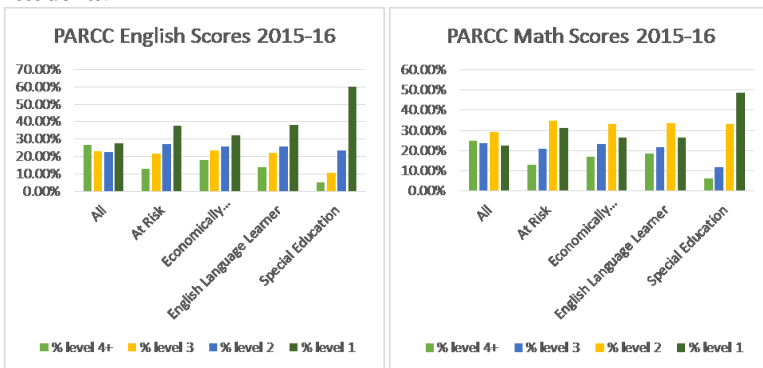


# SPECIAL EDUCATION IN DC: A CONTINUING CRISIS

## CHILDREN IN SPECIAL EDUCATION ARE THE MOST UNDERSERVED STUDENTS IN DC

Both DCPS and Public Charter Schools are abysmally failing children in special education, who make up 15% of students.<sup>i</sup> Children with disabilities have worse academic achievement than any other group, by far. Many are years behind despite ability to learn. Only **five percent** of students in special education are proficient (Level 4+ on PARCC) in English/Language Arts (ELA) and **six percent** in Math. **60% are scoring at the lowest level** (Level 1) in ELA and 49% in math, compared to 25-30% of all students.<sup>ii</sup>



Only **46% of children with disabilities graduated with a diploma.**<sup>iii</sup> Merely 4% of high schoolers are proficient on the English statewide exam and less than 2% on the math exams.<sup>iv</sup> This shows that students are leaving school without true achievement.

DC does not publicize what percentage of students receive the less valuable “certificate of completion.”

Only 37% of students with disabilities were enrolled in any post-secondary school or training or employed within one year of leaving high school.<sup>v</sup>

**Students with disabilities are 1.4 times more likely to be suspended out of school,** controlling for race and other factors.

The inequity is even worse when race is considered: 18% of African-American students with disabilities were suspended compared to 5% of Hispanic and 2% of White children with disabilities.<sup>vi</sup> One third of children who are expelled are in special education, disproportionate to their 15% of student population.<sup>vii</sup> As stated by the US Department of Education, this indicates that children are not receiving the special education supports they need.

**For the 11th year in a row, the US Department of Education determined that the District Columbia Needs Intervention** in implementing the requirements of Federal law for educating children with disabilities. This is the most critical category a state can be in, which can allow the US DOE to withhold special education funding until the city has sufficiently addressed the critical areas.<sup>viii</sup>

Parents struggle to get needed help for their children. The DC Ombudsman for Public Education has consistently reported that special education problems are the most prevalent issue they assist: 41% of complaints they accept for assistance involve special education, including some related school discipline problems. 57% of those cases were from Wards 5, 7, and 8.<sup>ix</sup>

## KEY CONTRIBUTING FACTORS FOR ABYSMAL OUTCOMES FOR STUDENTS IN DC

- ◆ DC does not have the supports and services available to meet the needs of students along the entire continuum of placements. At each point along the continuum, from full inclusion in general education classrooms to pull-out smaller group settings to education in special education schools whether private or public, supports and services that children need are lacking.
- ◆ Prepared and adequate staffing and ongoing training for teachers, aides/paraprofessionals, and other school staff is a great need
- ◆ Minimal or non-existent access for parents and schools to non-legal, informal, and preventative dispute resolution processes and practices
- ◆ Parent training and engagement options and offerings are limited
- ◆ Parent involvement is limited by lack of public information about
  - ◇ What schools offer and how students are doing in the different services and settings offered by DCPS and PCS
- ◆ DC should be preparing students for college or careers, but students cannot access meaningful transition services in school or through other DC agencies
  - ◇ Rehabilitation Services Administration (RSA) within the Department of Disability Services is required by Federal law to be involved in transition, to help provide services targeted to future careers for students. RSA is often not connected to students and is limiting the services provided, especially access to college.
- ◆ Although all DCPS and PCS schools have a duty under Federal and local law to accept and educate children with disabilities, students with disabilities are not equally included in all schools.

