. The organizational culture of special education, for the most part, reflects the organizational culture of the district. The flow of information is uneven and inconsistent. Decision making processes are not predictable. Chain of command is unclear and shifts from time to time.

2. Contrary to the district's mission statement, district publications and district messaging, focus appears to more on the adults employed rather than on the students enrolled. This is

especially troublesome because special education by its very nature is designed to focus on student needs.

3. There is a concerted effort to treat all schools the same regarding the allocation of funds and personnel. For example, per pupil allocations are the same regardless of the needs of the students and cost implications for services often limit what services are offered.

4. Communication between and among the staff regarding special education students is a challenge.

5. In the past some general education teachers were very successful at avoiding any participation in the special education program. This is not the case any longer and this cultural shift underpins much of the apparent discontent among staff. The “my kids vs. your kids” debates have been refueled.

6. Special education teachers believe they know what is best for their students and yet are routinely told that their recommendations must be consistent with the new “model.” Teachers do not believe that they can look at children individually and address those individual needs.

7. The voluntary aspect of staff development may preclude academic success.

8. The district needs to adopt and use a common special education vocabulary.

Compliance Issues

1. Requests for hearings are often rooted in complaints regarding gaps in evaluations, out of date evaluations, poor implementation of Behavior Intervention Plans (BIP), and homebound instruction. Almost all of these cases are resolved prior to formal hearings but the fact is that there are an excessive number of these complaints and the legal costs settling them are prohibitive.
2. Very little special education data analysis is conducted.

RECOMMENDATIONS

Impactful District Practices, Operations and Characteristics

1. The community most likely believes the District's stated mission. The staff needs to internalize it and actualize it. It would be helpful to the organizational health of the district to revisit the mission in a deliberate way.
2. All stakeholders need to purposefully focus on student needs rather than the needs of the adults in the organization.
3. The role and responsibilities of the directors needs to be examined. The current model appears to still reflect the now abandoned State Education Department subject area organization. Principals must become more engaged in district operations and a chain of command must be established.
4. Clear district priorities need to be established.
5. Processes for clear, unambiguous communication are needed.

Organization and Administration of the Special Education Program

1. The district is encouraged to use data for school improvement purposes. Data analyses often reveal trends that can be managed and addressed in a more targeted, efficient manner.
2. The district needs to rethink the administrative structure necessary to support special education. The district should begin this task by aligning the administrators, including the building principals, with specific management and coordinating responsibilities. For example, perhaps special education services would be better aligned under the auspices of the Assistant Superintendent for Instruction. Presently, the central office special education administrators serve as chairs of the building SERT (Pre CSE Meetings) and the building CSE meeting as well as the district CSE. This is unrealistic and not sustainable. The special education chain of command needs definition and clarity. Section 504 requirements are not a special education service and should be managed by general education personnel, perhaps by RTI referenced below.
3. It is strongly recommended that a well-executed RTI program replace what left of the IST process as well as the SERT process. It would be the RTI personnel who would only when absolutely necessary refer a student to special education. RTI is a general education initiative and if done right will be working to improve the general education environment for all students and refer students to special education very selectively and with cause.
4. Credibility needs to be restored to the IEP process. Consistency and the use of common language are absolutely necessary. The RTI will inform not only the CSE but the IEP as well.

5. Any move to a more restrictive environment needs to be carefully weighed and reasons why the inclusive model is inappropriate and reasons why it can be made appropriate need to be determined.

Culture of Special Education in the District

1. Special Education needs to be seen and understood as a delivery system and not a place. This will be better realized when administration of special education is shared; when special education teachers assume leadership roles in the schools, when general education teachers believe that they are capable of teaching special education students, certainly with the support of special education teachers; when all teachers accept that public education is for all children and youth and that from time to time they need to behave and teach differently to better serve students; and, when all teachers develop and maintain a professional dialogue between and among themselves regarding students, student needs, and their roles in meeting those needs.
2. A concerted effort must be made to communicate with staff clearly, honestly and accurately. Written communication is advisable. Decision making processes needs to be clearly understood by staff and a chain of command needs to be reiterated and enforced.
3. As mentioned elsewhere in this report, a true student-centered environment needs to be established in the district.
4. The district is encouraged to include special education teachers in all relevant instructional and curricular improvement initiatives. Their concerns and opinions need to be elicited.

5. Certain staff development initiatives such as integrated co-teaching, in-class delivery and behavior management need to be required of all teachers for the benefit of students. The district needs to engage the NSCSD Teachers Association to address the voluntary nature of professional development. At the present time there are only four days dedicated to staff development. The district needs to ensure that these days are used to improve instruction. Presently these days are the only required professional development time allotted by contract. The district should explore how these days could be configured. For example, eight half days would probably be more conducive than full days and they could be spread out over the course of the school year.

6. As educators we know that in terms of student learning “one size fits all” is fallacious. Even though we know that teaching styles and learning styles vary, teachers tend to teach the way they prefer regardless of whether it is what the student’s learning style requires. Special education teachers are specifically trained to provide variation in instructional delivery as particular learning styles require. The district needs to exercise discretion and support these instructional alternatives at least for special education students if not for all students.

7. All teachers are not created equal and while it may be an expectation that special education students are a welcomed addition to the general education classroom it is simply not in evidence district-wide at this time. The special education student needs every advantage to support success so it is recommended that whenever possible the special education students are indeed placed in an inclusive and welcoming environment. Principals could help facilitate these placements.

8. Issues of planning and scheduling need to be addressed directly. These may be considered to be details that building staff or the special education teachers can figure out but this is not the case. Collaborative planning and scheduling must become part of the equation when staffing and teaching assignments and class lists are generated.

9. The district may want to consider establishing a district-wide evaluation/assessment team as part of the CSE protocol rather than depending on building staff who are otherwise teaching fulltime. A team such as this would be more efficient. Gatekeeping would be assured and Part 200 would be better implemented. Standards would be maintained and accountability could be better ascertained. This team could also be charged with monitoring IEPs and help to ensure that they are being implemented as intended. Under the current organizational model, the Associate Superintendent for Teaching and Learning could perhaps provide administrative support by chairing such a team.

10. The role and responsibilities of the CTD teacher needs to be clarified and their services across the district need to be more consistent. The same holds true for related service personnel who are now providing services in the general education classroom environment.

11. Integrated co-teaching continues to be a viable opportunity for many special education students and the district is encouraged to revisit its commitment to it, especially in the elementary schools.

Compliance Issues

1. The district must consistently implement Part 200 of the Commissioner Regulations and ensure that they are being followed. These regulations should be readily available and referenced on a regular basis.

2. Student evaluation and assessment data must be relevant and timely.
3. IEPs need to be credible, working documents.
4. Ensure that special education services are student-driven and not schedule-driven.

CONCLUSION

The organization, design and delivery of special education services challenge all of us to rethink what we do as educators. The North Syracuse Central School District is commended for their commitment to those students in needs of special education services. It is our hope that this report will be the impetus for a district-wide conversation regarding special education. We would like to thank the Superintendent for her trust and support. We would also like to thank the members of the staff who participated in this effort. It has been a privilege to work with all of you.