

Special Education Citizens Advisory Committee Report to the Howard County Board of Education And Priorities List

SECAC Statement of Purpose:

The Code of Maryland Regulations (COMAR 13A.05.02.13I) requires the following for a Special Education Citizens Advisory Committee (SECAC):

- (1) Each local school system shall establish a special education citizens advisory committee to advise the local school system on the needs of students with disabilities within the jurisdiction.
- (2) The Department shall annually allocate federal funds to each local school system to support the activities of the local special education citizen advisory committee.
- (3) Each local school system shall submit a budget for the use of federal funds, consistent with §C(1)(a) of this regulation.

Each SECAC is given a grant of \$2,500 each year to support such activities. SECAC has used this funding in the recent past for the SECAC Recognition of Howard County Public School System (HCPSS) staff and contractors and for training courses for parents and staff.

HCPSS Inclusion:

HCPSS has a history of full inclusion for students with Individualized Education Programs (IEPs). The Individuals with Disabilities Education Act (IDEA) requires public schools to provide a free appropriate public education (FAPE) to qualifying students with disabilities to the maximum extent with their nondisabled peers - meaning in the least restrictive environment (LRE). The definition of LRE has been the subject of much debate within the County and even the Country. Wrights Law has a succinct description of LRE. It states "LRE means that, *to the maximum extent appropriate*, school districts must educate students with disabilities in the regular classroom with appropriate aids and supports, referred to as "supplementary aids and services," along with their nondisabled peers in the school they would attend if not disabled, unless a student's IEP requires some other arrangement." <http://www.wrightslaw.com/info/lre.osers.memo.idea.htm#sthash.Ui92n75A.dpuf>

Inclusion is not defined in the law and is subject to greater debate, even within the special needs community. Do we force the issue of providing FAPE to all of our children, no matter the extent of the disability, in the general education classroom and meeting the intent of the federal law? Or, do we create HCPSS programs for children with like disabilities to better meet their needs with the realities of budget constraints, but keeping them out of classrooms with their nondisabled peers? We are split as a community on this issue, but the community and HCPSS must work together to better meet the needs of students with disabilities.

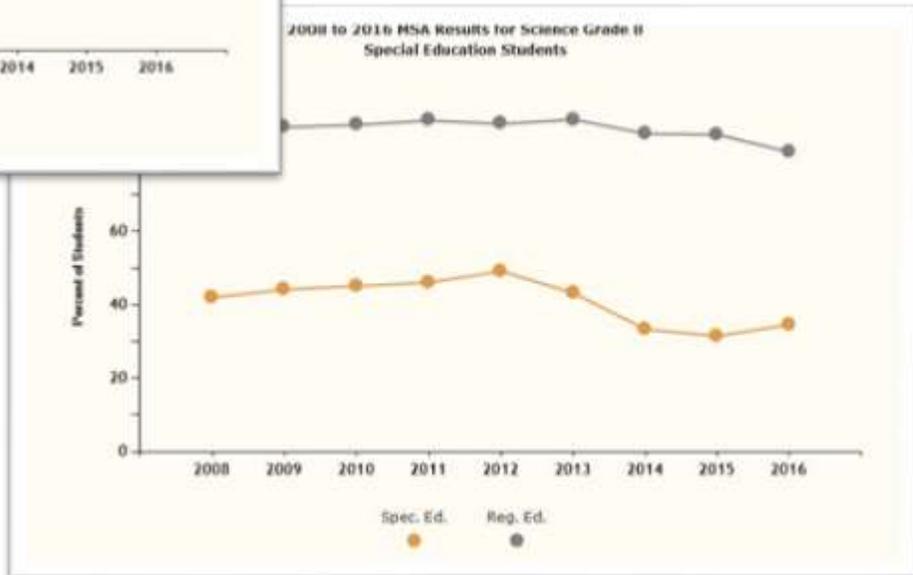
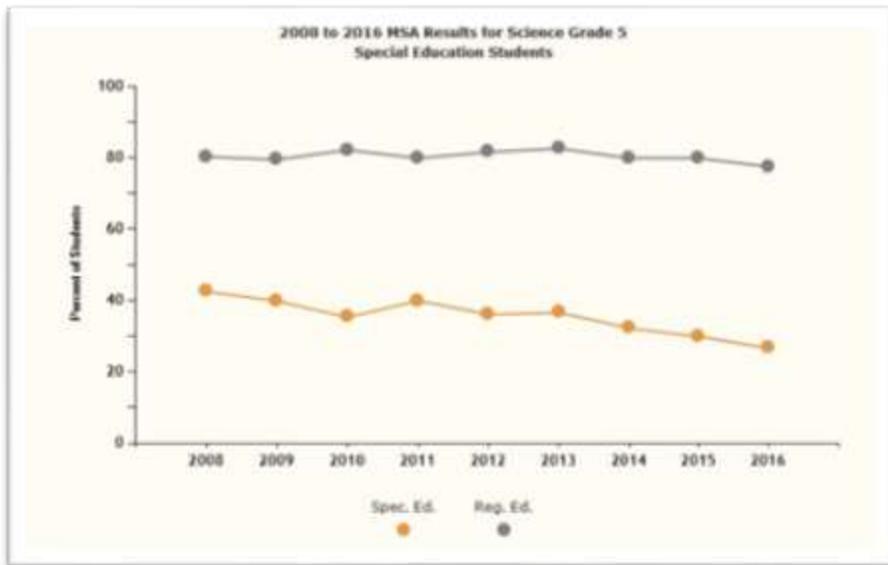
Background:

In July 2014, the HCPSS entered into a sole source contract with District Management Council (DMC) to audit special education. A review of DMC contract awards across the country revealed that school systems were intrigued with the DMC promise to increase special education academic outcomes while significantly cutting costs to districts.

