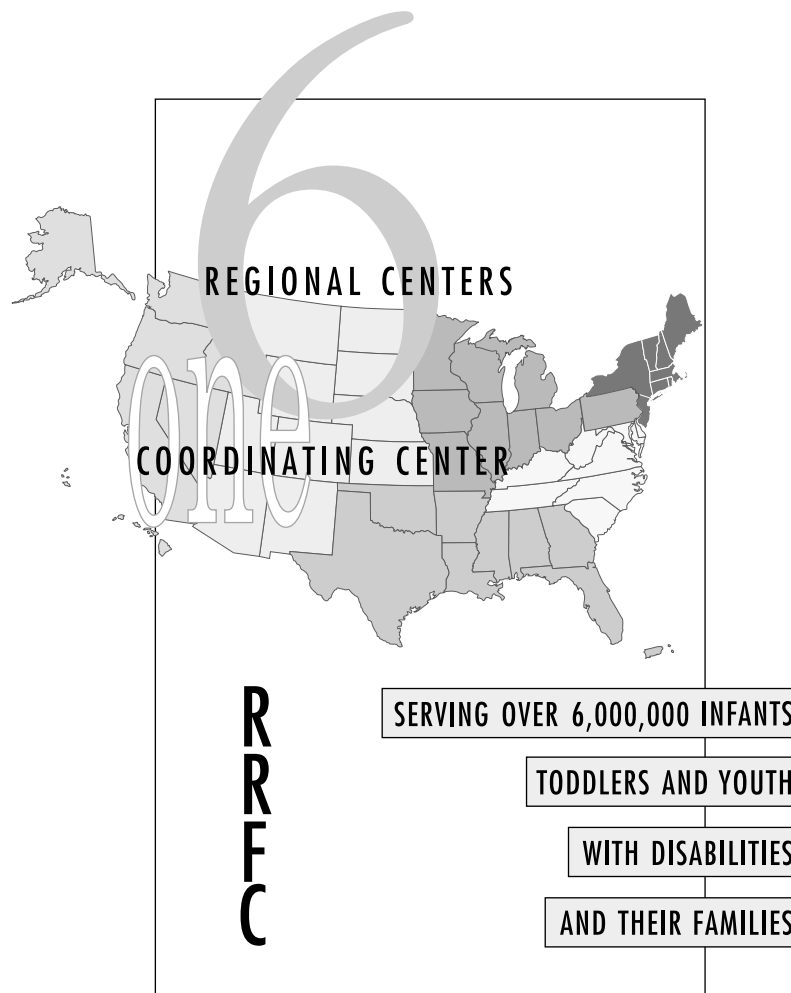


Special Education in an Era of School Reform

An Overview

by Margaret McLaughlin, Ph.D.



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Federal and Regional
Resource Centers Network

***Special Education
in an Era of School Reform***

AN OVERVIEW

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An Overview by Margaret McLaughlin, Ph.D.

Special Education Finance by Thomas B. Parrish, Ed.D.

Accountability, Standards, & Assessment by Ronald Erickson, Ph.D.

Preparing Special Education Teachers by Michael L. Hardman, Ph.D.,
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PREFACE

This report is part of a series on contemporary school reform and special education. Schools are under increasing pressure to change, and the push is coming from many sources. Governments and citizens want more accountability, higher standards, and better use of tax dollars. Businesses want a more educated and skilled workforce. And a growing population of students with special needs requires more and better services. Current federal, state, and local reform touches all areas of education—curriculum, teaching, standards, assessment, finance, professional development, governance, and more. This series discusses the elements of school reform and shows how special education is involved and affected. The more special educators, advocates, and decision-makers know about reform, the more effective they will be at ensuring all students have the services and opportunities they need.

The reports available in this series are:

- Special Education in an Era of School Reform: An Overview by Margaret McLaughlin, Ph.D.;
- Special Education in an Era of School Reform: Special Education Finance by Thomas B. Parrish, Ed.D.;
- Special Education in an Era of School Reform: Accountability, Standards, and Assessment by Ronald Erickson, Ph.D.; and
- Special Education in an Era of School Reform: Preparing Special Education Teachers by Michael L. Hardman, Ph.D., John McDonnell, Ph.D., and Marshall Welch, Ph.D.

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INTRODUCTION

Today's schools are different in many ways from schools of only one or two decades ago. New, more diverse groups of students are entering public schools across the U.S. at increasing rates. The culture of families and communities is changing, creating new expectations and demands on schools. Sadly, the number of students who come to schools from homes that are in poverty or are negatively impacted by changing social and economic conditions is growing.

While communities around them are changing, schools are also changing from within. New curriculum and approaches to pedagogy are altering the way teachers teach; new governance structures are placing more responsibility and authority in the school; and accountability for student learning - for better results - is the new call from policy makers, businesses, and the community-at-large. Standards, authentic assessment, high stakes accountability, technology, and choice are all words that have entered the lexicon of American education.

Perhaps at no time since the creation of public schools, has the American education system been subjected to so many initiatives or "reforms" and such public scrutiny. The pressure of these new demands can be great, and often misunderstood. The purpose of this document is to introduce the concept of "systemic reform" as it is evolving in states across the U.S. The various components will be discussed and compared to current issues in the implementation of the Individuals with Disabilities Education Act (IDEA). A conceptual model for creating a unified system of reform that fully includes students with disabilities will also be described. Additional papers in this series provide in-depth information on specific aspects of systemic reform.

This document is intended for any individual who has an interest or role in educational reform. This will include state-level policy makers and program administrators, local boards of education and local administrators, and building principals as well as teachers, parents, and community members.

PART I SYSTEMIC REFORM

What is systemic reform?

Systemic reform is more than a set of initiatives or a series of activities. Systemic reform requires focused planning that brings the many diverse activities and functions within a school, a local district, and an entire state educational system together into a cohesive organization focused on improving student learning of challenging subject matter. Systemic reform demands standards that define the new knowledge and skills students will be expected to attain. Systemic reform also requires that schools and/or students be held accountable for that knowledge. Standards and enhanced accountability are at the core of systemic reform. Assessment, the tool used to ensure that students are learning the new content defined by the standards, is also a critical component of systemic reform.

In order to accomplish systemic reform, programs must be linked, people must work together, and program goals as well as individual school improvement goals need to support the standards. Competition among programs cannot support reform, nor can turf guarding or rigid specialization. “Restructured” governance and organization including increased regulatory flexibility and site based decision making are other major elements of systemic reform. Systemic reform requires individuals who have an overall vision of where the system needs to go and a willingness to reorganize and support national program change. It is too easy for administrators to become enmeshed in only one aspect of reform such as developing new assessments, or to embark on some other new project in a piecemeal effort to achieve reform. The result is a school or school system that resembles a Christmas tree or trophy case with multiple loosely connected initiatives. These unsystematic efforts waste valuable human capital and can divert the focus from the larger goals of ensuring that each student learns challenging and important material.

What are the central principles of today’s systemic reform?

