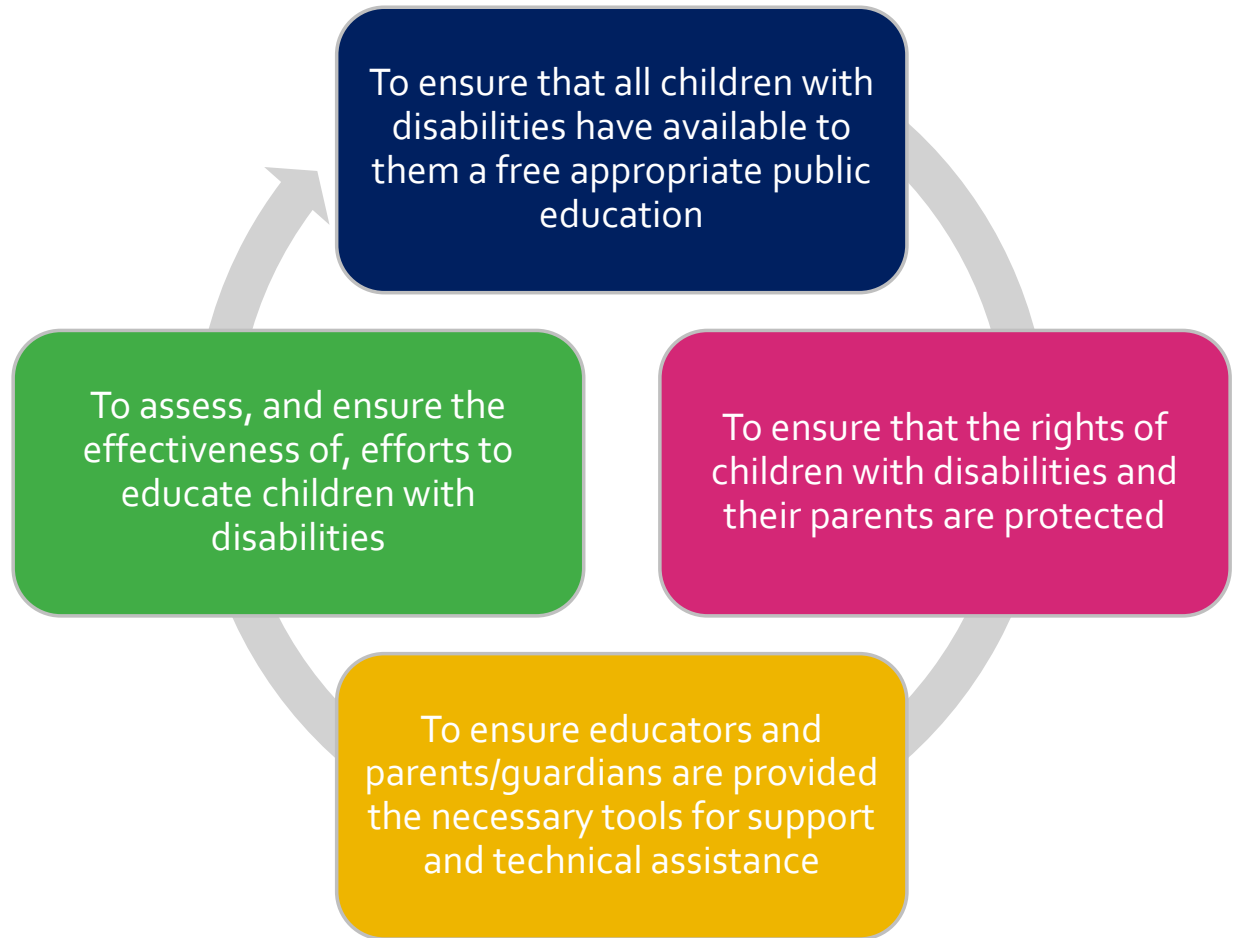




# Improving Special Education Outcomes in New York State

A Report to the Board of Regents  
March 11, 2019

# Purposes of the Individuals with Disabilities Education Act (IDEA)



To assess, and ensure the effectiveness of, efforts to educate children with disabilities