The Howard County Autism Society, The Arc of Howard County, and the Special Education Citizens Advisory Committee Executive Board were told that they would not only receive a copy of the DMC audit report prior to its public release, but that their members would be part of and also lead some of the work groups to implement the subsequent recommendations. When none of that occurred, these disability groups continued to speak publicly

and write letters and emails to the Superintendent and the Board of Education in an attempt to obtain the report and participate on work groups more than two years after the completion of the audit.

A very important result that was released in the DMC “Highlights for Sharing” report was not only a decrease in test scores for students with disabilities, but a concerning and significant widening in the achievement gap between general education and special education student test scores. The same results are found on the



Maryland State Department of Education 2016 Scorecard (examples below).

The special needs community had been systematically removed from input into HCPSS processes established to improve special education services. This directly contradicts a major tenant of the federal Individuals with Disabilities Education Act (IDEA), which specifies the importance of parental participation in the education of their children with disabilities. IDEA states:

“Almost 30 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by-- strengthening the role and responsibility of parents and ensuring that families of such children have meaningful opportunities to participate in the education of their children at school and at home.”

Two results of altering the long standing Howard County priority of involving the community have been a pervasive and persistent outcry from parents and academic and behavioral regression by many students. At the December 8, 2015 Education Town Hall meeting, hosted by Delegates Frank Turner and Warren Miller, among the

many community members speaking, twelve parents spoke about significant concerns related to HCPSS special education services.

Not only have parents expressed concerns over special education services, but educators have spoken out as well. People Acting Together in Howard (PATH) embarked on a yearlong action, hosting 140 listening meetings with over 1,400 Howard County educators, parents and students. Special education issues were raised so often that PATH and SECAC hosted a special-education-only listening meeting attended by teachers, paraeducators and parents. At these meetings, parents of students with disabilities heard that educators are often not able to meet the needs of these children due to overwhelming caseloads, a lack of appropriate training and support personnel, inadequate planning time between co-teachers, and curriculum demands that preclude the time necessary for special education students to master a subject.

PATH has included a request for improvements in special education as one of their agenda items being presented to the new Board of Education. To that end, SECAC has developed this report for the new Board and the HCPSS Department of Special Education.

SECAC is encouraged by the attention to including the voices of parents in special education processes by the newly constituted Board of Education at their first meeting, and the Department of Special Education in their ongoing work on a strategic plan. We look forward to a cooperative relationship between parents, staff and Board members in the interest of improving the outcomes for students with special needs. While there are many students with disabilities thriving in HCPSS, the focus of this report is the list of items where, working together, we can address areas for improvement. To that end, SECAC has outlined a number of priorities developed and agreed upon by our members. We look forward to working in cooperation with staff to improve the outcomes for students with disabilities in Howard County Public Schools. This report is the result of the collection of input from our members – parents of children of different ages and disabilities, educators with different levels of training and experience, and outside advocates who have contacted the SECAC Executive Board with current issues to be addressed.

#1 Priority – Staffing

Both parents and educators have expressed concern over the decreases in staff, increases in caseloads, and significant reductions in support staff. Paraeducators have been displaced from kindergarten classrooms when many students have yet to be diagnosed. Other paraeducators have been moved around the school building, forced to support multiple classes and grades. This not only impacts teachers' abilities to implement IEPs, but hinders the ability of paraeducators to develop relationships with special needs students who often have difficulty with transitions. Paraeducators have expressed concern over a lack of training, especially those moved from general education or positions with no experience in special education.

Themes from paraeducators:

Special Education Paraeducators report that they have never had enough training to work with many of these special children. Most of the time, what and how they learn is through on-the-job experience. In addition, every child is different and some have more severe disabilities than others. High functioning students tend to be easier to work with (unless they have behavioral needs) and lower functioning students sometimes get nothing more than babysitting. Staff that have been in the field for longer amounts of time have been able to learn more over time, some from a little training, but mostly from direction of the Special Education teacher, whose time is more limited each passing year.

Media paraeducators have reported that they are being asked to "cover" for special education students and are spending more time with special education than in the media centers. Since they are not designated as special education paraeducators, they are not able to attend the training to assist special education students. DMC reports from other school districts have highlighted the fact that when

untrained support staff deals with special education students directly, they often cause more problems than they solve. It has also been reported that special education paraeducators are allowed to ask for a substitute immediately. However, general education paraeducators have to be out 3 or more days in a row to get a sub. Due to their designation as gen ed, but supporting special ed in reality, this causes even greater hardship on teachers and special education students. It has also been reported that the substitute shortage is "worse than it has ever been", with at least one commenter stating that substitutes often choose to go to other counties because they have not been given raises in Howard County for many years. Another commenter relayed that her administrator warned staff that paraeducators should expect to work in several different grades with special education students for the current school year and if they couldn't do that, they should leave the school system.

Student assistants (SAs) who have worked in HCPSS for many years have reported significant detrimental changes in special education services in the last few years. SAs used to follow particular students from elementary school to middle school to high school. Schools are so understaffed currently that student assistants must leave their student requiring Close Adult Supervision (CAS) to assist other classes within most days. Additionally, SAs are not receiving behavior training that would help immensely with classroom management. One SA from a Title I school reported that in one class this year, the same group of students have significant behavior issues every day (as they have been grouped together in the same class). The punishment for those students is to miss lunch and recess and return to the same class the next day. Disruptions every day is creating a strain on the whole class and the consequences for the students is actually reinforcing the negative behaviors with no attempt to identify the cause of the behaviors and redirect those students.