The main principles or themes of reform are higher standards, increased accountability for student achievement, equity of access to high standards, and a restructured system. A number of forces have shaped these principles. Fiscal pressures and demographic shifts are pushing schools to reshape and rethink how they organize for education. External political pressure comes from parents and the

community at large demanding greater choice in where and how students are educated. Governors, state legislatures, and the business community want greater accountability and higher levels of student achievement in authentic or “real life” knowledge and skill areas.

Public Opinion on Education Standards

- Americans believe that public schools are not expecting enough from their students and are broadly supportive of proposals to set clearer and higher academic standards and to enforce them (Immerwahr & Johnson, 1996).
- In a Phi Delta Kappa/Gallup Poll, sixty-five percent of Americans surveyed supported standardized national examinations for promotion from grade to grade (Elam & Rose, 1995).
- Sixty percent of Americans surveyed said that raising achievement standards would encourage students from low-income backgrounds to do better in school (Elam & Rose, 1995).

Higher Standards - For at least two decades schools have been concerned with increasing student achievement. Prompted by the declining scores on traditional education indicators such as SATs and the National Assessment of Educational Progress, states began to bear down on local schools as early as the mid-1970s with a number of laws and mandates that required back-to-basics curriculum, increased teacher licensure requirements, and minimum competency graduation testing. Despite these top-down mandates, in the early 1980s student achievement continued to decline or remain stagnant and the concern over education took on a national focus. Reports such as the influential *A Nation at Risk*, called the nation’s attention to the state of American education and began to tie that to the very survival of the American economy. Business became vocal and coalesced around the critical need to have a well educated work force that could keep the U.S. competitive as we moved into the 21st century. Politicians -

particularly a group of activist governors - seized education as both a political issue and a way to revitalize their states' economies.

The political pressure on schools began to build. There was a call for major change in what students were being taught. Business wanted new workers to have skills considered critical in the changing workplace. These included problem solving, collaboration, and an ability to acquire new knowledge and understand technology.

By the late 1980s, at least one professional discipline, the National Council of Teachers of Mathematics (NCTM), had already begun to rethink and reform the subject matter of "mathematics." The NCTM standards reflected both higher levels of content knowledge and a new emphasis on application or use of that content. The NCTM standards required students to engage in problem solving as well as to "construct" knowledge through hands-on experiences. Memorization of facts and simple operations outside of application to real problems were de-emphasized. The NCTM standards broadened the knowledge base in mathematics and required new methods of teaching as well.

Professional organizations in other disciplines began to develop specific standards. As the professions and business began to redefine what children needed to be taught, a struggle began over the K-12 curriculum at the national level as well as in individual states as they began their own standard-setting.

Today, 13 professional disciplines have developed content standards. Many states have adopted or are in the process of creating standards across subject areas. There is no "standard" for the standards, therefore state standards differ on many dimensions. Some are subject matter specific, including math, science, language arts, writing, and social studies. Others are more comprehensive and address broader areas for example physical well being or technology. Some standards

are broad statements of learner goals while others are specific about what students should be able to know and do in math or science at specific grade or age levels. Most standards require authentic application of knowledge in solving real-life problems or creating real-life tasks.

- Accountability and assessment - A second major tenet of current reform initiatives is an increased emphasis on public accountability for student achievement. New assessments and accountability mechanisms are being implemented across the United States. The push for accountability arises from the same political and business forces that helped shape the current reform agenda: which is that schools should be able to publicly demonstrate how well students are learning. Assessment reforms are requiring student demonstration of knowledge. These can include something as basic as writing to a simple prompt or elaborating on projects or performances as a part of a portfolio assessment process. At the same time, increased accountability for results has changed the consequences for schools and individual students.

The focus on accountability has been on schools as well as individual students. School-level accountability is usually achieved through some mechanism, school report cards or new accreditation or inspection systems, that include student assessment results. Some states, such as Kentucky and Maryland, have attached rewards and sanctions to these individual school report cards. State or district intervention, including vacating an entire school staff, are extreme consequences applied to failing schools in a few districts. Secretary of Education Richard Riley, in his 1997 State of Education Address, called for increased consideration of such rigorous forms of accountability.

Another form that increased accountability takes is the use of assessment results as a criterion for a diploma. According to a recent survey of states, 17 now require some form of assessment as part of graduation requirements. A 1996 Chief State School Officer Survey indicated that the graduation policies in 38 states will apply to students with disabilities. Among these states, 18 indicated that all students with “mild” disabilities will be expected to complete all requirements and 12 will permit IEP exemptions. Nine of the states also will apply the graduation requirements to students with severe disabilities (Rhim & McLaughlin, 1997). Several other states are considering or developing such assessments. The stakes for students are enormous! While schools and school districts ponder the effects of such policies on drop-out rates and legal challenges, policy makers consider how to ensure that all students have access to a challenging curriculum, high quality instruction, and ample opportunity to master the content of the assessments.

There are a number of issues and challenges associated with assessment, including how to maintain strong technical qualities of assessments of student performance that align with new standards and curricula, how to accommodate students with disabilities and other special groups of students, and how to create an economical and efficient assessment process that truly leads to school improvement (see Erickson, 1997). State and local assessment programs are increasingly including assessments that are used for school accountability as well as those attached to graduation. Increasing also is the use of various assessments including traditional multiple-choice, performance, portfolio, or constructed responses that can yield data for system accountability as well as individual student data for instructional improvement.

Standards, assessments, and accountability are the centerpiece of current systemic reform efforts. Federal legislation such as Title I of Improving America’s Schools Act, Goals 2000: Educate America Act,

and the School-to-Work Opportunity Act, all reflect the current focus on high standards, new methods of assessment, and strong accountability to ensure that all students have access to and are attaining high standards. All other parts of the educational enterprise must be examined in terms of how they support new and higher levels of student achievement.

- Equity - Another important principle underlying the current reform agenda is equity. This principle is central to improving the outcomes for all students, including those who leave public education to enter the workplace as well as those who continue their education.

Concerns about equity or ensuring that every student meets the same high standards are central to the economic arguments of systemic reform. A longstanding problem with public education has been the wide disparity within and across districts in the quality of education offered. As a group, school districts with large numbers of poor children don't produce the same level of achievement as middle class districts. In addition, within many districts, students who are poor or culturally or linguistically different are over-represented in "general" math or English classes or other lower level courses. Students in middle class or high resource districts have access to a more accelerated curriculum and often more resources such as better physical plants, more materials or equipment, and teachers with more experience and training.

The equity principle means that as a nation we can no longer afford to "educate" the middle class and "train" the lower class. All students need a challenging and high quality curriculum that is based on high standards and leads to meaningful post-school outcomes. All schools must be accountable to the public for producing well educated young people.

The concept of equity for high standards is a keystone of current reform. It is not acceptable to "blame the victim" by accepting low

student achievement in low income school districts or among culturally or linguistically different students. However, there are a large number of unresolved issues. For example, should all students have the *same* standards or can there be different standards of equal rigor? Fears about differentiated standards relate to concerns about tracking and a return to a system that provides world class education to the college-bound and a “dumbed-down” curriculum to others.

