

**An Action Plan for Special Education Reform in the District of Columbia**

**Mission Statement**

The District of Columbia will provide special education services as an automatic, inclusive, and seamless part of every D.C. public school to ensure each student realizes their maximum potential in the least restrictive environment with appropriate supports.

<b>Issue</b>	<b>Proposed Action</b>	<b>Timeline</b>
<b>Culture Shift to Embrace Inclusion</b>		
<p>Inclusion of special education students in regular classrooms in their neighborhood schools must be the guiding principle of all special education related policies and procedures. It is the law and it has been proven effective in improving student achievement. All levels of DCPS from high-level managers to frontline employees must be focused on the goal of inclusion for special education students. We must create an environment where inclusion is the rule instead of the exception.</p>	<p>Will require all Assistant Superintendents and high level administrators to receive training in special education so that all levels of the DCPS organization are familiar with legal requirements related to special education services and understand how their organizational responsibilities will support special education reform.</p>	<p>Commence training sessions immediately.</p>
	<p>All principals, teachers and support staff will be required to participate in training on special education topics, especially in the area of differentiated learning to assist teachers in reducing the number of false referrals for special education services.</p>	<p>Commence training sessions immediately.</p>
<p>Principals must be held to higher standards. Although special education is currently part of each principal's evaluation, weights given to measure progress on special education issues are not high enough.</p>	<p>Principals will be required to meet monthly to report on special education data from their individual schools. Monthly meetings will be used as an opportunity for principals to share successes and challenges they face and learn from one another strategies to improve their school's</p>	<p>Will begin monthly performance meetings immediately.</p>

	performance. Annual principal evaluations will be reviewed to elevate the importance of special education improvements.	
Principals have little incentive to serve special education students in their schools.	Will identify ways to provide incentives to principals who show progress in serving special education students such as returning a percentage of successful Medicaid reimbursements to their schools. This will create an incentive to provide the necessary services and ensure proper record keeping.	Initiate development of incentive program immediately.
Inclusion in vocational education programs, including Career and Technical Education programs funded by Perkins and Tech Prep federal grants, can lead to improved post-school outcomes for students with special needs.	Vocational education can be a creative mechanism for reaching students who have special learning needs and require alternative education methods. The Mayor will direct the Chancellor to review and explore new strategies to integrate vocational education into the learning environment and insure that new vocational education programs are accessible to all. New strategies will allow students to meet IEP goals and objectives based on the needs, interests, and abilities of the students that will increase basic academic and social skills, develop vocational skills, and provide community experiences that will support successful school-to-career or work transition.	Ongoing.
Current DCPS organizational structure does not support best practices in special education.	Will reorganize DCPS so that the Director of Special Education is a direct report to the Chancellor.	Reorganization to take place immediately upon enactment of District of Columbia Public Education Reform Amendment Act.
The position of State Director of Special Education has been vacant for years.	Conduct search and hire a State Director of Special Education who will be responsible for overseeing	Begin search immediately.

	state level special education services.	
Under the current governance structure, the State Enforcement and Investigation Division (SEID) is part of the State Education Agency, which falls under the Chief State School Officer/Superintendent. A conflict exists with DCPS because the person responsible for evaluating special education programs reports to the person being evaluated.	By transferring state level special education functions to the SEO as part of the larger transfer of state functions, the SEID will be granted true enforcement authority over all local education agencies, including DCPS and charter schools.	The District of Columbia Public Education Reform Amendment Act requires the SEO to develop an implementation plan for the transfer of all state functions within 90 days of enactment of the Act.
<b>Issue</b>	<b>Proposed Action</b>	<b>Timeline</b>
<b>Improving Student Achievement and Increasing Parent Resources</b>		
Children under 3 years of age who receive services under Part C are not automatically referred to Special Education for an eligibility determination prior to their third birthday. Thus, many of these special needs children are without an IEP by their third birthday and are not having their needs met in school.	All children serviced by Part C will be automatically referred to Special Education for an eligibility determination prior to their third birthday. Children found eligible for special education or Section 504 will have an IEP or 504 plan developed and implemented by their third birthday.	Begin immediately.
To improve special education services and outcomes for children, DCPS must shift from focusing on the District's central administration to an investment in local schools that empowers principals, teachers and students. The role of the central administration will be one of ensuring accountability and providing incentives for improved performance.	To achieve this shift in performance and institutional culture, the Mayor proposes a pilot project involving 10-12 schools in zip codes with the highest proportion of special education referrals (the greatest number of special education students reside in Wards 5, 7 and 8).	Pilot schools will be designated within 30 days of enactment of District of Columbia Public Education Reform Amendment Act.
Student achievement is improved by implementing IEPs and providing services.	At each of the identified pilot schools, DCPS will convene a team of educators, clinicians and compliance specialists to: <ul style="list-style-type: none"> <li>Analyze special education delivery in each school</li> </ul>	Corrective action plans for each pilot school will be developed within 90 days after convening school