Paraeducators have expressed that in addition to their own lack of training, all staff members that interact with special education students do not receive necessary training. This negatively impacts HCPSS's ability to provide students with a free appropriate public education. With more educators, there would be time for training, collaboration with the special education teacher, collaboration with the general education teachers and with other paras. Lack of time in the day is also a major concern for paraeducators. Many times there is no one to cover for them for simple duties. It is even difficult to find coverage to simply take a break! With increasing class sizes, general education and special education teachers also have less time to devote to training paraeducators.

In elementary schools this year, special education paras are now covering multiple grades, which they did not have to do in the past. Therefore, planning periods are not the same time for all grades, making planning difficult, if not impossible. In addition, general education teachers report that they are so stressed that they are not planning for the week anymore and can only plan day to day. As a result, lessons do not always get modified per students' IEPs.

Example: At one elementary school currently, one teacher, one para and one Temporary Employee [TE] are covering 6 students in one grade (1 Close Adult Supervision [CAS] required) and 5 students in another grade (1 CAS required) with IEPs. More are in the pipeline to be tested for IEPs, if they can find time to test! The special education teacher is responsible for getting students their pull out time (in groups that are not necessarily compatible). The TE covers the CAS student in one grade and the special education teacher covers the inclusion hours. In the other grade, the CAS is covered by either the para or the special ed teacher. All but an hour of the day for that para is covering the CAS student. However, that para's time also counts as the in-class hours for the other students. Those students are not getting the help that they should be getting according to their IEP.

In addition to inadequate time devoted to students with disabilities, temporary employees and student assistants have recently been approved to provide instruction to students. These are the personnel with the least amount of education and training and is a topic of concern SECC brought to the Education Advocacy Coalition (EAC). The

EAC, comprised of over 30 disability organizations and individuals concerned with special education issues in Maryland, meets regularly with the Maryland State Department of Education.

SECAC has also been contacted by general education teachers concerned about unmanageable caseloads. One high school English Language Arts teacher expressed her complete inability to meet IEP requirements with 19 students on IEPs in one class. Another high school general education teacher told us that she had 24 students on IEPs in one class last year.

We believe one problem lies within the formula used for calculating the staff needed to fulfill the IEP. There are more areas that should be considered than a formula based solely on total IEP hours needed. While the total hours by student need to be taken into account, the inclusion and pull out hours by subject need to be considered as well as the school's schedule by grade. Further, the special education teachers' planning time must be factored into the formula. Time for testing and time for collaboration with paras should also be included.

Two possible examples of how caseloads could be determined are based on the assumption that "smaller is better":

1. HCPSS should consider class weighting. The system that has been used in Warwick, RI since the 1980s to determine class size is termed "weighting." The reasoning is that special needs students require additional attention and therefore should be counted as more than one student when determining class size.
2. HCPSS should review current research in the area of class size, student/teacher ratios, or caseloads as they relate to special education. One such example was proposed by the state of Minnesota in 2000 - <https://mn.gov/mnddc/past/pdf/00s/00/00-ISE-MDE.pdf>

SECAC requests a more effective staffing formula be considered in the future, one that accounts for the severity of students needs by assessing such variables as (1) student minutes per week, (2) instruction minutes per week, and (3) the number of IEPs for which a teacher is responsible to manage or coordinate. There should also be a limit on the number of students on IEPs per class.

IEP Compliance

A common concern among SECAC members with children with different disabilities is compliance with Individualized Education Programs (IEPs). While IEP compliance for each of our students varies year by year and in the severity of the noncompliance, it is a significant issue that impacts not only our children's success, but the resulting confidence they lose in their abilities that can remain with them long into the future. SECAC recognizes that there are many general educators, special educators, paraeducators, and student assistants providing positive experiences for our children. However, when IEPs are not followed (or worse, not given to educators), the result can have a lasting impact on our vulnerable children.

SECAC requests HCPSS designate a staff member dedicated to IEP compliance – someone who knows the law and can do spot audits – not simply for the items that they have to report to MSDE, but true compliance with individual IEP goals and data collection, supplementary aids and services, etc.

Another suggestion is to break down IEP compliance to the supplemental aides & services section of the IEP instead of just the actual goals & objectives section. For example:

1. *Track service hours received - separating pull out & in class time. This is often problematic. Student specific accommodations or modifications need to be tracked.*
2. *Data for goals & objectives must also be regularly and consistently tracked. Paraeducators and student assistants with little training are often recording the data and can be inaccurate as presented to the special education teacher. Data books should always be available.*

3. Special educator & related service provider credentials should be made clear – Speech Language Providers do not have PROMPT training, which is important for many students on the autism spectrum. Special Educators, Psychologists, and aids do not have sufficient behavior training to help students with autism, emotional disabilities, and ADHD avoid negative behaviors in the first place. In addition, parents are told in IEP meetings that their students are not making progress and the provider has not had the training to know what to do.

SECAC requests a study to work towards the implementation of an online system to demonstrate compliance with IEP hours, which parents should be able to check daily or weekly.

Training

Staff training has been a serious concern among SECAC members for many years. It is no surprise that PATH Listening Meetings highlighted the same concern from educators. Many paraeducators expressed their disappointment with both a lack of training each year and effectiveness of the training they do receive.