Yet, not “all” students will require nor master all of the subject matter specified in many of the state standards. Nor will the subject matter necessarily lead to the most productive post-school outcomes for all students. Schools have focused on the short term improvement of student performance on subject-matter assessments and not on what comes after school. Standards that are for all students must reflect the post-school goals of every student. There must be linkage between the academic content standards and assessments now dominating state policy making and other important activities such as those focused on developing work place skills and successful transitions from school to young adulthood. To date, reform activities in all of these areas have only tenuous relationships.

Reform Policies and Equity Issues

The following are findings from the 1996 Chief State School Officer Survey on Reform Policies and Students with Disabilities, conducted in collaboration with the Center for Policy Research on the Impact of General and Special Education Reform (Rhim & McLaughlin, 1997).

Year-Round School

- A review of the data pertaining to year-round school reveals that it is not a widespread policy at the state-level.
- Hawaii and Oklahoma are currently the only states that maintain policies addressing extended school year services for students with disabilities in their year-round policy.

(continued)

Content Standards

- When asked whether “any of the content standards will apply to students with individualized education plans,” 73% of the responding states indicated that their standards will apply.
- However, in response to a sub-question regarding which standards will apply to students with “mild and severe disabilities,” nearly 50% of those responding will permit IEP exceptions for students with “mild disabilities” and 60% will permit exceptions for students with “severe disabilities.”

Graduation Requirements

- When asked if “any of the graduation requirements” apply to students with disabilities, 83% of the states report that their graduation requirements will apply.
- However, in response to a sub-question regarding which graduation requirements will apply to students with “mild and severe disabilities,” 30% of the states allow requirements to be determined by IEP for students with “mild disabilities” and 40% of the states allow requirements to be determined by IEP for students with “severe disabilities.”

School Accreditation

- 73% of the responding states report that their school accreditation process includes a review of programs and services for students with disabilities. The substance of the review of programs and services for students with disabilities tends to focus upon teacher certification data or regulatory compliance.

Teacher Preparation

- 54% of the responding states require elementary school teachers to take a course in methods of teaching students with disabilities as part of the state certification requirement.
- 50% of the responding states require middle school teachers to take a course in methods of teaching students with disabilities as part of the state certification requirement.
- 48% of responding states require secondary school teachers to take a course in methods of teaching students with disabilities as part of the state certification requirement.
- 70% of responding jurisdictions that have state-level authority to review teacher preparation programs include evaluation of programs to prepare all teachers to teach students with disabilities. Only one state, Maryland, uses institutional portfolios to comprehensively evaluate whether programs train all teachers to teach students with disabilities.

Restructured governance systems - Restructuring relates to the notion that schools as organizations need to be fundamentally reconceptualized in order for each student to achieve the new level of challenging educational outcomes. Restructuring requires that various education programs and policies align to provide flexibility, and to design and implement effective strategies (Smith & O'Day, 1991).

School restructuring is characterized by changing policies, organization, administration, teachers' roles, and expectations. Increasing flexibility at the local school level is a key theme under the restructuring principle. Usually this means being able to use targeted resources, such as Title I funds or special education teachers, to support broader school improvement. There are a number of efforts at the federal, state, and local levels to promote greater flexibility. For example, recent legislation such as Goals 2000: Educate America Act calls for "simultaneous top-down and bottom-up education reform [as] necessary to spur creative and innovative approaches by individual schools to help all students achieve internationally competitive standards" (PL-103-227, Sec. 20. 301). To encourage greater flexibility and innovation, the Act provides two mechanisms.

First, Section 311 provides an opportunity for states, local education agencies, or schools to seek to waive certain statutory or regulatory requirements of certain federal educational programs [including programs such as Improving America's Schools Act (IASA) Title I and Title II, and the Carl D. Perkins Vocational and Applied Technology Education Act (311(a)(1))]. Second, the Act also authorizes and extends the "Education Flexibility Partnership Demonstration Act" which was designed to stimulate the development of "models" of state-level consolidated policy and program frameworks. Similar waiver authority is granted under the IASA and the School-to-Work Opportunities Act. These strategies signal the increased willingness on the part of federal policy makers to limit and redefine the federal role in education to one that supports local innovation and school improvement strategies within the broad parameters defined by a system of standards and assessments.

The IDEA has been excluded from these federal waiver programs and is an indication of a central issue confronting special educators as they seek to be part of the reform dialogue and to include students with disabilities within the various initiatives. Tension exists between a desire on the part of special educators to have the diverse needs of students with disabilities considered in standard assessment programs and the desire to maintain the integrity of special education programs and resources.

Individual schools will require increased flexibility to define their programs and use their resources. Within a consistent and public system of accountability, schools should be allowed to experiment and innovate. This means having the authority and responsibility to make decisions about how to organize the curriculum, how to allocate resources, and who to hire. Yet, research consistently shows that giving schools the authority is not enough to promote school improvement. Schools need a great deal of support and assistance in organizing a site based decision making team, developing consensus, managing resources, and collaborating and functioning as a team. School staff also need help making decisions that affect programs such as special education or Title I which have traditionally been centrally controlled and bound by procedures.

As authority moves from local district offices to schools, there is a great need for professional development and clear communication about program expectations.

How is governance changing?

States are experimenting with a variety of changes in governance, including the following initiatives.

- Site-based management - Site-based management (SBM) is among the most widely adopted school improvement strategies. Over a third of the nation's schools, including the 10 largest, had implemented SBM governance models by 1990 (Cawelti, 1994). In addition, another 33 percent had partially implemented the structure.

Typically, SBM transfers authority to local school sites and requires that principals, teachers, parents, community members, and occasionally students make critical decisions about budgets, staffing, curriculum and instruction, and professional development. Yet, schools and school districts differ widely in terms of how much authority is divested to schools and how willing and able local buildings are to assume more control over important decisions.

Malen and her colleagues (Malen, 1994; Malen, Ogawa, & Kranz, 1990) identified some predominant beliefs about SBM. Some people contend that SBM permits teachers and building administrators to have substantial influence over defining and shaping policies to better match practice. Others believe SBM creates positive staff morale and motivation which in turn promotes greater innovation and risk-taking. In addition, SBM increases school autonomy which some believe will increase the probability that building leadership will prevail and effective practices be implemented. The extensive research on the outcomes of SBM is mixed. Some studies have found greater innovation in school practices (GAO, 1994), while other research indicates that SBM has a limited effect on changing control and authority at the school level (Wholstetter & Odden, 1992).

Research related to the impacts of SBM on special education is limited (Raab, 1993; Schofield, 1996). These programs and students with disabilities have largely been ignored in discussions of SBM. This may be due to the highly regulated nature of special education programs and the traditional separation between special and general education programs. But research conducted by the Center on Policy Research on General and Special Education Reform indicates that special educators face a number of challenges and opportunities within SBM schools (McLaughlin, Henderson & Rhim, 1997). General lack of knowledge about effective programs can cause problems if SBM teams decide to make decisions about how special education programs should be designed. At the same time, however, individual schools with SBM have been able to implement innovative programs even

within districts that are more traditional. This only occurred if special education was well represented on SBM teams. Perhaps the greatest of difficulties for local special education directors is the lack of continuity of service delivery models across schools and the lack of ample district wide professional development opportunities since both staff time, and dollars are controlled by individual buildings.

