April 2024

Inflexible Settings:
Findings From IBO's Study on Elementary School Special Education Recommendations and School Team Discussions

Calls to reform special education in New York City schools have spanned close to five decades. Special education involves the provision of individually designed educational programming intended to meet the needs of students with disabilities—programming that is spelled out in each student's Individualized Education Program (IEP), which the Department of Education is mandated to provide. The federal Individuals with Disabilities Education Act (IDEA), enacted in 1975, and most recently reauthorized in 2004, stipulates that all students with a qualifying disability receive a free appropriate public education in the "least restrictive environment," which means that a child with a disability should be educated with peers without disabilities to the maximum extent appropriate.[1]

In 2023, New York City Public Schools convened a Special Education Advisory Council, whose final recommendations included strategies to better inform families of available programs and services within the City's schools.[2] This advisory group builds upon citywide reforms taken by the Department of Education (DOE) over a decade ago that required schools to serve students with IEP needs in their existing schools, rather than assign students to schools based on availability of services. These reforms also incentivized the movement of students with disabilities out of self-contained classrooms that only serve students with IEPs and into more inclusive settings, such as general education classrooms with services and integrated co-teaching classrooms that serve students with disabilities alongside peers without disabilities.

In this brief, the New York City Independent Budget Office (IBO) summarizes the main findings of a mixed-methods study, which investigates the extent to which elementary students with disabilities are recommended for more inclusive settings with their peers without disabilities in the City's traditional public schools. That study—linked here—draws from qualitative data collected at 30 school team meetings during school year 2017-2018, and from quantitative data on all elementary school students with IEPs from 2014-2015 through 2016-2017, with additional analysis through 2018-2019.

Among the key findings from IBO's mixed-methods research:

- In 2016-2017, 70 percent of students with IEPs were most frequently recommended for less restrictive settings (general education classrooms with services and integrated co-teaching classrooms), while 30 percent were most frequently recommended for the most restrictive setting (self-contained classrooms). Students recommended for self-contained classrooms were more likely to have disability classifications associated with behavioral challenges.

- While the DOE has encouraged flexible programming that spans programs and levels of restrictiveness, about 95 percent of students in the sample were recommended to be served in only one setting.

- When tracking changes in programming recommendations, IBO found that over 80

percent of students recommended for ICT classes or self-contained classrooms in 2014-2015 were recommended the same setting two years later.

- Recommendations to move out of the self-contained classroom, the most restrictive environment, were uncommon: from 2014-2015 to 2016-2017, only about one tenth of students were recommended a classroom other than self-contained after two years. The majority of students recommended for a self-contained classroom were recommended the same, four years later, and even after students changed schools.

- Student-level factors associated with being recommended to move out of aself-contained setting include changing schools, or entering higher grades. At the school level, the availability of an integrated co-teaching (ICT) classroom also led to an increased likelihood of entering such a setting.

- Student-level factors associated with being recommended to move into a self-contained setting include: prior year suspension, prior year disability classification, and English Language Learner status. At the school level, the availability of a self-contained classroom posed the greatest effect, which was larger than the effect of the availability of an integrated co-teaching classroom.

- In observed meetings that discussed students struggling academically in general education settings (Pupil Personnel Team, or PPT, meetings), no standard discussion protocol was utilized. Only one of the six school teams routinely referenced interventions attempted and the results of those interventions. Overall, discussions indicated a lack of resources on the general education side, including staff and training for providing comprehensive interventions, and the proper amount of time to understand and respond to students' complex needs.

- Behavioral issues dominated the focus of meetings that discussed students with IEPs (School Implementation Team, or SIT, meetings), despite more students being initially identified for academic reasons. In the meetings, staff across schools voiced concern over the limited number of strategies to address students' behavioral needs or mitigate classroom disturbances.

- Setting availability was a major focus of SIT discussions despite DOE's guidance to the contrary—for recommendations to not be limited by the availability of a program or service at the school level. Across schools, teams did not typically discuss less restrictive environments for their students identified with behavioral challenges. School teams did not express confidence in the efficacy of supports that could be provided to students with behavioral challenges in more general education and more inclusive settings, and as a result, self-contained classrooms were often the first and only setting discussed in the meetings observed.

Mixed-Methods Study Design and Samples

Six years ago, IBO set out to investigate how school teams operationalize an appropriate education in the least restrictive environment for their students with disabilities. The primary investigator collected data while observing 30 school team meetings (beginning October 2017 and ending April 2018) and worked with the IBO education team to analyze quantitative data on all elementary school students from 2014-2015 to 2016-2017. An initial report was scheduled for release in spring of 2020 and then delayed due to the pandemic. IBO later updated the analyses with data through 2018-2019, the last full school year prior to the pandemic.