Many staff working with special needs students are not adequately trained (from bus drivers to administrators and everyone in between) according to reports from parents, educators, and staff. There needs to be a standardized minimum training requirement for paraeducators working with special needs students that is followed with fidelity. SECAC has asked for the current list of training for each level of educator working with special needs students, but detailed information has not been provided. SECAC has grant funding to assist, albeit on a small scale, with training needs. We would like to partner with DSE to assist in this important component of providing a free appropriate public education (FAPE) to students with disabilities.

SECAC requests that behavior training be a priority for all staff – general educators, special educators, student assistants, bus drivers, etc. Additionally, HCPSS should consider using Board Certified Behavior Analysts (BCBAs) to provide behavior training. SECAC also requests a gap analysis of current training at all levels.

Continuum of Services

There is a divide among the special needs community about inclusion. In an ideal world, the maximum number of students with disabilities would be in general education classes for most, if not all, of their school day. However, when class sizes, training limitations, and support personnel are not adequate for the general education teacher to meet the needs of students on IEPs, parents long for a program where their students will learn skills necessary to become independent adults. (Often parents state that they simply do not want their children to regress – academically, emotionally, behaviorally).

The overwhelming perception of our members is that there is a general lack of services and/or programs for students with disabilities in HCPSS. While there are preschool and early elementary autism programs, there is a significant gap for later elementary and middle school students. SECAC members are grateful for the one UL pilot extension of the Primary Learner (PL) program for students with Autism into 3rd grade in FY2017. However, when a child “ages out” of the PL program, which has significant supports, and returns to his home school in general education, it is a rude awakening for parents. In addition, not every student with a disability fits within the Emotional Disability or Academic Life Skills regional programs.

SECAC has been told (for at least some schools), high school review courses (e.g., American Government Review, ELA Review) are being eliminated. These are “on grade level” courses that are taught at a slower pace, which are absolutely essential for students with disabilities. SECAC members have expressed concern over the push for more GT, AP, and other advanced courses and the removal of on-grade level, below grade-level, and review courses designed to meet the needs of certain students who need more time on task. Removing these courses increases the potential need for nonpublic placements for students who need a slightly slower pace, but could otherwise be taught with their nondisabled peers. In addition, the curriculum content continues to be pushed

down into lower grades without self-contained classes in which students with moderate disabilities can truly learn skills. Instead many students are struggling to keep up with the pace. More and more parents are being told that including modifications in the IEP means students have to be taken off the diploma track (even though they have until age 21 to graduate). Teachers are also not truly able to differentiate instruction with ever increasing class sizes and “rigor” (even though they are required to do so by law). Obtaining a diploma is becoming less attainable for students even with mild disabilities due to the confluence of these changes.

DMC also recommends Reading Specialists provide more services directly to special education students. The district should provide a full listing of available literacy programs. And, reassessment needs to be done on a regular schedule when a new literacy program is introduced for compliance of service and evaluations.

Other related issues include:

1. Common Core is far too rigid to be used as benchmarks for many children with disabilities. It assumes children develop the same as their nondisabled peers. As a result, some skills are acquired quicker and others much slower. Children need to be taught at developmentally appropriate levels, not where they are chronologically, in order to meet their full potential. Common Core does not allow many children with disabilities to become independent academically, socially, and/or emotionally. With inappropriately set benchmarks, these children never have the opportunity to become independent of adult supervision.
2. Interventions that promote social learning need to be embedded into the day-to-day activities for children with ASD, emotional disabilities, ADHD, etc. Social learning includes social interpretation, critical thinking, self-awareness (both social and academic), and perspective-taking to problem-solve for more fluid social communication (<http://leader.pubs.asha.org/article.aspx?articleid=2547788&resultClick=3>). Instituting peer mentoring programs and training educators to teach social and emotional learning will help guide students to connect with peers to develop social competencies.
3. Many children with disabilities do not possess the executive functioning skills to manage the different tasks required of them and are not able to communicate effectively about problems that may arise when attempting them.
4. The PARCC exams are an obstruction for a percentage of children with disabilities who seek to obtain a high school diploma. As such, alternative ways of assessing children with ASD, emotional disabilities, ADHD, etc. need to be devised. These students have difficulty with the following skills that are tested:
 - a. sustaining attention through long reading passages,
 - b. producing written responses to reading comprehension questions and solving multi-part and multi-step math problems due to inadequate working memory,
 - c. inferring from text,
 - d. summarizing information due to the inability to select relevant information.

SECAC requests on grade level and review courses designed at a slower pace be reinstated in the curriculum. Additionally, we request the expansion of the UL program to 4th grade in FY2018 and 5th grade in FY2019.

Social/Emotional/Behavioral supports

Another area of importance to our members that is highlighted in DMC reports in other school districts is the need for social/emotional support for students with behavioral issues.

From the Simbury, CT public school report by District Management Council:

“The district had been adding to its staff of paraprofessionals to address growing behavioral support needs. DMC helped the district transition from paraprofessionals to highly skilled behaviorists to work

with students with significant behavioral needs. The district also invested in increasing the expertise of staff teaching the most behaviorally challenged students. These changes in practice reduced behavioral challenges and improved academic achievement.

The district's one behavior specialist must spend the majority of her time supporting students with autism, not providing coaching for general classroom behavior management coaching."

http://www.simsbury.k12.ct.us/uploaded/District_Content/BOE/Budget_Update/2012-2013_Budget_Year/Simsbury_Opportunities_Review_Final_Report_1_5_10.pdf

The HCPSS experience is similar to the Simsbury experience. We currently have one Board Certified Behavior Analyst (BCBA) who works with the Autism programs in the preschool and early elementary programs. She is paid as a regular teacher and not for the additional certification she holds. She is also unable to provide general classroom behavior management coaching for any beyond the PL, UL, and MINC programs. The handful of other BCBA's are simply supporting one class in one school as a special education teacher.