More and more states are supporting pilot programs or special waiver programs that are encouraging local districts to develop consolidated programs. These programs allow selected schools to blend various state program resources and determine how they are organized.

- School choice and school vouchers - School choice has been one of the primary education reform initiatives most recently re-introduced in the late 1980s. The push for school choice and school vouchers is currently growing in the United States (*Educational Leadership*, Fall, 1996). Within the broad scope of school choice there are three major types: inter-district choice, intra-district choice, and private school vouchers. Intra-district choice typically allows parents to choose within their home district which public school their children will attend. Inter-district choice enables parents to choose from a public school outside their home district and supplies tuition vouchers that travel with the child to the selected school. Finally, private school vouchers enable parents to choose what public or private school their child will attend using a voucher from the district. The most widespread and researched school voucher program is in Milwaukee, Wisconsin.

To date, Milwaukee and Cleveland are the only large urban areas that offer large scale publicly funded voucher programs. However, there are reportedly more than 30 privately funded voucher programs currently operating in 18 states (Lee & Foster, 1997).

The constitutionality of various publicly funded private school voucher programs is currently being debated in the courts. The debate focuses

on whether tuition vouchers used to attend private religious schools violate the state and federal laws protecting the separation of church and state. The essence of the court battle is whether the state is directly subsidizing religious institutions or if providing parents with tuition vouchers is a “neutral government benefit” (Walsh, 1997).

- Charter Schools - Charter schools, independent public schools typically operated by groups of parents or teachers, are currently sweeping American public education. Advocates claim that independent schools can provide alternative curriculum and instructional programs to those offered at traditional public schools (McLaughlin & Henderson, in press).

According to a 1995 report by the General Accounting Office: Charter schools operate under charters or contracts with school districts, state education agencies, or other public institutions. They are designed by groups of parents, teachers, school administrators, other members of the community, and private corporations. Charter schools can operate with considerable autonomy from external controls such as district, state, and union requirements. Charter schools get this autonomy in areas such as curriculum instruction, budget, and personnel in exchange for being held accountable for student performance (U.S. General Accounting Office, 1995).

As of August 1996, 25 states and the District of Columbia had passed charter school legislation. There are approximately 480 charter schools currently operating across the country (Schnaiberg, 1997). The most distinct character of charter schools is their uniqueness. Some schools target specific populations such as at-risk students while others cater to specific academic content areas such as math, science, or the arts. By definition, charter schools are schools of choice. Parents choose to send their children to charter schools and typically the district’s per-pupil allotment travels with the child. Charter schools are usually not allowed to develop admissions criteria; they enroll students based on a lottery or some other form of random selection.

Similar to research on school choice initiatives, the majority of the research on charter schools focuses on who is enrolling in the schools and how the schools are affecting student achievement. Another aspect of charter school research investigates the innovations fostered by the creation of charter schools. Research has shown that charter schools provide opportunities to introduce instructional and governance structures that have met with resistance in more traditional schools or school systems. Data on student achievement are only anecdotal at this time.

- Private Contracting - Private contracting was first introduced in the form of performance contracting in the late 1960s (Lieberman, 1989). Contemporary school contracting is characterized by private, for-profit companies managing all or single components of the operations of a public school (McLaughlin, 1996). While single program or niche contracting has been relatively uncontested, systematic privatization, incorporating private management of curricula, has touched off a firestorm of controversy. Opponents of systemic privatization fear the motives of private companies responsible for earning profits, while advocates argue that profits will guarantee efficiency and accountability for school budgets and student performance.

To date, systemic privatization efforts have been only moderately successful. One of the early leaders in privatization, Education Alternatives Incorporated, experienced great challenges operating large urban school contracts. Efforts by other private contracts to operate single schools have to date been far more successful than large multi-school contracts. A new phenomenon is the overlap of charter schools and privatization. Private firms have discovered that seeking contracts to manage public charter schools can eliminate many of the frequently challenging local and state regulations that are perceived to limit innovation and accountability mechanisms.

PART II RESTRUCTURING SPECIAL EDUCATION

Where are the pressures coming from?

During the past two decades while educational reforms have been developing, special education has also been grappling with issues such as determining who will be eligible for special education services, where special education services should be provided, how to improve the post-school outcomes of students with disabilities, and how to manage costs. These issues have created pressures equal to those within the general education arena and have also resulted in several themes for reform. These themes include increasing accountability for student outcomes, increasing flexibility in the use of program resources, and inclusion of students and special education programs.

What are some central issues in special education restructuring?

Among the most important elements of special education restructuring are accountability, changing IEPs, increasing flexibility, and creating inclusive programs.

- Accountability for Outcomes - Concerns about the post-school outcomes of students with disabilities have been growing for over a decade. Follow up studies, including the National Longitudinal Transition Study (NLTS)(Wagner, 1993) involving 8,000 students with disabilities, brought national attention to the fact that students exiting special education are underemployed and socially and economically dependent.

The NLTS presented a mixed picture of the “results” of special education. Beginning with the 1985-86 school year, this study followed for five years a national sample of 8,000 students with various disabilities between the ages of 13 and 21. Selected NLTS findings indicated that students with disabilities were disproportionately male, poor, African American and from single-parent, non-suburban families and these demographic factors were strongly associated with negative post-school outcomes. About 22% of students with disabilities transition to college or vocational training programs as compared to

56% of non-disabled students. Furthermore, five years after exiting high school, only 37% of the students were living independent of their families compared to 60% of the general population. Approximately 30% of the sample had been arrested at least once. Students with disabilities have employment rates of about 57% within five years of leaving school. This is below the employment rate of non-disabled youth of comparable age but almost double the employment rate of adults with disabilities who did not have access to special education services. Of those employed, 40% were earning more than \$6.00 an hour.

The NLTS also examined the relationship between specific student, home, and educational program variables and post-school outcomes. Data indicated that more than 90% of students with disabilities attended regular secondary schools, and of this group, most spent the majority of their time in regular education classroom settings with some type of support services.

The majority of students with disabilities had “markedly poor school performance” and experienced higher drop-out rates than the general population. About 38% of students with disabilities drop out of school; rates are particularly high for students with learning disabilities, serious emotional disturbance, and mental retardation. Significant influences on school failure included reading below grade level, absenteeism, and poor performance on school-related tasks. The likelihood of failure was higher among students who spent more time in regular academic classes and who had not participated in vocational or work experience programs.

The poor outcomes have been attributed to a number of factors, including low expectations and lack of standards for programs that denied students access to a challenging and meaningful curriculum that would link to important post-school outcomes.

Restructuring the IEP - The Individual Education Program (IEP) has been cited as one obstacle to reform due to the separation of the IEP from the general education curriculum and the focus on annual goals and small, discreet objectives rather than on broad plans and outcomes. Furthermore, research related to the IEP has consistently shown that the document rather quickly evolves into a powerful compliance monitoring tool that demonstrates adherence to specific procedures and time lines, but rarely provides any accountability for student achievement.

The policy response to the lack of accountability for student outcomes is to push for inclusion of students with disabilities in standards and state or district assessments.