### State Performance Plan (SPP)

- Required for each State
- Evaluates efforts to implement IDEA and describes how the State will make improvements
- Includes baseline data, measurable and rigorous targets, and improvement activities for the 17 indicators
- Reported to the USDE and published for the public

### Annual Performance Report (APR)

- Annual report of the State's performance in the SPP targets
- Includes data, explanation of progress or slippage, and discussion of improvement activities
- Reported to the USDE and published for the public

### Identifications of New York State and School Districts

- The State and school districts may be identified as Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention in implementing the requirements of IDEA.

New York is identified under IDEA as a State in Need of Assistance

Differentiated Monitoring and Support (DMS) is required for the following areas:

Longstanding Noncompliance

Timely Initial Individual Evaluations

Timeliness of Due Process Hearings

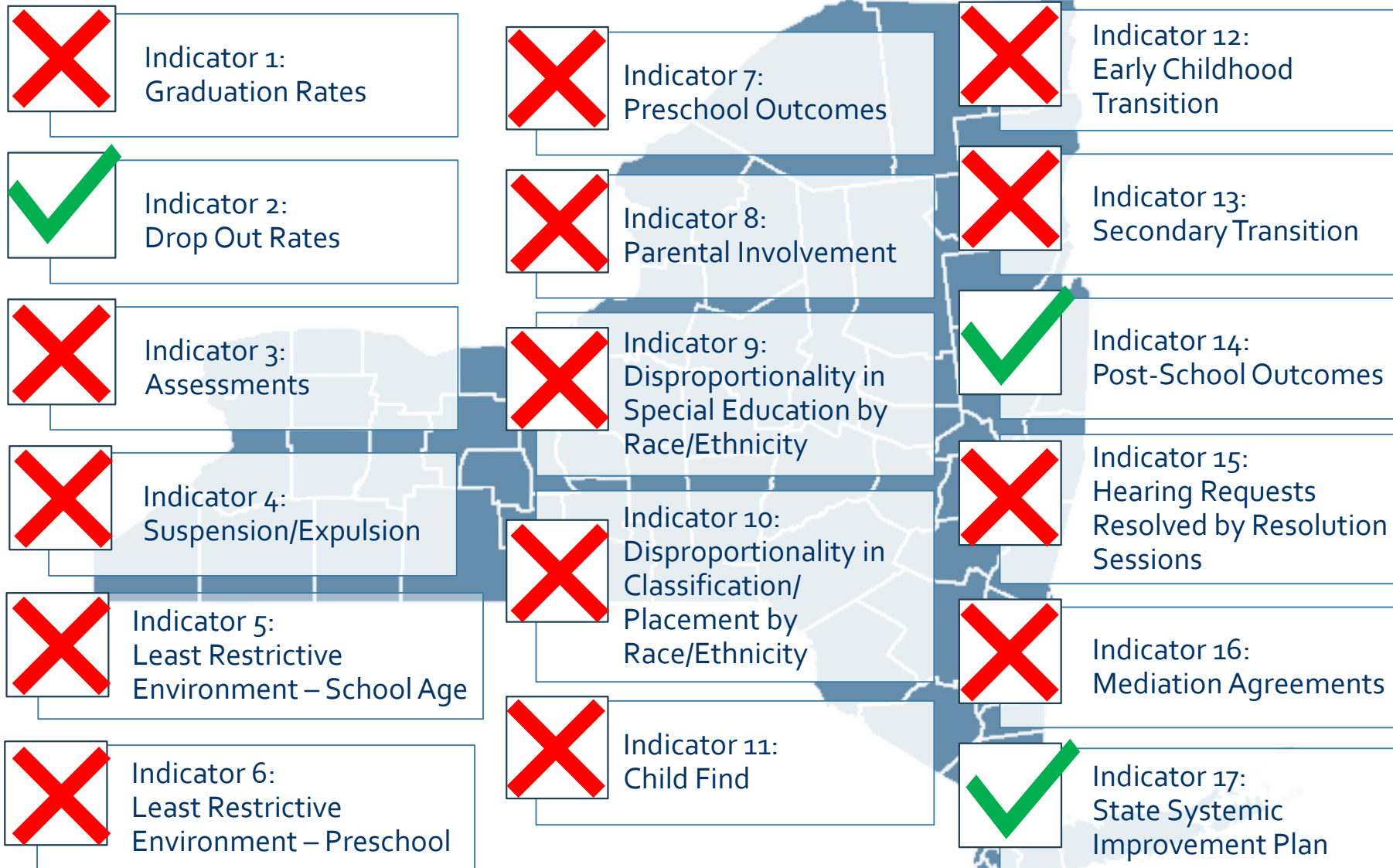
Graduation Rate

Dropout Rate

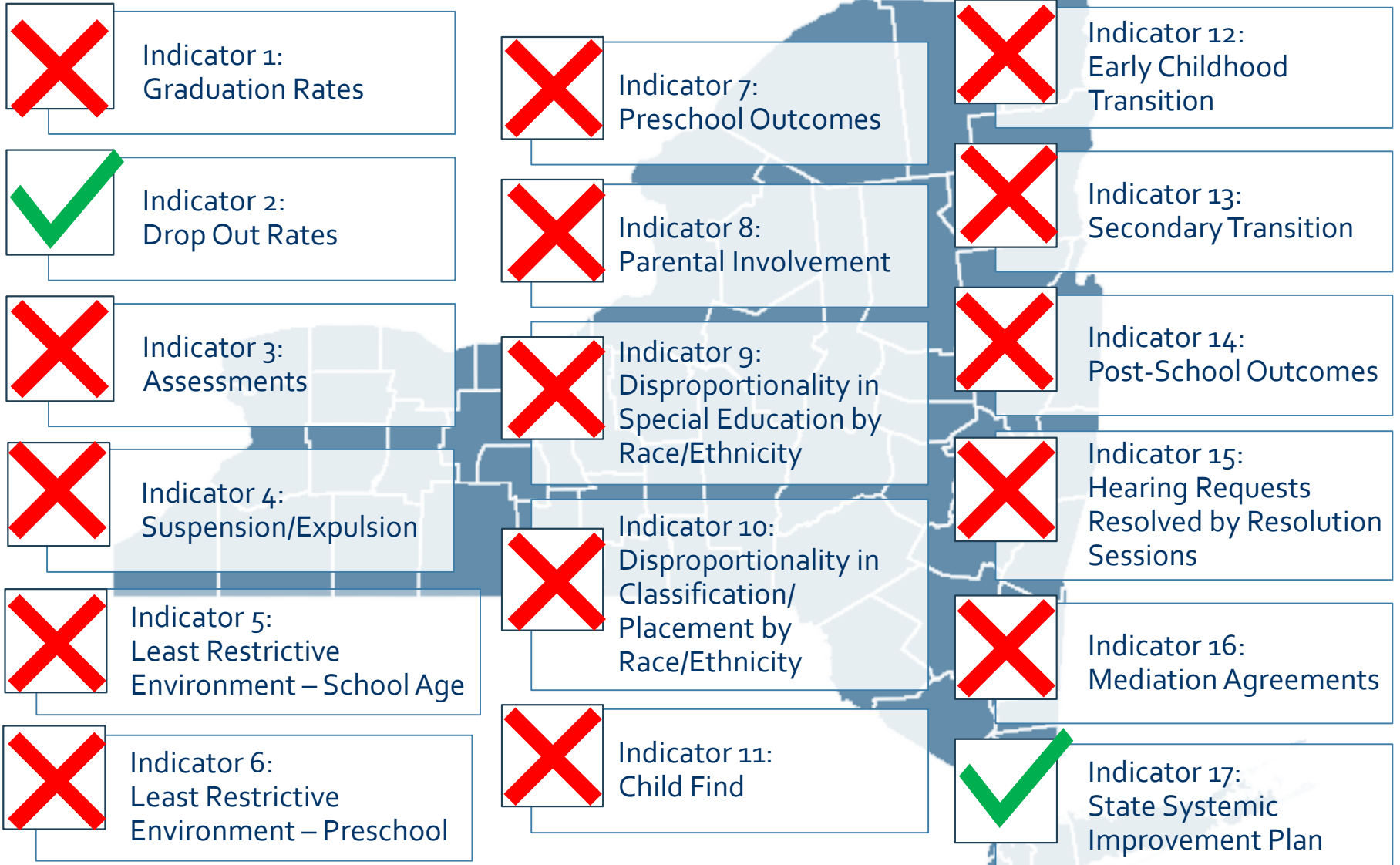
Participation in State Assessments