Another example from the DMC report for Regional School District 14 can be applied to HCPSS as well:

"A paraprofessional hovering beside a student can create a social barrier, stifling peer interaction and defeating one of the primary benefits of inclusion. What's more, a 1:1 paraprofessional can decrease the instruction a student gets from the classroom teacher who thinks a student with a paraprofessional already has 100% of an adult's time, unlike classmates without paraprofessionals. The students with the greatest needs consequently get the least attention from the teacher certified in the subject matter. In the worst case, the paraprofessional actually does the work for the student under the guise of helping.

A shift towards more specialized programming, rather than cross categorical support might be helpful and would allow the district to hire staff with specific expertise in autism. The paradox of a commitment to full inclusion is that for students who need a smaller, more specialized environment, with partial inclusion not a readily available option, the student is moved to an out of district placement with zero inclusion."

http://www.ctreg14.org/uploaded/BOE/BOE_Agendas/Regional_District_14_-_Opportunities_Review_February_6_2014_Sharing_%28Final_-_With_Financials%29.pdf

SECAC members have expressed concern that paraeducators and student assistants, with very little behavior and specific disability training, are providing instruction to students. As discussed in the DMC report above, untrained staff can actually create a regression in students with disabilities even though they believe they are helping the student. Thus, the paraeducator's or student assistant's report to the special educator collecting data may appear and be reported to the parent as progress when parents are seeing regression. Parents report that paraeducators have not been trained to fade supports as well. Others report that paraeducators' actions are causing behavioral problems, such as stimming for students with autism. Still others have reported that items listed in a student's behavior intervention plan are actually creating the negative behavior that the plan was created to avoid.

Recognizing that student success goes beyond test scores, the 'Every Student Succeeds Act' (ESSA) requires an additional indicator to school accountability systems beyond an academic measure. Suggestions for the additional indicator included student engagement, educator engagement, school climate and safety, chronic absence, or **social and emotional learning**.

Even the National Association for Gifted Children has the following to say about the necessity for meeting the social/emotional needs of students:

"Attention to social-emotional support as part of program service is critical. Gifted learners may fail to reach their potential when their affective needs are ignored. A proactive approach that focuses on prevention rather than remediation is encouraged."

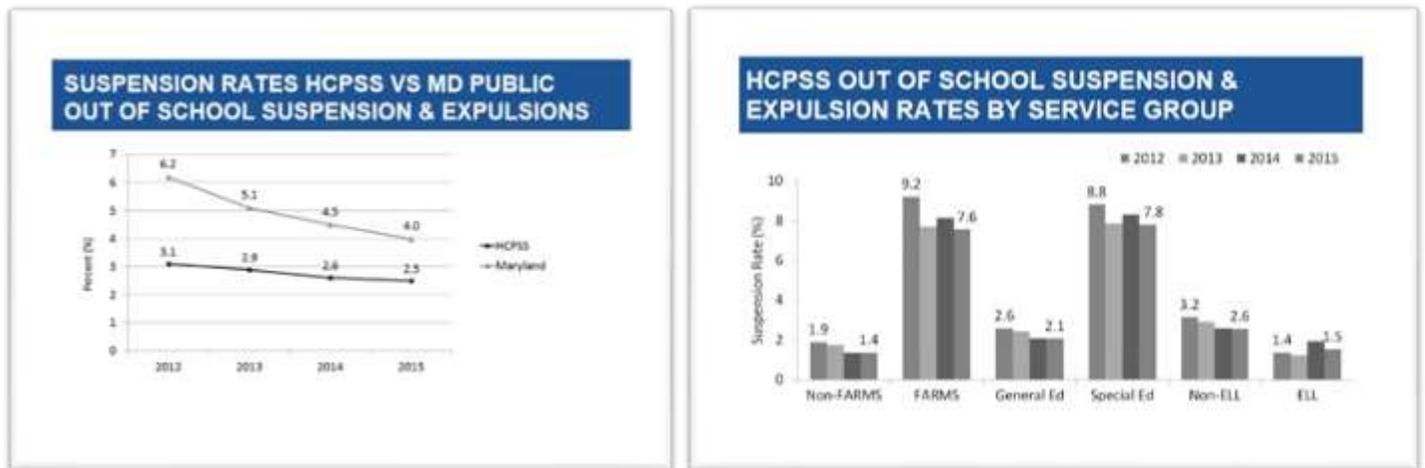
[http://www.nagc.org/sites/default/files/A%20Guide%20to%20State%20Policies%20in%20Gifted%20Education%202016\(2\).pdf](http://www.nagc.org/sites/default/files/A%20Guide%20to%20State%20Policies%20in%20Gifted%20Education%202016(2).pdf) – A Guide to State Policies in Gifted Education.

And, from the report “A Solution Hiding in Plain Sight: Special Education and Better Outcomes for Students with Social, Emotional and Behavioral Challenges”:

“The IDEA and its accompanying regulations include provisions that, when implemented effectively, can help to provide stability and promote social, emotional, and behavioral growth, as well as broader educational and life success.”

https://dash.harvard.edu/bitstream/handle/1/12073910/Cannon%20et%20al_Sheridan.pdf?sequence=1

When behavior issues are not addressed quickly and appropriately, the result is often suspension of the student with a disability. SECAC recognizes the need to have appropriate consequences for all students who do not follow the student code of conduct. However, when the behavior is a direct manifestation of the disability, it is important that staff have the training necessary to help the student avoid or quickly mitigate the behavior. The disproportionality of suspension of students in special education highlights the need for greater behavior training for staff.



