



November 22, 2013

Dear Mayor-Elect Bill de Blasio and Transition Team:

We are writing from the ARISE Coalition, a group of parents, advocates, educators and academics who first came together in 2008 to push for systemic reform in special education in New York City. Despite changes made under Mayor Bloomberg, special education remains a major challenge for the next mayor to address, with nearly 25% of all students in the City and more than 17% of students in the City's public schools classified as having special needs. Multiple reports have been written and testimonies given at City Council Hearings with specific recommendations by advocacy groups, including, of course, the ARISE Coalition and its parent and organizational members. The Department of Education (DOE) itself has commissioned reports that support many of the same ideas put forth by the advocacy community (Tom Hehir 2005 Report and the Garth Harries 2009 Report). We write now to provide you with some specific suggestions for changes to New York City's oversight and provision of special education, and we urge your administration to adopt them in the early months of mayoralty:

ACCOUNTABILITY STRUCTURE– New York City must take full responsibility for all students, including students with disabilities. To do so, the Mayor and Chancellor must regularly provide for the public sharing of data and information about special education supports and services provided in City schools, and must work collaboratively and cooperatively with parents and advocates who are intimately knowledgeable about the demands and challenges of the current system and the critical effects of policy and practices on students and their families. Parents, advocates and educators must be given an on-going and influential voice in the development of policy and practices for the DOE.

ARISE Coalition Members: Adaptive Design Association, Advocates for Children of New York, AHRC New York City, Cathy Albisa, Mark Alter, Steinhardt School of Culture, Education & Human Development, New York University, David C. Bloomfield, College of Staten Island, CUNY, Bronx Independent Living Services, Bay Brown, Brooklyn Center for the Independence of the Disabled, Brooklyn Defender Services, Center for Hearing and Communication, Center for the Independence of the Disabled, New York, Citywide Council on Special Education, Citywide District 75 Council, The Cooke Center for Learning and Development, Helene Craner, Education Rights Project of the Partnership for the Homeless, Richard and Lora Ellenson, Everyone Reading, Inc., Families Helping Families, Ben Fox, Friends of the Children New York, The Go Project, Goddard Riverside Community Center, Jay Gottlieb, New York University, Carol A. Greenburg, Paul Hutchinson, The Learning Disabilities Association of New York State, Aurelia Mack, Shelly McGuinness, Bob McLoughlin, Diana Mendez, The Mental Health Association of New York, Metropolitan Parent Center of Sinergia, Inc., National Economic and Social Rights Initiative, Dana Neider, New Alternatives for Children, NYC Special Education Collaborative, New York Charter Parents Association, New York Lawyers for the Public Interest, New York Legal Assistance Group, New York Performance Standards Consortium, Jaclyn Okin Barney, Esq., Parents for Inclusive Education, Parent to Parent of New York State, Parent to Parent New York, Inc., Suzanne Peters, Raphael Rivas, Resources for Children with Special Needs, Jennifer and Peter Sellar, Cathy Rikhye, Ed. D., Department of Curriculum and Teaching, Teachers College, Columbia University, Iriss Shimony, Jo Anne Simon P.C., Mark Surabian, MA, ATP, Instructor, Assistive Technologies, Pace Graduate School of Education, United Cerebral Palsy of New York City, United Federation of Teachers, United We Stand, Constance Van Rolleghe, RueZalia Watkins.

- Require the Chancellor to report quarterly to the Mayor specifically on special education, including, for example, data on timeliness of service delivery, performance of students with disabilities on outcome indicators, and parents' efforts to escalate matters beyond their schools to districts, networks, clusters, Committees on Special Education, and the central DOE offices, as well as via impartial hearings when timely and necessary programs, supports or services are not provided to their children. These quarterly reports should be made available to the public. For the Mayor to monitor and support directly the performance of special education in New York City would be a big step forward.
- Designate seats on the Panel for Education Policy (PEP) for a parent of a student with disabilities and a disability advocate. We would recommend that PEP members, particularly parent members, serve fixed terms.
- Require the Chancellor to consult regularly with Citywide Councils and advocacy organizations when considering policy decisions.
- Provide officials at the Central level of the DOE responsible for setting and implementing special education policy, specifically the Deputy Chancellor in charge of the Department of Students with Disabilities and English Language Learners, the power to propose and effectuate system-wide implementation of policy changes and to mandate conduct at the school level. Similarly, we recommend that officials at the intermediate level of school governance (whether it is the networks, the districts, or some new structure) also have power to require compliance with special education law and policy implementation – similar to the prior system with district and regional administrators of special education.
- Revisit the school funding formula to ensure that it does not serve as a disincentive to schools in supporting students with higher needs in general education settings. The funding structure must make it a priority to provide even those students with the highest needs with all the related services and special education teacher supports required to make progress regardless of their classroom settings.