## SPECIAL EDUCATION IS:

- A Federal requirement for DCPS and Public Charter Schools under the Individuals with Disabilities Education Act (IDEA).
- A human right, so that children with disabilities can grow, be included in school and society, and contribute to their communities.
- An affirmative duty of DCPS and PCS schools to recognize when a student does or may have a disability.
- Individualized education; programs for each child, based on that child's unique strengths and needs, so that the child can learn the same curriculum as peers.
- A continuum of alternative placements available to meet the unique needs of children with disabilities for special education and related services. Per IDEA, the continuum must include instruction in general education classes, special classes, special schools, home instruction, and instruction in hospitals and institutions; and make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with general education class placement.
- For children who fall into thirteen different disability categories. The most students have learning disabilities.<sup>x</sup>

## SUCCESSFUL SPECIAL EDUCATION INCLUDES:

- ◆ High expectations for the progress and success of students, per the IDEA.
- ◆ A robust array of services, including proven interventions, therapies, and settings ranging from full inclusion in a general education classroom ~ *with supports*~ to specialized classrooms and schools when that is what the child needs.
- ◆ Fully trained and supported teachers and school staff, including dedicated aides and additional teaching staff in inclusive classrooms.
- ◆ Meaningful parent participation and a strong role for the parent in the child's education.

## DC MUST FULLY FUND THE 2014 SPECIAL EDUCATION LEGISLATIVE REFORMS UNANIMOUSLY PASSED BY THE DC COUNCIL, WHICH HAVE NOT GONE INTO EFFECT BECAUSE UNFUNDED.

*Fully funding the Acts will ensure that:*

- 1) Students receive eligibility and assistance in two months rather than almost half the school year, which will help classrooms, teachers, and the child;
- 2) Schools will begin to plan for the child's path to graduation and future success at the end of middle school, and Rehabilitation Services Agency can use Pre-Employment Transition Services funding already given to DC via the Workforce Innovation and Opportunity Act to help fourteen and fifteen year old students;
- 3) Strong Start/DC EIP services help more young children with disabilities catch up before they get to school; and;
- 4) Dedicated funding is available to improve schools' capacity to help children progress.

- i. OSSE Discipline Report, page 15. [http://osse.dc.gov/sites/default/files/dc/sites/osse/page\\_content/attachments/2015-16%20School%20Year%20OSSE%20Discipline%20Report.pdf](http://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/2015-16%20School%20Year%20OSSE%20Discipline%20Report.pdf)
- ii. Detailed 2015-16 and 2014-15 PARCC and MSAA Achievement Results, OSSE, at <https://drive.google.com/open?id=0BxRyVj1lhggyY0JKtNRXOHhUd0U>. This is minimal improvement from last year, about 1-2%. DC scores on the National Assessment of Educational Progress, administered in 2015, are very similar, with about 4-6% of students with disabilities "proficient" (compared to 25% of non-disabled students) and 73-83% Below Basic in Reading (compared to about 40% of non-disabled students. [https://www.nationsreportcard.gov/reading\\_math\\_2015/files/2015\\_Results\\_Appendix\\_Reading.pdf](https://www.nationsreportcard.gov/reading_math_2015/files/2015_Results_Appendix_Reading.pdf)
- iii. ED Data Express, District of Columbia State Snapshot, Regulatory Adjusted Cohort Graduation Rate, Children with Disabilities: 2014-15. <https://eddataexpress.ed.gov/state-report.cfm?state=DC&submit.x=39&submit.y=16>. In addition, DYRS data shows that 80% of youth who are court-involved have special education needs, and barriers to graduation are even higher for this population. Department of Youth Rehabilitation Services (January 2016) *FY15 Performance Oversight Hearing Pre-Hearing Questions and Answers*, Q2.d., [http://dccouncil.us/files/user\\_uploads/budget\\_responses/TrackingYouthSuccess\\_1234578.pdf](http://dccouncil.us/files/user_uploads/budget_responses/TrackingYouthSuccess_1234578.pdf)
- iv. Detailed 2015-16 and 2014-15 PARCC and MSAA Achievement Results, OSSE, at <https://drive.google.com/open?id=0BxRyVj1lhggyY0JKtNRXOHhUd0U>.
- v. District of Columbia IDEA Part B, Local Education Agency Report for Federal Fiscal Year 2014 (July 1, 2014- June 30, 2015). <http://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/Report%20to%20the%20Public%20Part%20B%20FY%202014.pdf>. Note: This report contains the most recent audited data regarding special education performance.
- vi. OSSE Discipline Report for 2015-16, page 34 and 37.
- vii. OSSE Discipline Report at page 15.
- viii. July 2016 IDEA Part B Determination Letter: <http://www2.ed.gov/fund/data/report/idea/partbspap/2016/dc-aprtr-2016b.pdf>
- ix. District of Columbia Office of the Ombudsman for Public Education, *2016 Annual Report*, p.12-13, [http://sboe.dc.gov/sites/default/files/dc/sites/sboe/publication/attachments/DC%20omb%202016%20Annual%20Report\\_v19.pdf](http://sboe.dc.gov/sites/default/files/dc/sites/sboe/publication/attachments/DC%20omb%202016%20Annual%20Report_v19.pdf)
- x. Source of graph data, IDEAdata.gov, accessed December 2016: Excel spreadsheet data available from Children's Law Center

Number of Children with Different Disabilities