- Flexibility - IDEA and individual state special education program regulations are viewed by many school administrators as particularly prescriptive. Calls for greater flexibility in special education programs are coming from both special and general educators, perhaps for different reasons. Some are seeking more efficient use of resources while others want to promote more inclusive schools that support and accommodate diverse learners without the labeling, categorization, and segregation that has accompanied the federal and state special education programs.

There are several ideas related to increasing special education regulatory flexibility. One is to increase the availability of supports to more students without the need to categorize the students as disabled for purposes of receiving “special education.” There are a number of reasons for promoting this more flexible service delivery, including prevention of serious learning problems through early intervention and reducing the stigma attached to labeling and categorizing students.

The goal is to eliminate or limit the need to separate students who are eligible for special education from those who are experiencing learning or behavior difficulties. Categorization, whether into specific

disability topologies or between “disabled” and “non-disabled” has been a longstanding problem within special education.

A related issue concerns minority over representation in special education programs. Problems include the norms of psychological and education assessment instruments used for eligibility determination, as well as the strong cultural bias which exists in the assessment process. This bias represents a mismatch between the language and behaviors of culturally diverse and poor youth and the white, middle class norms of schools and classrooms. Given the lack of cultural diversity among many teachers in today’s schools, researchers suggest that ever greater numbers of culturally and linguistically diverse students are being inappropriately placed into special education. Furthermore, the heavy reliance on IQ assessments as well as educational achievement ensures that many students from low socio-economic and other culturally diverse families will continue to be over-represented in special education programs.

The costs associated with conducting eligibility and other mandated assessments are also serious issues. Data from several finance studies indicate that initial assessments as well as triennial assessments cost on average \$2,000 per child. Research relating assessments to IEP development suggests that rarely does the assessment information result in a functional educational plan.

- Inclusive Programs - Another pressing special education issue is “inclusion,” usually defined as the education of students with disabilities in classrooms with non-disabled students. Inclusion has two major themes. There are those who advocate the inclusion of students with moderate and severe disabilities in their home schools and, whenever possible, in general education classrooms because it is these students’ right and because inclusion promotes better socialization and communication. This in turn is seen as leading to better opportunities for post-school integration in the workplace and communities.

On the other hand, for students with “mild” disabilities, inclusion can mean a reduction of support services. According to the 18th Annual Report to Congress (U.S. Department of Education, 1996), 43% of students with disabilities receive the majority of their education in general education classrooms. The issue for these students is less inclusion as a physical place than inclusion in the curriculum. That is, these students should have the supports and accommodations that permit them to access a challenging and balanced curriculum and one that will lead to positive outcomes.

A great deal can be written about inclusion, and the research is mixed with respect to impacts on students. For example, students with more significant disabilities, such as severe mental retardation, consistently show improved social and communication skills. However, some research also indicates that not all students with learning disabilities can make academic gains in general education classrooms despite intensive instructional interventions. Consistent findings about inclusion do point to the need for structural and organizational changes in schools to promote more collaboration between general and special education.

The themes of accountability, flexibility, and inclusion overlap with those of high standards, equity, and restructuring, creating a climate for reform that is unique in our history as well as challenging and often controversial. Policy makers and administrators are faced with developing new policies and programs in a number of key areas, each of which has consequences for students with disabilities. The test will be the degree to which those decisions can balance the educational needs and rights of students with disabilities with those of all other students.

PART III UNIFIED SYSTEM REFORM

The key reforms emerging within general education are intersecting with efforts to restructure special education. What is needed is a model for a unified system of reform.

What is a unified system?

A unified system centers around a core set of student outcomes or standards which define the goals for the system. There is also a means for assessing student progress toward those outcomes. The curriculum and instruction are aligned with the standards and outcomes and the entire core is supported by a system of policies and programs which guide professional preparation and development and the allocation of resources. Over the entire system is public accountability for each student's learning.

A unified system accommodates and supports diverse learners without unnecessary categorization of students or program resources. The system values flexibility and collaboration at all levels in order to promote student attainment of the goals (see unified system diagram on page 22).

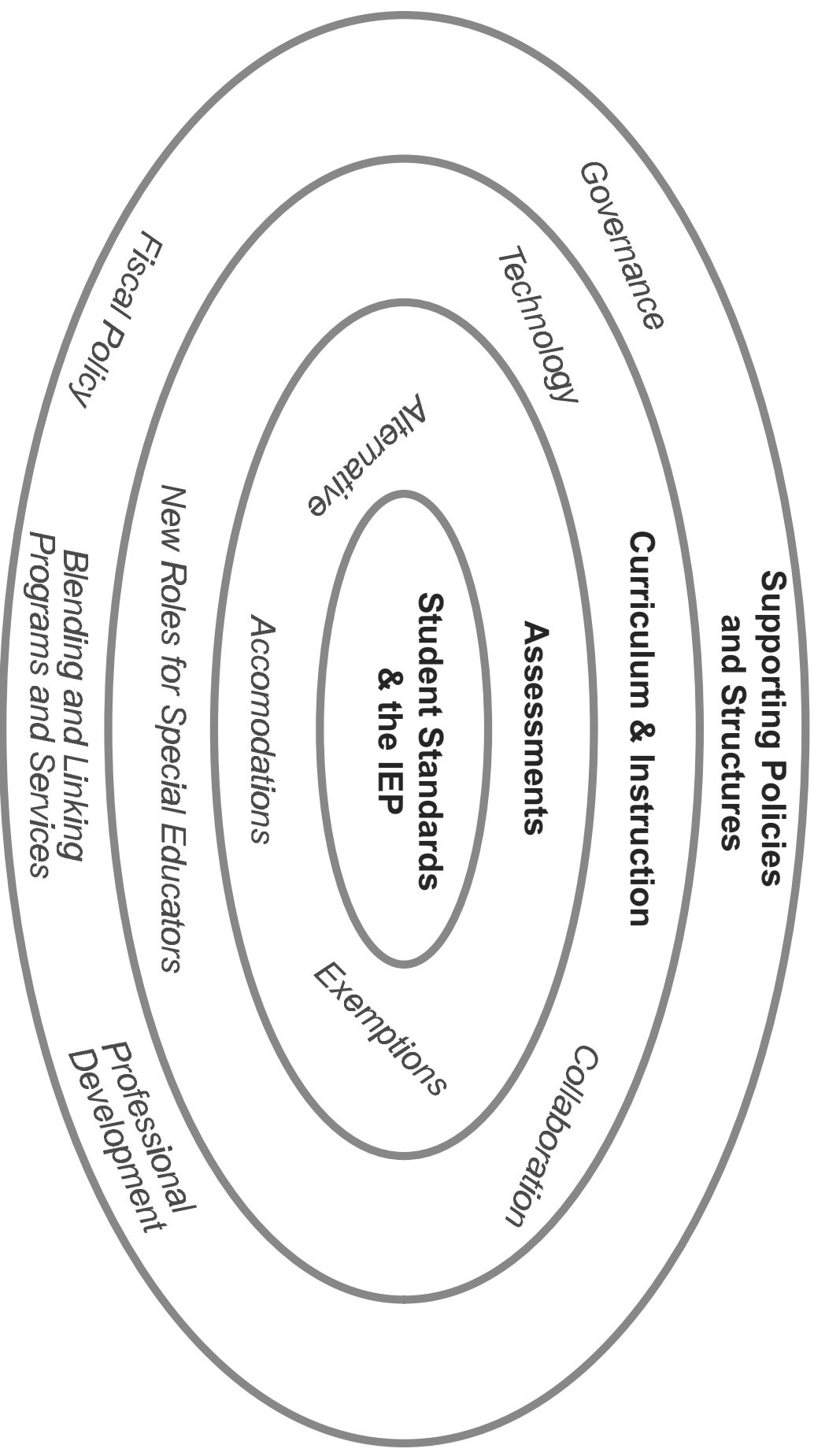
How is public accountability handled?