Guidance from the U.S. Department of Education, Office of Special Education and Rehabilitative Services was issued on August 1, 2016 (in a “Dear Colleague” letter) due to significant suspension data that strongly indicate students with disabilities are not receiving behavior interventions. In part, the letter states:

“Incidents of child misbehavior and classroom disruptions, as well as violations of a code of student conduct, may indicate that the child’s IEP needs to include appropriate behavioral supports. This is especially true when a pattern of misbehavior is apparent or can be reasonably anticipated based on the child’s present levels of performance and needs. To the extent a child’s behavior including its impact and consequences (e.g., violations of a code of student conduct, classroom disruptions, disciplinary removals, and other exclusionary disciplinary measures) impede the child’s learning or that of others, the IEP Team must consider when, whether, and what aspects of the child’s IEP related to behavior need to be addressed or revised to ensure FAPE. If the child already has behavioral supports, upon repeated incidents of child misbehavior or classroom disruption, the IEP team should meet to consider whether the child’s behavioral supports should be changed.”

<https://www2.ed.gov/policy/gen/guid/school-discipline/files/dcl-on-pbis-in-ieps--08-01-2016.pdf>

In other words, when students whose disabilities are the cause of continued behavioral issues, it is up to the trained staff to adjust their supports for these students in order to provide a free appropriate public education (FAPE) as required under IDEA.

SECAC requests hiring Board Certified Behavior Analysts (BCBA) to perform Functional Behavior Assessments and to develop Behavior Intervention Plans. These assessments and plans are the foundation of the delivery of a free appropriate public education (FAPE) for students on IEPs with a behavioral component to their disability.

Members have also expressed concern that schools have refused to provide social/emotional assessment of students. As such, SECAC requests an increase in focus on social/emotional supports for special education students. A long term goal of SECAC is to have BCBAs providing training to all educators (general ed, special ed, and paras).

Transition

When a student turns 14, a new page entitled Transition Services appears on the IEP of a student receiving special education services.

The first category listed is Academic, which says that the student will participate in career exploration activities, interact and work cooperatively in educational groups. HCPSS's answer to this category is the Enclave program, where groups of students board the school bus for employer sites that have been chosen by the school work/study team. It is a one-size-fits-all program where students engage in job tasks not necessarily related to the coursework they have pursued over their high school years to attain job skills in their area of preference.

Some of our members have expressed that the burden of finding a work/study appropriate to the goals and coursework their students have pursued throughout high school falls completely on the family. Parents have expressed that the Enclave program was not an appropriate work placement for their children, even though it was enthusiastically suggested by the work/study team several years in a row. Parents have had to find and arrange their own work/study placements for their children.

While some employment training is provided in the IEP, most need heavy advocacy by parents. HCPSS has a program in collaboration with Howard County Government called Project Search, a job training/placement program for students with disabilities. It is extremely competitive and not guaranteed, so HCPSS should not depend on it to provide skills listed under Employment Training in the IEP.

Activities of Daily Living, such as home safety rules, chores, organization of personal belongings are listed on the Transition page of the IEP. However, these are items that parents have been told could not be listed in the IEP because they took place partially outside of school.

There is no assistance provided from HCPSS in use of public transportation. In fact, 2 years ago HCPSS further restricted the placements a student could pursue for work/study and still receive school bus transportation. Parents of one student recently transitioning described having to not only find the placement for their student, but they had to completely arrange and schedule RTA Mobility door-to-door transportation. No assistance for work/study transportation outside of the Howard HS "hub" was provided by the IEP team.

SECAC requests that work/study coordinators better advocate for the individual needs of students for whom the Enclave program is not an appropriate placement. They need to improve their efforts to assist parents in finding placements that fit students' needs and interests, and fulfill the IEP requirements listed on the Transition page starting at age 14.

Additionally, measures need to be taken to assess the HCPSS transition process including the number of special ed students who are placed in jobs after graduating (with a diploma or a certificate).

Best Practices

Some of our members speak very highly of programs, services, and expertise at their children's schools. Some schools have developed their own "grass roots" programs that can and should be shared with the entire district. Educators who have developed expertise in certain areas should share their training, programs, and/or

ideas with the DSE to be provided to all schools. There are currently some significant differences between programs from school to school. The Executive Director of Special Education and Student Services spoke about a "best practice" guideline when she spoke at the September 2016 SECAC monthly meeting.

SECAC requests a thorough review of school level programs and expertise in place in order to identify and provide best practices within HCPSS. Additionally, a baseline for the minimum allowable below grade spread should be determined with input from the community. Parents should be included in work groups tasked with investigating and implementing best practices

Better Communication of services to parents – more resources for parents

The Individuals with Disabilities Education Act (IDEA) is a complicated law. The implementation of IDEA and state regulations in schools is even more complicated. Parents, many of whom are adjusting to the daily life struggles with a child with a disability, are at a disadvantage in understanding these complexities. They are unaware of the availability of services, their legal rights, how to define measurable goals to show progress for their child, etc. SECAC members continually express their desire to have 'soup to nuts' information in a readable format available to them at the beginning of their journey. There is a need for full disclosure to parents of what services, programs, and placements are available in Howard County. We are aware that this is a goal of the Department of Special Education and SECAC is committed to working collaboratively to accomplish this task. To that end, we will develop materials, coordinate with other disability groups, and communicate with the DSE.