	<ul style="list-style-type: none"> <li>• Identify existing strengths and weaknesses in each school</li> <li>• Develop school-specific action plans to improve special education compliance and academic achievement</li> <li>• Produce report summarizing Medicaid compliance, billing, and reimbursement in schools and recommend strategies to improve weaknesses in this area.</li> </ul>	<p>intervention team. Chancellor will then take information gained in pilot program and develop a schedule for citywide implementation.</p>
<p>DCPS has traditionally over-referred students (especially African-American males) for special education services. New training and support initiatives in local schools have begun to reverse this trend, but additional efforts are needed to address this long-standing issue.</p>	<p>Functioning Student Support Teams (SST) will be required in every school, including charter schools. The Student Support Team (SST) is a building-level committee consisting of three or more persons established to identify and plan alternative instructional strategies for students who experience learning or behavior problems in the classroom. The SST is a function of regular education, not special education. The goal of the SST is to make certain that every effort is made to meet a student's needs in the regular classroom before any consideration is given to special education. Parents are encouraged to participate in all SST meetings.</p>	<p>Each principal will be instructed to identify SST teams for their school and report to Chancellor within 30 days the composition of such teams.</p>
<p>Parents lack information about services and service providers at their neighborhood schools and information about the complex system of supports and support services available to children with special needs. Parents also lack general information about special education issues, their rights, policies, and procedures.</p>	<p>With the support of DCPS, the Mayor will release a comprehensive "User's Guide" for special education programs and services offered in the District of Columbia. Opportunities will also be provided for parents to participate in trainings and workshops relating to special education issues.</p>	<p>Begin immediately with publication within 180 days.</p>
<p>The District must improve coordination of educational services for students in the custody or care of District agencies. DYRS is struggling to ensure youth in its custody, many of whom are eligible for special</p>	<p>The Mayor will assure interagency coordination with the establishment of the Interagency Collaboration and Services Integration Commission as provided for in the District of Columbia Public</p>	<p>The Commission shall meet within 30 days of enactment of the act.</p>

<p>education services, receive high-quality educational services. The District is involved in a class action lawsuit over its failure to provide mandated special education services to juveniles in the DC jail. A July 2006 IG report on the provision of special education services to children in the custody of CFSA revealed a shocking lack of coordination between the two agencies. For the 2004-2005 school year, CFSA records listed 359 children receiving special education services, while DCPS records listed 701 such children. However, only 82 children were on both lists. This discrepancy highlights a variety of concerns including the whereabouts and safety of these children, the possibility that many foster children are not receiving necessary educational services, and serious fiscal implications. (\$16 million is budgeted for educational services for CFSA students in FY07.)</p>	<p>Education Reform Amendment Act. Children and families often encounter multiple agencies in order to ensure that the basic needs of children are being met. The Interagency Commission will provide a structure through which agencies will resolve problems and develop better procedures.</p>	
<p>Students 16 years or older must have a transition plan included in the IEP. The plan will identify long-range transition goals indicating the student's preferences and interests after the current schooling. Currently, many of our students are without such a plan and are not prepared for career and postsecondary education.</p>	<p>State Level Transition Team will provide technical assistance to all LEAs to ensure each and every high school student has a transition plan.</p>	
<p>Student achievement can be enhanced through utilization of individual volunteers and support from the business and non-profit community to augment school-based services.</p>	<p>Mayor will create an Education Volunteer Corps to provide additional mentoring and support for students.</p>	<p>Serve DC will coordinate and recruit volunteers for this program. Implementation of program to commence within 90 days of enactment of the Act.</p>
<p><b>Issue</b></p>	<p><b>Proposed Action</b></p>	<p><b>Timeline</b></p>
<p><b>Information Infrastructure and Resource Allocation</b></p>		