The creation of a unified system begins with a commitment and process for ensuring public accountability for each student's learning. Before decisions can be made about inclusion in standards, assessments, or even within classrooms, policy must address how programs will be accountable for documenting student progress toward important and challenging learning goals.

The first option should be to include students with disabilities, bilingual students, and other diverse learners in the general system accountability mechanisms. These include system wide assessments, school or district reports, and school or district accreditation or other quality control efforts (see Erickson paper in this series).

CREATING A UNIFIED SYSTEM

PUBLIC ACCOUNTABILITY FOR RESULTS
Making Certain Every Student Counts



Accountability issues include appropriateness and technical consideration for assessments and assessment accommodations, and also how to report scores or other information about special education programs or students. Decisions to include students with disabilities are impacted by these issues. The most crucial consideration may be the “stakes” or consequences attached to the accountability and who is being held accountable. High stakes for schools or staffs - meaning that schools are sanctioned or rewarded based on student assessment results and/or other program indicators - may create incentives for excluding or exempting low performing students from assessments or programs or seeking accommodations for low performing students. This can result in increased referrals to special education or Sec. 504 accommodation plans, or other attempts to remove students’ scores from the accountability system. To avoid this situation, policies need to be carefully constructed to permit no exclusions or exemptions from assessments or other indicators; to provide equally rigorous accountability for differentiated standards or assessments; at a minimum the numbers and distribution of exempted students should be reported.

Decisions about who shall be held accountable are also important. Schools with disproportionate numbers of students with disabilities can be at a disadvantage if student performance is a key accountability indicator. Reporting scores for students’ home schools can be one option. Another option is to consider a “value added” approach to school accountability which factors into school progress or performance, student and school variables such as student income levels.

What is clear is that all students need to be accounted for regardless of where they are educated. This includes those students in non-public schools.

Accountability can consider more than student achievement variables. Participation and effective program indicators also can and should be considered in a comprehensive accountability system for students with disabilities. Further, no school should be recognized for meeting the needs of only some of its students.

Accountability Strategies

In addition to reporting student assessment results, states and local districts examine other indicators, such as attendance, graduation, and suspensions and expulsions. Some states have expanded their school and accreditation process to examine the entire school improvement process, including curriculum alignment and professional development opportunities.

Maryland is using the Inspectorate System in the United Kingdom Education Reform Act. An independent office was established to inspect schools in England and Wales as part of the overall accountability process. The Office of Standards in Education (OFSTED) organized and oversees the inspection of all schools throughout the country. The inspections are carried out by teams that are trained, accredited, and monitored by the department of education. Each team is lead by a “Registered Inspector” who works under contract to the department. At least one member of each team is a lay person.

The purposes of the inspection process are:

- Accounting for the expenditure of public money;
- Providing national information about the performance of schools;
- Providing information to parents to assist them in making informed school choices;
- Enhancing school improvement.

The reports are public documents and are the subject of considerable scrutiny by the local (and sometimes national) media. They provide details about how the schools are doing and tell what they need to do to improve through a series of action points. The reports are presented within 35 days of the inspection and are aimed at the schools themselves, their governing bodies, and the LEA. A summary is sent to all parents. The school governing body has 40 days to draw up its action plan for improvement based upon the key issues identified.

(continued)

The reports contain sections relating to the following:

- Details of the school
- Main findings
- Key issues for action
- Standards and quality
- Efficiency
- Students' personal development and behavior
- Curriculum issues
- Factors contributing to the findings

A new system of inspection of special education was introduced in September 1994 using the same criteria as those used in mainstream schools. Many of the criteria are derived from those to be found in the literature on effective schools. Sebba (1996) suggests that this approach is appropriate for issues relating to management, administration, and leadership of the school, but is not necessarily helpful in assessing the curriculum or the quality of teaching and learning. Many people in the special education community have expressed concern about special schools being judged on the same criteria as mainstream schools. Educators have argued that having the same criteria provides a common language and similar expectations for all schools even when they are serving different populations.

Will outcomes and standards include students with disabilities?

The core of a unified system is a set of valued learner outcomes and both content and performance standards that set high expectations for all students and define a consistency in the knowledge and experiences that students will have access to.

Not all students need to pursue all outcomes nor must all standards be the same. If there are differentiated standards, there must be equally high expectations of student progress and equally rigorous accountability. If there is one core set of outcomes and standards, they must reflect all of the valued domains of learning we expect of students with

disabilities, including subject matter knowledge, career/vocational skills, and skills in personal management and adjustment.

Most states and many local districts have adopted standards in subject matter disciplines. Few have created standards in non-academic areas. In addition, the language of those standards which have been adopted are often very specific in terms of what students are expected to learn and demonstrate. In relatively few places have special educators been involved in defining outcomes or standards. Most of their input has been to review standards and to define how students with disabilities will be accommodated in the standard. Too often the assumption is that the standards will not be appropriate for certain students with disabilities, but no thought is given to what happens to these students.

Whether a district or state is beginning to develop standards or has a set of standards in place, the process should begin with a group of stakeholders including at a minimum parents, individuals with disabilities, teachers, employers, and other community members. This group should identify a preliminary core set of outcomes and goals (see Erickson paper in this series). The preliminary set should be exposed to wide review and input to ensure acceptance of the core goals.

Key considerations should be the degree to which the goals reflect current knowledge about the full range of life roles of students with disabilities. The result should be a continuum with students with disabilities who will fully participate in the general system standards at one end and at the other end students for whom a totally individual set of standards may be necessary (e.g., those **very few** students who may have individualized needs that demand a set of unique goals). Along the continuum will be those students who participate with supports and accommodations, and those for whom some of the goals may not be relevant to lifelong goals and/or who may require additional goals such as acquiring vocational and life skills.

What criteria determine if a state has unified standards?

There is no set of standards that reflects the perfect balance of knowledge and skills for all students. However, the following considerations can be used to examine a state standard model to determine how the standards may reflect the learning outcomes and instructional needs of all students.