Reinstatement of 6 weeks for ESY

With the Governor's Executive Order (EO) to end school no later than June 15 and begin the next school year after Labor Day, the days off in the summer will increase for students. HCPSS's Extended School Year (ESY) for students with disabilities who qualify is intended to ensure that students will not "suffer a substantial regression of critical life skills caused by the normal school break and would fail to recover those lost skills in a reasonable time." ESY has been reduced over the past several years, from 6 weeks to 5 weeks to its current 4 weeks. The standard summer break has been 10 weeks long and may increase to 11 weeks as a result of the Governor's EO. With ESY typically beginning one week after the close of school, a four week ESY program would leave students with disabilities, whose regression is more significant than their nondisabled peers, with a potential break in services for a full 6 weeks.

Our members also have consensus on the following requests for the format of ESY:

- Change from half days to full days and include areas that allow for social skill development (such as related arts/PE)
- "Center" ESY in the summer, with equal breaks prior to and after the session.
- Ensure appropriately trained special educators are on staff.
- Ensure staff is trained in the use of augmentative and alternative communication
- Ensure staff is trained in appropriate research based interventions for the students enrolled in ESY.

SECAC is requesting that ESY be reinstated to its previous 6-week length with full days and trained staff in FY2018.

From the HCPSS website:

To determine whether the benefits a student with a disability gains during a regular school year will be significantly jeopardized if the child is not provided an educational program during the summer months, the IEP team shall consider the following factors:

- *Whether the child's IEP includes annual goals related to critical life skills;*
- *Whether it is likely that the child would suffer a substantial regression of critical life skills caused by the normal school break and would fail to recover those lost skills in a reasonable time;*

Allowance for modifications / Additional Time

Children with disabilities have the right under the law to remain in public school until they turn 21 years old or until they graduate - whichever comes first. With rigid requirements for core courses at set times, the increased “rigor” of Common Core Standards, and the push in HCPSS for above grade level, Advanced Placement, and Gifted and Talented placement, students with disabilities are often left without adequate modifications to allow them to graduate by age 21. There is a push in HCPSS, real or perceived, to remove students with disabilities from the diploma track due to the unavailability of appropriate instruction for their speed and style of learning.

One of the most recurring issues presented to the Howard County Autism Society’s legal assistance consultant has been reported as “the refusal of IEP teams to make accommodations or modifications for students with autism on the diploma track who are in general education, despite guidance from MSDE about what is and is not permissible.” Howard County Autism Society’s Family Advocacy & Parent Education Program (or FAPE) grant provides a one-hour free legal advice for any family living in Howard County with a student with a disability.

Since 2015 SECAC members have been expressing a concern that there appears to be a shift to denying modifications to students who are on the diploma track. This includes students that are just beginning their schooling, in kindergarten. The outcome of which has been, for the first time ever, HCPSS has kindergarten ALS classrooms. Every school and team has responded differently, however there has been no formal guidance from HCPSS. Students with learning delays have been denied modifications with the explanation that the team cannot formally assess students unless they have been provided instruction at grade level, in all areas.

There are several problems that have occurred.

- 1) Students and their parents have been persuaded (or 'given no other choice', in order for their child to receive modifications they need) to remove their child from the diploma track as early as kindergarten, with no time to determine if three additional years (to age 21) would possibly be enough to reach a high school diploma.
- 2) There are students that can 'keep up' and learn on grade level (or just below grade level) concepts *with modifications*.
- 3) For students that are several years below grade level, modifications can still allow them to make more than a year's progress within a given school year (ie - 'close the gap').
- 4) Parents have not been clearly and explicitly made to understand at team meetings that the decision they make for their child today will mean that at the end of their schooling there will be no high school diploma. We contend that with an honest evaluation and discussion during an IEP meeting parents will be able to make better decisions. The IEP meetings would then truly be a partnership with the students’ best interests and goals in mind.

SECAC requests a formal workgroup of teachers, administrators and parent stakeholders be convened to discuss and determine best practices to deal with this pressing issue. As recommend in the DMC audit report, extra time for mastery of subjects is requested as well.

Lack of HCPSS Policy for School Observations

When HCPSS believes their staff are not able to accommodate a student with a disability and recommend a more restrictive program, parents have expressed concerns that they have been blocked from observing the more restrictive program. When SECAC asked for the policy on such observations, we have been directed by the Department of Special Education to the HCPSS website about visitation (see below). However, the reality of individual denials of parent requests to observe the more restrictive program needs to be formally addressed.

Therefore, **SECAC is requesting a formal policy on parent, parent advocate, or other professional's observations of programs when there are discussions on the IEP team for changing a student's placement within HCPSS.**

School visitation section on the HCPSS website:

- *The Howard County Public School System welcomes visitors to our schools. To limit interruptions and distractions to teaching and learning and to maximize safety for all, persons who wish to visit a school campus, building or classroom are asked to comply with the following procedures:*
- *Anyone wishing to visit a school is asked to contact the Principal to discuss the purpose of the visit and to establish a convenient time for both the visitor and the school.*
- *The school will arrange for an escort for the visitor.*
- *Upon entering a school, all visitors must sign in at the main office and receive a visitor badge. Visitors may be required to provide a photo ID before going into other areas of the building.*
- *To avoid interrupting instruction, no students are allowed to shadow HCPSS students.*
- *Understandably, interactions between visitors and school staff and students will be limited.*
- *If a follow-up meeting with school staff is desired, the visitor will schedule it for a mutually convenient time.*

And from the Family/Community Involvement section on the website:

School Visitation:

- *HCPSS welcomes visitors to our schools. American Education Week, held in November, offers an excellent opportunity for school visits. At other times, visitors are asked to follow the procedures below, in order to limit interruptions to instruction and maximize safety for all.*
- *Contact the principal to discuss the purpose of the visit and to establish a convenient time for both the visitor and the school. Visitors must receive prior approval from the principal before entering a classroom. Teachers may request that visits be rescheduled to serve instructional needs and students' best interests.*
- *Sign in at the main office and receive a visitor badge. Visitors may be required to provide a photo ID.*
- *Schedule any desired follow-up meetings with school staff at a mutually convenient time.*
- *To avoid interrupting instruction, students may not shadow other students.*
- *Interactions between visitors and school staff or students will be limited.*

Data Collection

Data is an essential part of providing services to students with special needs in a manner that allows them to make educational progress. It is used by the IEP team to determine if the student is making progress towards his/her goals.