Based on data reported in the federal fiscal year (FFY) 2016 SPP/APR

# New York State 2016-17 Performance in Meeting SPP Targets



# New York State 2017-18 Preliminary\* Performance in Meeting SPP Targets



\*Data is within the federal Office of Special Education Program's clarification period and not final until June 2019

# New York State Target Areas for Special Education

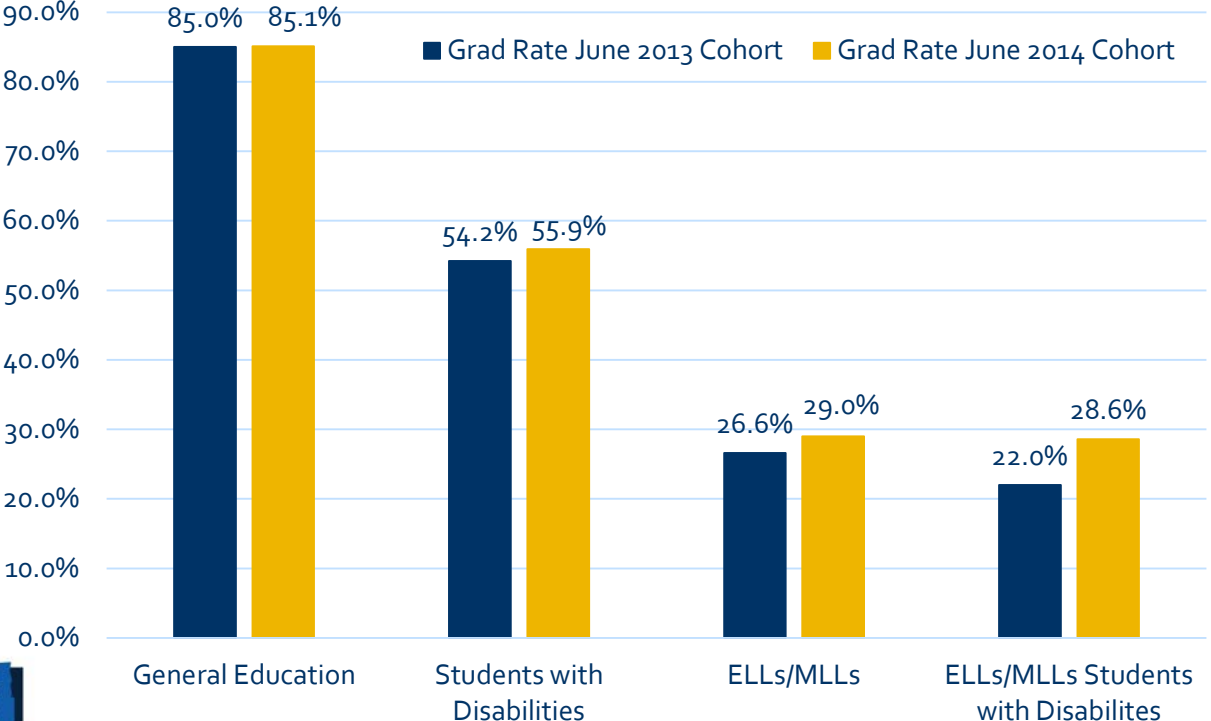
Performance  
Outcomes

Disproportionality

The Special Education target areas align to the multiple measures of success to advance equity through the Every Student Succeeds Act (ESSA)