- Comprehensive standards - Setting standards in only academic areas fails to acknowledge the needs of many students for curriculum content in areas such as life skills or personal management as well as vocational and career areas. Because these domains of knowledge and experience are central to special education, it is important to set high expectations or standards in these areas as well. This is true whether the standards apply to all students or only to those students who may participate in a differentiated curriculum.
- Specified levels of knowledge - Standards should be specific enough to guide content and instruction to achieve equity in the core curriculum. However, specificity must not unnecessarily limit a student's participation in the curriculum. For example, if communication skills are considered important educational goals for all students, then the language of the standards must reflect the multiple ways some students with disabilities may communicate. Furthermore, if the standards expect certain behaviors or knowledge at certain points in the curriculum, then consideration should be given to whether it is more appropriate to think of general levels (e.g., early childhood, primary, etc.) or actual grade levels. The latter can so restrict the curriculum that it becomes more difficult to accommodate students performing significantly below grade level in the general education classrooms.
- Focus on basic literacy and operations - Standards that do not include expectations that students will acquire basic skills such as decoding or mathematical computation often state that students will construct knowledge through experience. "Whole language"

approaches or acquiring mathematical principles through inductive problem-solving are important parts of many standards. Yet, students with learning difficulties, including many students with disabilities, learn best with explicit instruction on skills and rules within meaningful contexts. Standards that promote only one approach to learning subject matter can restrict access to the curriculum.

- Consistency across standards and content integration - Often standards documents are developed by different task forces or committees at different times. There can be duplication in content standards, and there can be confusion. Students with learning difficulties need a consistent and integrated approach to instruction. This means that specific skills, such as mathematics, writing, or reading, need to be taught in the same manner and applied across different subject matter areas.
- Authentic learning - All students, regardless of the nature of content, need to apply knowledge in meaningful ways. For students experiencing learning problems, learning must be made functional. Specific skills need to be taught in contexts in which they will be used. Students need to be explicitly taught how to apply their knowledge and must be given opportunities to practice the skills in real-life situations.

Related to this is the need to incorporate problem-solving, making decisions and judgements, and developing new ideas or solutions across all content standards. Focus on these real and critical skills should occur both within traditional subject areas as well as within the more functional or life skill areas.

- Assessment of student progress - Once a system has its goals, it must have a way to monitor student progress toward those goals. Including all students with disabilities in some form of assessment is critical. Deciding whether or not all students will participate in a particular assessment will depend on what knowledge or skills are being assessed

and what levels of proficiency are expected. For example, students who are participating in a life skills curriculum will be expected to be evaluated, and programs will be held accountable for that specific knowledge. This may be in addition to or as an alternative to other subject matter assessments.

Characteristics of Student Assessments in a Unified System

Assessments of student performance should:

- Be valid and appropriate for the student and for the outcome being assessed;
- Ask questions in a mode students understand, and allow answers in a mode which demonstrates, not misrepresents, a student's level of mastery;
- Evaluate broad abilities, such as the ability to communicate, rather than narrow skills, such as manual handwriting skill;
- Measure a broad range of performance levels, regardless of the specific grade of the students being assessed, to accommodate students who are functioning significantly above or below the targeted grade level. For example, an assessment of student performance designed for 4th graders could include material appropriate for 2nd, 3rd, 4th, and 5th graders, encompassing a range of acceptable performance levels;
- Indicate components of the curriculum that should be the target of instruction for students with disabilities (and other students with special needs), so that these students can derive maximum benefits from instruction; and
- Provide information to help identify students who may need special education services.

If commercial assessments are used, consideration should be given to whether:

- The assessment provides useful information that is aligned with the educational goals for *all* students;
- The assessment is available in alternate formats;

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- The assessment will allow use of acceptable accommodations that would not jeopardize the psychometric characteristics of the test; and
- The assessment developer included students with disabilities in developing appropriate assessment presentation and response formats.

Providing accommodations and adaptations to some students with disabilities poses many challenges for those who administer an assessment. For example, what accommodations and adaptations can be anticipated and planned for? Are there limits to what must be provided? What can be done if a student cannot be provided accommodations? How will accommodations and adaptations affect the validity and reliability of the assessment?

Assessment Accommodations in a Unified System

Accommodations and adaptations, when needed, should:

- Facilitate an accurate demonstration of what a student knows or can do. For example, if mathematical reasoning rather than computation knowledge is being measured, allow the student to use a calculator when doing math problem;
- Not provide the student with an unfair advantage or interfere with the validity of a test. For example, if a test measures reading level it would be an unfair advantage and an inappropriate accommodation to “read” test material to a student;
- Be the same, or similar to, the accommodation or adaptation the student uses when performing classroom tasks with the same or similar demands. For example, if a student, because of a disability, uses a personal computer most of the time to receive instruction and to respond in class, it would be appropriate to employ a personal computer to administer an assessment and elicit test answers from that student; and
- Be necessary for enabling the student to demonstrate knowledge, ability, skill, or mastery. For example, if a student prefers to work independently, but functions successfully in group settings, it would not be necessary to structure all assessments as individually-oriented assessments in response to the student’s preference.

Each assessment should have a variety of adaptations and accommodations, including:

- Different presentation formats, such as reducing the number of items on a page, utilizing “total communication” when providing instructions to students with hearing impairments (signed and oral instructions), or writing examples on a chalkboard;
- Different response formats, such as oral responses, taped responses, use of large marking pens, Braille responses, or allowing students to mark responses in a test booklet rather than transferring answers to an answer sheet;
- Different setting formats, such as administering tests in small groups, individually, in separate rooms, or in carrels; and
- Different timing/scheduling formats, such as increasing the number of sessions while shortening session duration, testing over an extended period, or allowing more time per test item.

Preparation for testing should:

- Orient students to the test format and procedures prior to the test day. For example, students should be taught to fill in bubble response formats if they have never done so; and
- Involve advance consideration of and preparation for the use of accommodations and adaptations. For example, consider the availability of alternate test materials, extension cords, electrical outlets, calculators, and masking tape to hold tests sheets in place.

Fortunately, many accommodations and adaptations are simple and straightforward. Moreover, a particular student’s need for an accommodation or adaptation frequently may be addressed in more than one way.

Decisions about including students with disabilities in a set of standards and/or assessments must be made individually. That means that entire groups of students cannot be relegated to a different set of

standards or assessments just because they carry a designation such as “mentally retarded” or are educated totally outside of the general education classroom. By law, students with disabilities cannot be excluded from standards as established by the state. However, individual IEP teams can make decisions about students that may provide alternative standards, assessments, and curriculum. These decisions must be made with the full knowledge and consent of parents, particularly if moving the student to an alternative set of standards or assessments may affect the receipt of or type of diploma or result in the failure to be promoted a grade. However, equally important is to inform all teachers and parents about the links between standards and curriculum.

All IEP decisions must be made systematically. Criteria for decisions must be clear and applied systematically across schools and districts, and data on numbers of students who are receiving accommodations should be reported. Consequences of decisions must be clear as well as procedures for facilitating inclusion in the standards, curriculum, and assessment. Accommodations of instruction and assessments should be clearly stated and guaranteed to be available to students and teachers. Accommodations cannot be only what a school has or is able to manage. For example, providing accommodations such as calculators or a computer for word processing is difficult in schools where equipment is not readily available, but necessary. Also, providing separate settings requires additional staff as monitors. Logistical and material constraints can limit which accommodations are provided. Teacher knowledge of how to accommodate a learner can also be limiting. All of these factors need to be considered when setting policies.

How are curriculum and instruction aligned?

The final important piece of a unified system is the alignment of the curriculum and instruction with the core standards and assessments. All students have the right to access a broad and balanced curriculum that provides the opportunity to attain high standards. The chief

purpose of the broader system standard setting is to create changes in the core curriculum and instruction; special education must be part of that curriculum reform.