There are three major problems related to data collection. The first is the insufficiency of data being collected by many educators. We have found goals selected for the IEP are often not measurable, so data is either not useful or nonexistent.

The second problem related to data collection is the unwillingness of some IEP teams to provide the data to parents. Our members have shared experiences where teams are completely unwilling to provide any data, data is only allowed to be reviewed in the school with an educator present, or data is requested weeks in advance and limited data is only provided the day of the IEP meeting. Our members have also found that data is not accurately recorded and can result in a false determination of student progress.

Thirdly, data sharing between the HCPSS Department of Education and SECAC is crucial for a trusting and collaborative relationship that focuses on student achievement. SECAC has been given data that has been proven to be inaccurate by MSDE and the Office of Administrative Hearings. Additionally, requests for information from HCPSS DSE has taken months or longer.

SECAC requests a formal policy on sharing student data with parents (and their professional support, if requested), especially as it relates to proof of student progress. SECAC also requests the DSE share requested data in an honest, timely, and collaborative manner.

Emergency and Evacuation Planning

Emergency and Evacuation Planning is part of the IEP process for students with disabilities. HCPSS does not have a progressive or comprehensive team approach to assessing the needs and risks of these students in case of a fire, extended shelter in place situation or natural disaster. Poor emergency and evacuation planning puts students, staff and HCPSS at risk for litigation, life threatening issues and even death. Emergency planning should include nurses, parents, students, EMS personnel, fire marshal's office, elected officials, disability organizations and stakeholders to ensure a comprehensive individualized plan for each student is created and documented as part of the student's educational file.

Central Education Placement Team (CEPT) program management

The definition of CEPT from Policy 9200 is:

Central Education Placement Team (CEPT) – A team that reviews the requests from local school Individualized Educational Program (IEP) teams for more restrictive placements and that has the authority to commit Howard County Public Schools System (HCPSS) resources.

A child receiving nonpublic placement is due to the public school system being unable to provide the academic, behavior and psychosocial supports required with fidelity, that is evidence-based and data driven, all delivered by highly trained & skilled teachers, instructors & therapists. Public agencies don't have such staff in the numbers needed for this subset of students. The student to staff ratio in nonpublic schools, highly trained teachers, instructors, BCBA's, SLPs, OT & PT with subspecialty training, adaptive PE teachers, psychologists with sub specialization in nonpublic schools explains the increase in cost of these schools. Also, nonpublic school construction and equipment is unique to the needs of the students attending. The decline in the ability of HCPSS staff to be able to meet the needs of some special education students who, in the past, would have been able to be educated in the public schools is an indication of the need for more focus on HCPSS staffing, training, and supports.

However, SECAC members, nonpublic school administrators, and education advocates have expressed concerns over the lack collaboration by HCPSS staff in the CEPT process. Several individuals have gone so far as to state that other counties work in the best interest of the child, but HCPSS works in its own self-interest. Many parents and advocates have expressed the process as punitive with an adversarial relationship from the start. Nonpublic administrators have expressed the lack of flexibility by HCPSS personnel.

Parents who have been through due process with HCPSS overwhelmingly affirm that attorneys used by HCPSS have been aggressive and unethical in court. This has taken an adversarial relationship to the extreme with families who have students with the most significant disabilities.

SECAC is requesting better collaboration between the school system and families during the CEPT process. SECAC also requests attorneys for the school system who are willing to mediate and come to resolution meetings willing to compromise and work together in the best interest of students. To that end, SECAC believes that the best model for special education legal services is in-house general counsel who have no financial incentive to take families to due process.

Trauma-Informed training

The need for trauma-informed schools is long overdue, as many of our children are trying to cope on a daily basis merely to survive. Student trauma does not leave very much "brain space" to focus on being successful in school. "One in four students in the United States will witness or experience a traumatic event before the age of 4, and more than two-thirds by age 16." *NEAToday* Winter 2017:

http://www2.nea.org/mediafiles/flipbook/nea_today_17_winter/mobile/index.html#p=44

Teachers, administrators, guidance counselors, school psychologists, and paraeducators in HCPSS are uninformed about how to teach and help students who have been impacted by trauma. These students are often the students who teachers cannot seem to reach, no matter how hard they try. Through trauma-informed training, however, all school stakeholders can learn specific techniques that will allow them to reach these students, to take their brains from "Fight! Flee! Freeze!" to a state of mind that is calm, focused, and where the feeling of safety is reaffirmed.

SECAC requests trauma-informed training for staff.

Thank you for your dedication to the needs of children receiving special education services. SECAC looks forward to a collaborative relationship with the Board of Education and Department of Special Education.

Barb Krupiarz & Jason Werther, Co-Chairs

Dannene Drummond, Secretary

Howard County Special Education Citizens Advisory Committee (SECAC)