Least Restrictive  
Environment

Transition  
Planning and  
Services

School Age Outcome Indicators	Preschool Outcome Indicators	Performance Outcomes															
<ul style="list-style-type: none"> <li>Graduation and Drop-Out Rates</li> <li>Participation and Proficiency in State assessments</li> <li>Post-school employment or enrollment in postsecondary school</li> </ul>	<ul style="list-style-type: none"> <li>Positive social-emotional skills</li> <li>Acquisition and use of knowledge and skills</li> <li>Use of appropriate behaviors to meet their need</li> </ul>	<p><b>NYSED Collaborative Approaches to Comprehensive Improvements</b></p>															
<p><b>Graduation Rate of General Education Students, Students with Disabilities, ELLs/MLLs, and ELLs/MLLs Students with Disabilities June 2013 Cohort vs. June 2014 Cohort</b></p>		<ul style="list-style-type: none"> <li>ESSA Strategies to Advance Equity</li> </ul>															
 <table border="1"> <thead> <tr> <th>Student Group</th> <th>Grad Rate June 2013 Cohort</th> <th>Grad Rate June 2014 Cohort</th> </tr> </thead> <tbody> <tr> <td>General Education</td> <td>85.0%</td> <td>85.1%</td> </tr> <tr> <td>Students with Disabilities</td> <td>54.2%</td> <td>55.9%</td> </tr> <tr> <td>ELLs/MLLs</td> <td>26.6%</td> <td>29.0%</td> </tr> <tr> <td>ELLs/MLLs Students with Disabilities</td> <td>22.0%</td> <td>28.6%</td> </tr> </tbody> </table>		Student Group	Grad Rate June 2013 Cohort	Grad Rate June 2014 Cohort	General Education	85.0%	85.1%	Students with Disabilities	54.2%	55.9%	ELLs/MLLs	26.6%	29.0%	ELLs/MLLs Students with Disabilities	22.0%	28.6%	<ul style="list-style-type: none"> <li>Board of Regents Early Childhood Workgroup’s Blue Ribbon Committee recommendations to ensure that all children in New York State have an even start</li> <li>My Brother’s Keeper New York State initiatives to improve outcomes for boys and young men of color</li> <li>Office of Bilingual Education and World Languages and Office of Special Education efforts to support students who are English Language Learners/Multilingual Learners and who also have an Individualized Education Program (IEP).</li> </ul>
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<p>Source: NYS Office of Information Reporting (IRS) 2019</p>		<p>8</p>															





Disproportionality is the disproportionate representation of racial and ethnic groups in special education.

## Address Equity and Access through Systemic Actions

### Identify the Root of the Problem

- Lack of effective pre-referral instruction and intervention services?
- Bias in the assessment process?
- Educator inexperience?

### School-wide Approaches and Pre-referral Interventions

- Are there equitable opportunities for all students to receive supportive interventions that enable them to be successful in the general education environment?