<p>Current IT systems are not adequately servicing the needs of special education staff, which further hinders the ability to provide timely, appropriate services to children. Also, information must be entered into systems accurately and timely.</p>	<p>With assistance of OCTO staff, determine where breakdown in Encore system is to determine whether technical fixes and additional IT contract support (such as an onsite Encore IT specialist/consultant) can resolve data issues or whether a new database system is required. (As noted in the Blackman Jones Interim Report). Attention to accurate input from Special Education Coordinators will be monitored and, if necessary, training will be provided.</p>	<p>Immediately.</p>
<p>Due largely to poor record keeping and billing practices, DCPS has never successfully maximized federal Medicaid funding to offset special education costs. Accessing Medicaid reimbursements will be particularly difficult this year because of recent changes in federal billing procedures. These changes do present significant opportunities for the District to seek reimbursement for a broader range of health care services, including nursing care, mental health services, and case management.</p>	<p>Will hire Medicaid expert to develop and implement new billing procedures to allow the District to maximize federal Medicaid reimbursements. The DOH Medical Assistance Administration which has city-wide responsibility for Medicaid and the CFO will be engaged to assist in this effort.</p>	<p>Initiate search immediately.</p>
<p>DCPS places an unusually large proportion of its special education students in private facilities at a very high per pupil cost (with related high transportation costs). DCPS does not have contracts with private providers of special education, nor does it have a mechanism to set reasonable rates for these services. This results in wide variation in the quality and cost of non-public placements for DCPS students.</p>	<p>The Mayor will implement the Placement of Students with Disabilities in Nonpublic Schools Amendment Act of 2006, with the goal of eventually having contracts in place for all non-public education service providers. Implementation of this legislation will also improve the quality of non-public education service provision because it requires all such providers to be accredited.</p>	<p>Implementation to commence immediately.</p>
<p>There is consensus among stakeholders that the current weights for special education in the Uniform Per Student Funding Formula (UPSFF) do not cover the actual costs of providing services for high needs children, which creates a disincentive for principals to</p>	<p>The State Education Office is developing recommendations for revisions of the UPSFF so that the real costs of service provision are covered through the formula and the dollars reach the student and the school. The Mayor will</p>	<p>Legislative authority to disperse funds outside of the formula to schools serving a high percentage of students</p>

serve children in their local schools.	recommend language in the FY08 BSA to allow the provision of additional funding to schools providing services to high needs children. The SEO will make recommendations for a more comprehensive solution to this problem as a part of its annual recommendations to the Mayor and Council for the FY09 budget.	with special needs will be recommended by the Mayor in the FY08 budget. A more comprehensive solution will be put forth by the SEO in its Fall 2007 annual recommendations.
<b>Issue</b>	<b>Proposed Action</b>	<b>Timeline</b>
<b>Compliance with Legal Requirements</b>		
While many of the specific issues identified in this action plan address issues particular to various settlement agreements and consent decrees, it does not address all required legal criteria and specific benchmarks.	The Deputy Mayor for Education, Chancellor, and the Director of Special Education will work with the Attorney General and DCPS' General Counsel to immediately identify all areas of non-compliance and to suggest immediate action items to address specific benchmarks.	Mayor will immediately convene working group to identify all outstanding legal compliance deficiencies and recommend a detailed action plan to address these weaknesses.
DCPS fails to resolve disputes over special education services early in the process. Rather than working constructively with parents to address student needs, DCPS consistently assumes an adversarial relationship with parents. This litigious approach harms students by delaying the delivery of services and supports and has a detrimental fiscal impact on the system.	DCPS must institute a meaningful mediation program. Other non-litigation means of conflict resolution will be explored.	Immediately begin procurement process for independent mediation services.
	Engage the District's Special Education Bar in a cooperative dialog to identify strategies to reduce reliance on litigation to procure services for children	Deputy Mayor will immediately convene working group.
Hearing Officer Decisions and Settlement Agreements are not timely implemented and there has been	Will improve data systems in order to determine accurate number of cases as well as currency of	Immediately. As noted above, will determine

insufficient progress on reducing the backlog	cases as required by the Blackman/Jones Consent Decree. (As represented in the Evaluation Team Interim Report, data system issues in Encore and STARS presently hinder even meaningful analysis of raw numbers in this area)	where breakdown in Encore system is to determine whether technical fixes and additional IT contract support (such as an onsite Encore IT specialist/consultant) can resolve data issues or whether a new database system is required.
Issue	Proposed Action	Timeline
<b>Special Education Transportation</b>		
Special education transportation costs (that exceed \$15,000 per student annually) must be controlled and reduced.	<p>Will collaborate with Transportation Administrator Gillmore to require better coordination between special education program staff and special education transportation staff to enhance efficiency and cost-effectiveness of transportation services.</p> <p>Will evaluate transportation services for DC Wards in placements outside the District (especially MD &amp; VA foster homes). Will seek to amend interstate compacts and/or develop MOUs with those jurisdictions to allow District Wards to utilize those states normal school transportation systems for a fee, rather than sending our own buses to transport children short distances within another jurisdiction.</p> <p>Will request an audit of current special education transportation routes in order to establish reliable current data on use of transportation services and ensure that routes and non-public placements are appropriately aligned.</p>	Will immediately initiate dialogue with Transportation Administrator Gillmore as the District does not have authority to act independently on these issues.