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**Testimony of The ARISE Coalition for New York City Council
Committee on Education
Re: Oversight – Meeting the Needs of All Students with Disabilities
September 21, 2022**

Good afternoon.

I am Maggie Moroff and I coordinate the ARISE Coalition, a group of over 200 parents, advocates, educators and academics who have been working together since 2008 to push for system-wide changes to improve access to, experiences within, and long-term outcomes for youth with disabilities in New York City's public schools. I also work as the Senior Special Education Policy Coordinator at Advocates for Children of New York, but I am here before you today on behalf of the members of ARISE.

Last spring, as the new Administration was taking shape, the members of ARISE offered recommendations around: special education service delivery; special education recovery services; and the provision of appropriate literacy supports for all students, including those with dyslexia and other struggling readers. We shared those recommendations with Deputy Chancellor Quintana and had the opportunity to discuss them with her last April. I have attached the full recommendations to my written testimony. Let me briefly outline them.

Regarding our long-standing concerns and recommendations about special education service delivery – one of the primary reasons we came together as a coalition 15 years ago – we continue to see persistent and ongoing problems with timelines and quality of special education services and with the treatment families encounter when they advocate for their students' rights. We have been urging the DOE to prioritize addressing those issues and to:

- Strengthen systemwide capacity to conduct quality special education evaluations for students from preschool through 12th grade;
- Improve access to quality transition services for students with disabilities ages 14 and above;
- Implement extended school year services to all students with IEPs who need additional instruction; and

- Commission a study on how the DOE uses its special education continuum to ensure equitable access and experiences for all students across neighborhoods, ages, and disabilities.

With regard to the ongoing need to help support students with disabilities, many of whom went without services they critically needed to make progress during the pandemic, we urge the City to ensure that all students with disabilities get the compensatory services they need and have a right to receive. We ask that the DOE:

- Provide clear information for families about the availability of those services;
- Ensure that those services are available to all students with disabilities including those currently attending charter schools and students placed by the DOE in state-approved non-public schools for students with disabilities; and
- Establish an oversight plan to monitor and hold schools accountable for the delivery of make-up services.

With respect to literacy, the City should:

- Require all schools to use evidence-based, culturally responsive curricula for core instruction – something that benefits not just students with disabilities, but all students learning to read;
- Conduct universal screening and progress monitoring to determine the efficacy of the core programs and identify students who need additional support;
- Provide evidence-based intervention to students who do not make adequate progress with quality core instruction, as well as for older students who have not yet mastered foundational skills;
- Provide parents with regularly updated and understandable information on their students' progress developing literacy skills, while also ensuring parents have detailed information on what students should be learning each year and how to seek additional support when needed; and
- Develop and release a public plan with benchmarks and goals in order to ensure all students learn to read.

Let me also add that the members of ARISE are this year, as in years past, very concerned about transportation services. Just yesterday, I personally worked on several cases, which involved students not yet attending school because the DOE has not arranged the paraprofessionals or nursing supports they need to ride the buses or appropriate routing to get them to school on time or at all.

We offer these recommendations in the interest of working with the DOE and the Council to improve experiences and outcomes for all youth in city schools, including the more than 200,000 students with disabilities.

Thank you for the opportunity to testify. I am happy to answer any questions you may have.



2022-23 School Year | **Special Education Service Delivery** *Recommendations for the New York City Department of Education*

The Arise Coalition continues to see persistent and ongoing problems with timeliness and quality of special education services and treatment of families as they advocate for their children's rights. We urge the DOE to prioritize those issues and also offer the following recommendations:

1. Strengthen systemwide capacity to conduct quality special education evaluations for students from preschool and K-12th grades

Use school-based data to determine student and staffing needs and then align and allocate funds based on that data to hire additional staff, including qualified bilingual evaluators where needed, to address delays in evaluating students. Central DOE should provide clear and timely guidance to schools and districts prior to initiation of this work.

Develop mechanisms and tools that measure the extent to which schools and districts follow evaluation processes outlined in the Standard Operating Procedures Manual and integrate these measures into existing accountability structures such as school-based quality reviews.

2. Improve access to quality transition services for students with disabilities ages 14 and above

Update related language in the DOE's current Special Education Family Guide and the Family Guide to Transition Planning so both are more accessible to families with transition-aged students.

Create a citywide communications campaign to disseminate the updated guides to all students with disabilities over 14 and to their families. Distribution should be done in multiple languages and both electronically and in hard copy to make certain the guides reach all those who so require them.