Providing access to the general education curriculum means creating greater collaboration between general classroom teachers and other special program teachers, including special educators. A major dilemma for many special educators is how to preserve special education practices, such as intensive individual instruction or specialized “content,” within the demands of the larger curriculum. Special education teachers often have limited knowledge of how to teach the general curriculum and therefore don’t have a clear sense of their role and purpose in general classrooms. General educators may not know how to individualize or adapt content or instruction. They continue to teach to the middle, assuming that somehow the special educator will pick up the stragglers and the accelerated learners will fend for themselves.

Teachers in schools that are implementing new standards often talk about the amount of content they are expected to teach and the lack of time for special interest topics as well as review and reinforcement. Special education teachers struggle to provide the “specialized” content, such as strategy instruction or personal management or other functional skills within a higher demand climate. Yet, all teachers are often surprised about the higher level of learning evidenced by many students with disabilities or “at-risk,” students in collaborative settings. Creating collaboration means much more than congenial co-planning or occasional chats about students. Collaboration starts from a shared purpose and set of goals as well as continuous monitoring of student progress.

What is the role of the IEP in accessing the curriculum?

For too many students with disabilities the IEP has become either the entire curriculum or is so fragmented and separate from what is

Aurora, Colorado Public Schools “Aligned” IEP

The Aurora (CO) Public Schools, as a means of assuring the inclusion of students with disabilities in addressing performance standards adopted by the District, developed a new performance-based IEP. In addition to the legal and identifying information required by statute, the IEP includes a page devoted to content standards/proficiencies and learner characteristics. Each of the district-adopted content standards appears on this IEP page in abbreviated format, with space for the staffing team to note the targeted benchmark level for meeting the standard. Accompanying directions indicate which standards will be addressed individually on the IEP or taught and assessed as part of a larger group. This page also includes accommodations for instruction and assessment, which are shared with all general educators who work with the student. The IEP permits the staffing team to identify whether the student will participate fully in standardized assessments *without* accommodations, *with* accommodations, or in district- approved *alternative* assessments.

The performance-based page of the IEP takes on even greater significance in dealing with transition issues. Particularly at the 8th grade level, as parents and staff anticipate high school opportunities, a tentative graduation plan is developed along with the IEP and finalized during the student’s 9th grade year. The graduation plan identifies the criteria for each standard the student must reach in order to be validated for graduation.

Each of the content standards is accompanied by sample goals, objectives, and rubrics to assist teachers and parents in development of the full IEP. The IEP is available in both computerized and hard copy format, with the intent that within one year, all information will be maintained and transferred from school to school electronically.

occurring in the broader scope and sequence of learning that skills are totally decontextualized. In many cases, the IEP is a collection of discreet, often low-level objectives that focus on basic skills acquisition and do not require the student to engage in problem-solving or

authentic application of knowledge. Too often the general education teachers have little or no input into IEP development or implementation.

The most unified systems have strong expectations for how administrators within the organization are expected to behave. These messages are often communicated through what gets rewarded or attended to in a school district. Recognizing schools that are getting results for all of their students is one way to send a message about organizational priorities. Another is through examination of school programs and the degree to which the schools are providing more flexible and collaborative programs. Specific indicators of organizational support can be developed and included within school improvement plans as well as school accreditation documents. Improving organizational structure is one more element in the overall goal of creating a unified system.

A revised IEP can help ensure that a student is accessing the curriculum and making reasonable and continuous progress. The IEP should first of all be linked to the system outcomes and standards. Student progress should be assessed and monitored in reference to the curriculum. Instructional strategies, supports and accommodations should be referenced to the broader curriculum as well as to whatever differentiated standards may apply to the student. For example, a student may need accommodation in the areas of reading or writing throughout all subject matter in addition to requiring other specialized and intensive instruction. The same student may also have instruction in an area such as learning how to get to and from school on the bus.

A unified system cannot be created without a restructuring of the IEP document and the way we think about a student's needs. When IEP goals are referenced to the general curriculum, general classroom teachers will need to become more involved. The IEP will specify all of the supports and accommodations a student will require to access the curriculum in addition to any specialized skill instruction that will be

provided. Most importantly, the IEP should document student progress as measured by the system assessments as well as through continuous progress monitoring using curriculum-referenced assessment.

How can policies and structure support a unified system?

A unified system must be supported by strong professional development, fiscal policies, and an organizational structure that provides a balance of autonomy within a framework of strong accountability for student learning. Parents, families and the community at large must also be brought into the process and made to feel part of the decision making at school levels as well as at district and state levels.

- Professional Development - Teachers will be the backbone of the effort to achieve better outcomes for students. There will be a need to focus resources on teachers. This means putting together professional development resources from various programs to support a unified set of goals (see Hardman paper in this series).

A great deal is known about high quality professional development. We know that teacher to teacher collaboration and support is more powerful than the outside expert. However, we also know that many schools need a tremendous infusion of knowledge and research about how children learn, about diverse learners, and about effective instruction. In addition, teachers will need to learn much of the new content expected of students. This will mean materials development and focused intensive workshops based on priority goals. The implementation will take time - at least five or more years in the case of major curriculum reforms - and continuous support and effort.

Research related to effective restructuring of schools has demonstrated the importance of a “professional community” of teachers in a building. According to these researchers, the professional community is characterized by three features: teachers have a clear shared purpose

for all student learning; teachers engage in collaborative activities to achieve the purpose; and teachers take collective responsibility for student learning. The first feature relates to the notion of a core set of outcomes and standards and the second feature is influenced by the organization of the school as well as expected roles and responsibilities for teachers. The third feature is very important to the success of diverse learners. This means that the whole staff needs to examine the collective capacity of the school to work with each student. This does not mean that each teacher must have the full complement of knowledge, skills, and instructional strategies to work with every student, but the school as a whole must have access to the knowledge that will be required to accommodate all learners. Without collective responsibility, schools will continue to refer, classify, separate, remove, and otherwise abdicate responsibility for students who are not progressing.

Critical to a professional community and to the professional development effort are redefined teacher roles. Special educators in particular need role definition. Roles and responsibilities need to be developed to match the settings and population of a district, and should reflect the indicators of good special education practice including individually referenced decision making, explicit skill instruction, contextually-based instruction, and the use of technology.

The very process of defining roles should be collaborative. Teachers need to know what is expected of them; only then can they know what their professional development needs are.

- Organizational Structure - Even good teachers will fail if the entire organization is fragmented and unresponsive. Administrators' actions must mirror what is expected of teachers and schools. There should be a central focus on key goals, and programs should not operate or be planned in isolation. This does not mean that programs must lose their identity or locus of responsibility. It does mean that decisions made for one program cannot be made in isolation from another.

Forcing that collaboration is difficult and states are using mechanisms such as consolidated application and consolidated program audits to bring various program heads together to plan and talk about how their programs can be complementary. Matrix management and other types of team management and planning are also used to “force” collaboration. However, personalities and federal program regulations can often get in the way of true collaborative management. Expectations for program collaboration as well as assistance with how to create more consolidation are essential to producing changes in local districts and individual schools.

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