### Evaluation and Monitoring

- Are policies implemented in a consistent manner for all students and that students of different racial or ethnic groups are not treated differently in any schools of the district?

instruction and configuration of classrooms and activities include both students with and without disabilities



students with disabilities are held to high expectations for achievement



special education and general education teachers intentionally plan teaching lessons to promote the participation and progress of students with disabilities in learning and social activities



individualized accommodations, supports and specially-designed instruction are provided to students with disabilities to participate and progress in regular education classes and activities



evidence-based services and supports are used to foster the cognitive, communication, physical, behavioral and social-emotional development of students with disabilities

## Least Restrictive Environment (LRE)

New York State ranks 44<sup>th</sup> in the Nation for LRE

58.5% of school-age students with disabilities are served inside a general education class 80% or more of the day

43.6% of preschool students with disabilities attend, and receive the majority of their special education and related services in, an early childhood program with typically developing peers

# Pre-Employment Transition Services (Pre-ETS)

8% unemployment rate for persons with disabilities in 2018 (more than twice the rate of people without disabilities)

32% of working-age people with disabilities were employed compared to 72.7% of people without disabilities

Job exploration counseling

Work-based learning experiences

Counseling on postsecondary options

Workplace readiness training

Instruction in self-advocacy, which may include peer mentoring

## Who Can Receive Pre-ETS?

A student with a disability age 14 – 21 who is enrolled in a:

- Secondary education program;
- Non-traditional or alternative secondary education program, including home schooling;
- Other recognized educational programs, such as those offered through the juvenile justice system; or
- Postsecondary education program.

A student can be eligible or potentially eligible for VR services to receive Pre-ETS

# 2018-19 New York State School District IDEA Annual Determinations (44 Districts)

## Needs Assistance

**Performance:** based on the Every Student Succeeds Act (ESSA) accountability status determinations for the performance of students with disabilities

**Compliance:** District has findings of noncompliance that remain uncorrected between 12 and 24 months

27 Districts Needs Assistance

## Needs Intervention

**Performance:** based on the ESSA accountability status determinations for the performance of students with disabilities

**Compliance:** District has findings of noncompliance that remain uncorrected for more than 24 months

District has been identified as a Needs Assistance or Needs Intervention district under IDEA for more than five consecutive years

17 Districts Needs Intervention

# Differentiated Monitoring and Supports

NYSED will implement coordinated interventions and supports in the 44 districts identified as not meeting the requirements of IDEA.

At a minimum, the following will occur in these districts:

11 Districts	30 Districts	3 Districts
<ul style="list-style-type: none"><li>Identified for <u>compliance only</u> will have compliance assurance plans, professional development plans, and technical assistance supports</li></ul>	<ul style="list-style-type: none"><li>Identified for <u>performance only</u> will have embedded professional development plans</li></ul>	<ul style="list-style-type: none"><li>Identified for <u>performance and compliance</u> will have compliance assurance plans and embedded professional development plans</li></ul>

# Blueprint for Improved Results for Students with Disabilities

Guidelines developed in consultation with the Commissioner's Advisory Panel for Special Education and presented to the Board of Regents in October of 2015

- Students engage in **self-advocacy** and are involved in determining their own educational goals and plan.
- Parents, and other family members, are **engaged as meaningful partners** in the special education process and the education of their child.
- Teachers design, provide, and assess the effectiveness of **specially designed instruction** to provide students with disabilities with access to participate and progress in the general education curriculum.
- Teachers provide **research-based instructional teaching and learning strategies** and supports for students with disabilities.
- Schools provide **multi-tiered systems of behavioral and academic support**.
- Schools provide **high quality inclusive programs and activities**.
- Schools provide appropriate instruction for students with disabilities in **career development and opportunities to participate in work-based learning**.

The role of the Blueprint in the work moving forward was included in the June 2017 presentation to the BOR. An update to the Blueprint is currently under development to incorporate principles of the culturally responsive and sustaining education framework.

