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In special-education system, innovation leading the way

Vouchers, training gain states' favor

By **SHANNON MULLEN** • STAFF WRITER •
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In California, 25,000 veteran special-education teachers are being sent back to school this year to learn the nuances of teaching students with autism.

In Florida, Georgia and Utah, parents who are unhappy with their local public school's special-education program can use taxpayer-funded vouchers to send their disabled child to another public or private school they think can do a better job.

In Kansas, researchers are developing sophisticated "learning maps" to give educators a more holistic view of what special-education students are actually learning.

And here in New Jersey, where fiscal constraints are forcing districts to curtail the number of disabled students placed in specialized private schools, the Marlboro School District and the Search Day Program, a private autism school in Ocean Township, have partnered in a cost-saving joint venture.

To save taxpayers money, Search is staffing a preschool and kindergarten class at the district's early education center, enabling a half-dozen autistic students who need specialized instruction to remain in the district.

The district still pays the students' tuition, but it saves on transportation costs, and its teachers benefit from in-service workshops run by Search staff.

"In essence, they're using our space but it's 100 percent their program," said Robert Klein, the district's director of special services. "It's really working out well."

Such innovations can't happen soon enough for parents who feel their children have slipped through the cracks of a costly and contentious special-education system that critics say is broken and in need of major reform.

Under federal law, every child with a disability is entitled to a "free and appropriate" education. Yet little data exists to gauge the quality of that education, which costs an estimated \$3.3 billion per year in New Jersey. Unless parents are willing to take legal action, which can be prohibitively expensive, many districts will provide only the most basic services, some parents and advocates say.

"They just do the bare minimum, just enough to say they're not in violation," said one Ocean County parent, who is frustrated that her 17-year-old son, who is autistic, still hasn't learned to safely cross the street.

"If you call that a free and appropriate education, I guess that's what they're providing," she said. "But for me, appropriate is what's best for the child, to be a functional member of society." The parent requested anonymity because she was afraid her comments could jeopardize her son's services.

'Combatants into consumers'

Perhaps the greatest challenge to the status quo is coming from the special-education voucher programs that a small but growing number of states have adopted in recent years.

The oldest of these programs is Florida's John M. McKay Scholarship for Students with Disabilities, named for a state legislator whose daughter struggled with learning disabilities.

Created in 2001, the program provided vouchers to

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nearly 21,000 students in 2009-10. The total outlay that year was \$138.7 million.

The amount of the scholarship is equal to either the amount that would have been earmarked for the student's education had they remained in their local public school, or the cost of tuition and fees at the private school they wish to attend, whichever is less.

Similar programs have been established in Utah, Georgia and Oklahoma. Louisiana started a two-year pilot program this year. Ohio has a scholarship specifically for students with autism.

Maurice Winters, a senior fellow at the Manhattan Institute, a nonprofit think tank in New York City, said one of the advantages of these programs is that it spares parents and school districts the time and expense of adjudicating special-education disputes.

"It's a market accountability and choice system," Winters said. "Instead of getting a court to decide what services to provide for a kid, this system lets parents decide what's the best place for their child. It solves a lot of problems for special ed."

A report by the Cato Institute, a conservative think tank in Washington, D.C., said such voucher programs can transform parents from "combatants into consumers."

Critics of these programs, however, accuse school-choice advocates of using the plight of some special-education families as a wedge to further their pro-voucher agenda. In addition, some parents and disability-rights groups are wary of vouchers because they fear they could undermine the hard-earned legal protections that the current system provides.

Arizona's special-education voucher program was struck down last year after it was challenged by the state's teachers union and civil liberties groups, on the grounds that it violated a state constitutional provision barring public funds from flowing to religious institutions.

Meeting the autism challenge

The dramatic surge in autism cases nationwide has placed enormous strain on the special-education system.

In some states, educators and policymakers are

beginning to recognize that the unique demands of an autistic child can be overwhelming for even the most experienced special-education teachers.

In California, under a new state requirement, some 25,000 special-education teachers must complete an autism training course by July 2011 in order to work with children who have the disorder. The mandate only applies to those teachers licensed to educate students with moderate to severe disabilities.

Catherine Kearney, president of the California Teacher Corps, a nonprofit group that is coordinating the training programs, said teachers on the whole have welcomed the new rule.

"Many of the teachers, if not most, have looked at their students and said, 'I need to learn more about autism,'" she said.