Develop and adopt two transition-related questions in the DOE's Learning Surveys targeting students with IEPs in District 1-32 high schools, and students who attend District 75 high school programs.

Require schools, in collaboration with the DOE's Transition and College Access Centers, to provide at least three annual parent trainings on transition planning.

Require individual schools to provide staff with professional development on transition-related quality assessments and on the need for parent-school partnerships in transition planning.

Establish a dedicated, full-time Transition Coordinator position in each high school serving students with disabilities to support students, families, and IEP teams with the development, implementation and coordination of Measurable Post-Secondary goals and the Coordinated Set of Transition Activities.

3. Implement Extended School Year (ESY) services to include all students with IEPs who need additional instruction and not limit it to those students currently receiving services from District 75.

Clear guidance on how to assess the need for ESY and determine the risk of regression needs to be established and disseminated to school staff/IEP teams. For all students who will be attending summer school, ESY services should be considered in a timely manner to ensure that the services and all necessary accommodations are in place in time for the start of summer programming.

4. Commission a study on how the DOE utilizes the special education continuum to determine how and where the city provides special education services, analyze the relationship of LRE and disability classifications, and document the extent to which students move to less restrictive settings and individual IEP goals are met.



2022-23 School Year | **Special Education Recovery Services** *Recommendations for the New York City Department of Education*

Under law, when students with disabilities do not receive all the special education supports required in their IEPs, they are entitled to receive “compensatory services” to make up for what they were previously denied. Because of remote learning during the pandemic, students with IEPs went without many of the services they critically needed to make appropriate progress. In response, the city announced plans to set up Special Education Recovery Services (SERS) for all students with IEPs in NYC public schools before school, afterschool, on weekends, and at various times remotely. Unfortunately, however, the recovery services being offered will not meet the needs of all students, the rollout has been inconsistent, and families and their students with disabilities have been left sometimes unaware, sometimes unable to take advantage of the services for various reasons, and frequently confused about their rights around these services. To that end, we recommend the DOE:

I. Provide clear information for families about the availability of Special Education Recovery Services

Families need to know more about their options around recovery services at their individual schools. Services at each school are determined by each school’s ability to provide and, theoretically, by the unique needs of their students with IEPs. In our experience, families do not have all the information they need about SERS. They do not always know, for example, the specific constellation of support available at their school through SERS, the duration of the services, their right to request additional support as compensatory services, the process for requesting additional services, or the facts that there may be specialized transportation available to access SERS and alternatives if the student cannot access the services offered. The DOE should immediately create a comprehensive parent-facing guidance on SERS for all families of students with IEPs – across grades, languages spoken at home, literacy levels, and technological access. There is no more time to be lost on getting full information to families, and therefore, the DOE should create an expedited timeline for drafting, finalizing, and distributing that document as well as a distribution plan for the document.

The DOE also needs to create more coherence in how families are notified by their school about their SERS options. Communication appears now to be as different as the services offered at each school. For example, some schools are calling the program a name different from SERS, which our experience confirms has been confusing to parents. Other schools required parents to opt into SERS before the school provided sufficient information about what services would be offered. The DOE should develop specific talking points for schools to share with families when discussing the availability of SERS and should spot-check those conversations to be sure that families have the information they need to move forward.

- 2. Expand recovery services to include all students with disabilities – across age, grade, language need, and type of school attended – including those students currently attending charter schools and non-DOE schools because there are no appropriate programs within the public school system able to meet their specialized needs.**
- 3. Ensure that all SERS programs are prepared to provide targeted instructional interventions with proven effectiveness for the range of student need to be supported.**

The DOE must dedicate sufficient funding and support so every SERS program is appropriately staffed with professionals who are licensed to provide the special education supports that students require. The DOE should also continue to provide additional training, as needed, to that staff as the SERS programs move forward and additional student needs are revealed.
- 4. Provide busing services to all students in SERS before-school, afterschool and for weekend programs immediately. Without such services, attendance for many of the students who most require the additional support will continue to be out of reach.**
- 5. Develop guidance for considering SERS and Compensatory Services during IEP meetings.**