# State Systemic Improvement Plan (SSIP) Required by USDE



Multi-year, achievable plan that is designed to increase the capacity of school districts to implement, scale up, and sustain evidence-based practices

NYSED's SSIP  
Progress is reported annually to USDE and the public

Progress Evaluated through a State Identified Measurable Result (SiMR) grades 3-5 ELA State Assessment

Improving literacy outcomes for students classified as students with learning disabilities

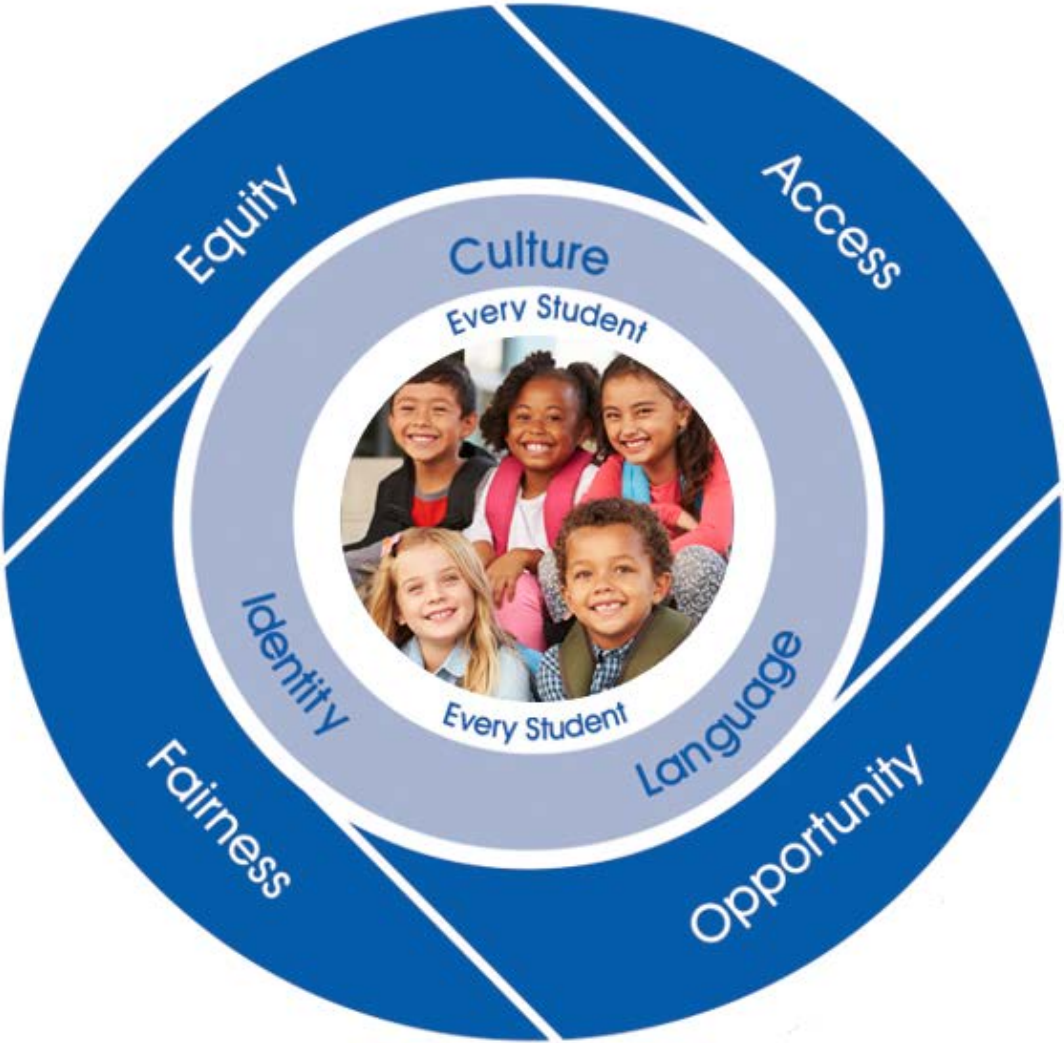
Office of  
Special  
Education  
Internal  
Restructuring:  
Merging  
Efforts and  
Aligning  
Priorities





so that every child receives what he/she needs to be successful

Working to improve special education outcomes in New York State...



Thank  
You