FAMILIES - The Mayor must ensure that the DOE engages in a true partnership with parents and moves away from its current litigious stance. Resources now used to litigate aggressively against parents of students with disabilities should be redirected into improving instruction and supports for students with disabilities instead. To this end, parents of students with special education needs must be provided with far more information and access to quality programs and schools to advocate for their children's needs.

- Change DOE policy to allow parents of students with IEPs to have access to their child's information in SESIS and to require that they receive a finalized copy of their child's IEP within 24 hours of an IEP meeting.
 - Reconfigure the admissions processes of school choice for middle and high school to guarantee students with disabilities equal access to selective programs, and revamp the school placement process to better match students with disabilities to schools with appropriate supports, services, accommodations and individualized programs. The current system compounds the overpopulation of students with disabilities in underperforming schools while the higher performing schools serve fewer students with disabilities. We recognize that the DOE is moving in the direction of requiring higher performing schools to educate more students with disabilities as it continues to roll-out reform of special education; The next administration must continue and strengthen these efforts if the City is to close the achievement gap between students with disabilities and their more typically developing peers.
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- Publish and post online data showing the types of special education programs, supports and services currently provided at each school.
 - Revisit NYC DOE policy immediately in two critical areas – safety of children with the most significant needs and transportation of those same students. We would recommend the creation of working groups on both issues that include staff from the Mayor's office, the DOE, parents and advocates.

INSTRUCTION FOR STUDENTS WITH DISABILITIES - The Mayor must support investment in innovation and implementation of effective educational programs to improve the progress and outcomes of students with special needs.

- Students with disabilities require quality evaluations (including cognitive and academic testing by a psychologist or if needed, a neuropsychologist) in all areas of suspected disability with substantive, in-depth and detailed information and data that can inform program design, accommodation and instruction in the IEP development process. Families should be provided with copies of all evaluation results and teacher or provider reports in advance of their child's IEP meeting. Law requires the DOE conduct a thorough evaluation of each student's special education needs. School staff must be provided with the resources and training to ensure that all evaluations, including, functional behavior assessments, assistive technology evaluations and analysis of how to make all instructional materials accessible to the individual students are conducted whenever appropriate.

- Invest in training, support, time for educators to meet and collaborate, and materials to implement and expand research-based programs in literacy, math, and behavior intervention.
- Develop partnerships with private special education schools that have successful programs to understand how to improve instruction, and seriously consider better integrating existing District 75 resources and successful practices such as the case conferencing model used in the NEST programs into Community Schools to bring expertise into the City's 1,800 schools from inside and outside the DOE.
- As part of the reform, analyze potential need for more specialized community school programs to address specific areas of needs when it is not efficient to do so at a school level: students who need intensive instruction in reading , e.g., Orton-Gillingham programs, at their level; students with autism, behavior issues, or sensory needs who need small, on grade level classes with specialized support, etc.
- Consider expanding and supporting the current successful specialized community school programs: ASD Nest, ASD Horizon, Manhattan School for Children, The Children's School and D75 inclusion,
- Provide Accessible Instructional Materials (AIM) in a timely manner to schools by changing the way instructional materials are purchased. Specifically, purchase fully accessible instructional materials that are aligned to the common core up front rather than continuing the current costly and untimely practice of requiring individual school-based teams to make AIM available for students. This policy reform would shift the burden of creating AIM to publishers, rather than the DOE. RFPs put out for instructional materials for the general education population should have significant input from the Division of Students with Disabilities to make certain that those materials can be used for all students, including those with special needs. In addition, increase professional development done by the DOE for school staff and parents in the use of Universal Design for Learning (UDL) for meeting the needs of diverse learners in any classroom and to provide access to the curriculum.
- Maximize the potential of technology for all students, including students with disabilities. Require the DOE or an independent agency to conduct a needs assessment with respect to technology and digital technology infrastructure in the classroom, including Assistive Technology for students with IEPs, during the first quarter of the 2014 calendar year. After that, appoint an expert panel, including parents of students

with disabilities, to develop a plan for improvement and implementation of a more productive use of technology for all students. With improved use of technology, curriculum can be made far more engaging and supportive for all students, including students with disabilities, while it helps assure that NYC's next generation in the work force will be ready to meet the demands of the digital age.

- Focus on the career needs of students with disabilities transitioning to life after high school. Embrace and expand promising career skills programs such as Project Search and the STEP program throughout the city. Create additional projects and seek out partners to employ students with disabilities who may not pursue or qualify for college education. These programs should be available to students with disabilities in all NYC high schools (community schools, D75, charter schools and approved private schools).

Thank you for your time and consideration of our above recommendations. There is much work to be done, and we look forward to partnering with your staff as you move forward.

Sincerely,



Maggie Moroff

Coordinator of the ARISE Coalition on behalf of the Coalition members