School-based IEP teams must receive guidance on how to discuss and explore with families the need for on-going additional support beyond what is being offered through SERS. Guidance should include, but not be limited to, possibilities for additional types of services not offered through SERS, a higher quantity of services, a different ratio for services otherwise offered through SERS, a different means by which to receive SERS services, and extended eligibility, into the spring and summer, for students who require more time and support. Teams should also be required to discuss the differences between SERS and compensatory services for students with disabilities who are otherwise entitled to those services.
- 6. Provide individual progress assessments to families of students receiving SERS.**

Provide families with a progress assessment at the end of each SERS cycle of participation to document individual student’s progress made during the cycle and additional on-going needs.
- 7. Establish an oversight plan to monitor and hold schools accountable for delivery of SERS.**

The Office of Special Education should gather data on the number of students receiving SERS at each school, district, borough, and citywide and should make that data publicly available. That data should be analyzed and used to determine where schools require additional support to enable hiring and retaining of staff and service providers or professional development to support academics and intervention.



2022-23 School Year | **Literacy Agenda**

Recommendations for the New York City Department of Education

The members of the Arise Coalition welcomed Chancellor Banks' recent remarks about the importance of improving literacy in New York City schools. The failure to teach an unconscionable percentage of our students to read at grade level and to offer interventions as needed across all grades and communities is longstanding and must be addressed immediately.

We were pleased to hear that literacy is an issue the city plans to address head on, and we offer the following recommendations to further that work:

I. Require all schools to use evidence-based, culturally responsive curricula for core instruction.

The Office of Teaching and Learning, in consultation with outside experts, should identify published English Language Arts curricula that are firmly grounded in the science of reading, have demonstrated success, and reflect the diversity of the City's student population. The office should then provide schools with a menu of approved, centrally funded and supported options from which to choose. As the current administration moves forward with the development of the NYC Mosaic Curriculum, reading instruction based on the science of reading must be built into that curriculum.

The DOE should convene a group of external experts in reading instruction and in curriculum implementation to help steer the process of developing the list of approved curricula.

Coaches from the Universal Literacy Initiative and staff from the Office of Literacy and Academic Intervention Services should receive explicit training in all offerings from the approved curricular menu and be prepared to offer school-level staff support in use of the programs.

Centralized staff to support curricular choices and implementation must be increased to be able to take on the increased work. Current staff is already stretched beyond the point of being able to complete all there is to do here.

Schools desiring to use curricula not from the menu will be required to apply for a waiver via a centralized process that ensures their preferred alternative aligns with the science of reading and has demonstrated prior success. The process for waiver applications must be public and school communities should have an opportunity to provide input before waivers are granted.

Curriculum should be aligned within grades and according to each child's ability. Furthermore, attention must be paid to vertical alignment within grade bands to ensure that students receive a coherent curriculum across grades and schools.

2. Conduct universal screening and progress monitoring to determine the efficacy of the core program and identify students who need additional support.

Building off the screening taking place this school year, the DOE should:

- Provide training for staff at every school on how to analyze data from screeners, and how to use individual results to design and provide appropriate interventions for students who require them. Staff must also know how to use the screening data to identify next steps for improving core instruction.
- Create a decision tree that incorporates a timeline for assessing progress, as well as a path for those students who are responsive to instruction and a revised path for those who do not progress with the intervention.

3. Provide evidence-based intervention to children who do not make adequate progress with quality core instruction, as well as for older students who have not yet mastered foundational skills.

As with core curricula, the DOE must vet intervention programs, provide schools with a targeted menu of options from which to choose, and provide resources and needed training to relevant teachers.

The DOE must improve intervention services available in every school from K-12 and must build out appropriate summer supports for those who require them.

For older students year-round and for all students, including early readers in K-2, over the summer months, the DOE should establish freestanding literacy intervention centers in each borough or district where students can receive appropriate literacy interventions.

4. Provide parents with regularly updated and understandable information on their students' progress in developing literacy skills. At the same time, ensure that parents and community/citywide education councils have detailed information on what students will be learning at each grade level and provide clear and understandable information on how to request and access additional support within the DOE.

Parent handouts on what students should be learning at each grade should be reprinted and widely disseminated so all families have easy access to information about where their children should be in terms of literacy skills development.

Provide Classroom teachers with guidance and/or training on discussing with parents and caregivers where individual students fall on the spectrum of literacy skills development and where to access additional supports when needed.

5. Develop a 3-year plan for students from kindergarten through twelfth grade with benchmarks and goals in order to achieve the above work. Share that plan publicly, and regularly provide information to the public/education councils on the success of that plan for accountability and transparency purposes.