There is no such training requirement in New Jersey, though some districts voluntarily provide autism training, and many teachers seek it out on their own.

Yet experts say even well-trained teachers ought to be supervised by someone steeped in whatever research-based methodology the school is using in its autism program.

The most widely used approach is called applied behavior analysis, or ABA, which is the science of evaluating and controlling human behavior.

In Connecticut, a law passed earlier this year

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requires school districts that provide autistic students with ABA services to ensure that the staff members or consultants who do so are certified by the Behavior Analyst Certification Board, a nonprofit accrediting organization.

To be certified, candidates are required to have a master's degree in behavior analysis or a related field, complete up to 18 months of supervised work and pass an exam.

The measure stemmed from parental complaints about a paid school consultant who falsely claimed to be a certified behavior analyst. In most states, including New Jersey, "anybody can hang a shingle and say they're an autism expert," said Suzanne Letso, a board-certified behavior analyst who runs a private autism school in Milford, Conn.

No child left behind?

Barbara Gantwerk, head of the [New Jersey Department of Education's Office of Special Education Programs](#), said special education is already in the midst of a major reform: the federal [No Child Left Behind Act](#).

That law, passed in 2001, requires that all U.S. students - including those with disabilities - be proficient in their state's core academic areas by the 2013-14 school year.

"Years ago, you would go into a school and (the special-education students) would be focused on life skills," she said. "The expectations have greatly been raised, the barriers have broken down. I think there have been significant changes."

While educators say a wide academic achievement gap between special-education and regular-education students appears to be narrowing, it's not happening fast enough to meet the now-looming federal deadline.

"Part of the issue is, we need more time, I hate to say it," said Alexa Posny, assistant U.S. secretary for special education and rehabilitative services.

However, some parents of children with serious cognitive disorders such as autism, Down syndrome or cerebral palsy - who constitute fewer than 20 percent of all special-education students in the U.S. - say the federal law, and the focus on standardized test scores it has engendered, have little relevance to their children's needs.

For example, the same autistic Ocean County teen who can't yet safely cross the street on his own - or hold a conversation, for that matter - is supposed to be able to explain "how British North American colonies adapted the British governance structure to fit their ideas of individual rights, economic growth, and participatory government," among other New Jersey core curriculum requirements for high school seniors.

"It's a little ridiculous," said his mother.

Better data needed

Neal Kingston, director of the Center for Educational Testing and Evaluation at the University of Kansas, believes there's a better way to evaluate what special-education students know, and don't know.

In October, the U.S. Department of Education awarded his center a \$22 million grant - the largest in the university's history - to develop a new assessment tool, called the Dynamic Learning Maps Alternate Assessment System.

Kingston describes a learning map as an "electronic portfolio" that breaks down a set of core curriculum standards to "an almost atomistic level." The result is a collection of "thousands" of different tasks or skills that the student will have to acquire in order to eventually meet those standards.

The hope is that this tool will help teachers more precisely identify which skills the student needs help with, Kingston said.

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“So when a student needs remediation, we can be as diagnostic and prescriptive as a physician can be,” he said.

Eleven states, including New Jersey, have agreed to implement the new system, on a pilot basis, in the 2014-15 school year. Kingston believes these maps can help parents keep closer tabs on their child’s progress in school.

Meanwhile, Brenda Considine, coordinator of the [New Jersey Coalition for Special Education Funding Reform](#), which represents the interests of several disability rights groups as well as private special-education schools, says her organization will continue to urge the state Education Department to do a comprehensive cost analysis of the system, something the group has sought for the past 14 years.

“Nothing in New Jersey has ever looked at the full costs — nothing,” she said. “Yet we’re making a policy decision that says, ‘Bring kids back into the district because it’s cheaper.’ There’s just no data.”

Nor has a study been done that looks at long-term student outcomes, she noted.

“Our coalition has never said it’s about more money; it’s about smarter money. It’s knowing where things make a difference in the system for kids,” Considine said. “Without good data, there’s not a lot of solutions that make sense.”

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Brenda Considine (left), coordinator of the New Jersey Coalition for Special Education Funding Reform, speaks at a meeting in May. Considine, whose group represents the interests of several disability rights groups as well as private special-education schools, says her organization will continue to urge the state Education Department to do a comprehensive cost analysis of the system, something the group has sought for the past 14 years. (PHOTO COURTESY OF JAFFE COMMUNICATIONS ~)

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