IBO collected qualitative data in a sample of six elementary schools to investigate how school teams discuss students considered for special education evaluations and, in cases where students are referred for special education services, how school teams discuss programming in the least restrictive environment. IBO drew a random sample of schools to invite to participate in the study and IBO gathered information from participating schools. IBO did not observe IEP meetings where staff and parents make programming recommendations.

IBO drew on quantitative data from a large sample of all elementary school students referred for special education services to analyze the factors most associated with any changes in programming recommendations over three years (when students are re-evaluated) using a measure of students'

access to less restrictive environments. The quantitative sample is much broader and includes all students attending K-5 schools. IBO's data from the Special Education Student Information System (SESIS) reflect recommended services; the data do not provide a record of actual services delivered.

Qualitative Findings Across Six Elementary Schools: How Schools Discuss Programming Recommendations and Parents' Perceptions of Special Education

School-based Meetings. The six DOE elementary schools that participated in the qualitative portion of this study regularly convened teams to discuss students identified as struggling with academic, behavioral, and other challenges (PPTs) and to review special education programming and resources that best meet the needs for current students with IEPs (SITs). While the PPTs are a commonly used structure for schools to discuss specific student struggles and to consider special education referrals, they were implemented differently across the school team meetings IBO observed. One commonality found across schools' SIT meetings was that if restrictiveness of settings came up in discussions, especially for students with behavioral challenges, the teams observed were more likely to discuss more restrictive environments, including self-contained classrooms and District 75 settings (schools designated exclusively for students with disabilities).

SIT meeting discussions observed also largely focused on program availability at the school level. SIT teams noted that schools were constrained in providing less restrictive settings for students, without more integrated classrooms or seats available at each grade level. Moreover, teams noted that flexible programming was logistically challenging.

Parent Focus Groups. IBO also conducted focus groups with parents of students with disabilities to gain general impressions of parents' insights and experiences of special education processes at the school level. Focus groups involved a total of 38 parents of children with disabilities across the city. The majority of parents stated that they did not know whether the services their children received were effective, or how to ask more questions about them. Parents who identified direct access to key

decision makers in the special education process described staff members' hands-on participation in securing their children's more responsive services, such as classroom equipment and assisted technology. These parents commended the willingness of department administrators to be responsive, while also commenting that the lack of systemic processes produced a dynamic whereby individual district or school staff had to take extraordinary efforts to meet the needs of students.

Quantitative Tracking of All Elementary Students with IEPs

IBO's quantitative study initially comprises approximately 48,000 students who attended an elementary school in districts 1-32 over the 2014-2015 through 2016-2017 period and who had an IEP in each of the three years. Within each student demographic group for the 2016-2017 school year, IBO calculated an IEP rate—the share of students within each demographic group that had an IEP. On average, 18 percent of students had an IEP and the shares across most student demographic groups were relatively similar.[3] In 2016-2017, nearly half of students with IEPs were classified with speech or language impairment.

When tracking changes in programming recommendations, IBO found that over 80 percent of students recommended for ICT classes (a more integrated setting) or self-contained classrooms (the most restrictive setting) in 2014-2015 were recommended the same setting two years later.

IBO also tracked students over two additional years through the 2018-2019 school year—the last full year before the Covid-19 pandemic hit—with a focus on the 31,500 students who changed schools between 2014-2015 and 2018-2019. While students who changed schools experienced a greater degree of change in programming recommendations, the majority of students were recommended the same most frequent setting four years later.

Conclusion

Consistent with earlier special education reform incentives, students with IEPs were overall more likely recommended for a less restrictive ICT setting. However, IBO found some differences by classification, providing evidence that students with behavioral

challenges and more severe learning disabilities were more likely recommended the most restrictive environment. IBO also found that being recommended multiple settings and paraprofessional support—ways for students to access more inclusive settings—happen infrequently. After tracking students' recommendations over three years, and subsequently over two more years, IBO found not much change for the majority of students with IEPs in terms of their most frequent programming recommendations.

The factor most strongly, and positively, associated with a move into the most restrictive environment—a self-contained classroom—was the availability of a self-contained classroom at the grade the student was entering. The availability of an ICT classroom was associated with a move out of a self-contained classroom, though to a smaller magnitude than the availability of a self-contained classroom. These results provide more evidence that changes in programming are constrained by program availability even though the legal framework of fulfilling students' IEPs assumes that every school can implement the IEP as written, and despite financial incentives the DOE has given to move students into lesser restrictive classroom environments (for example, funding ICT classrooms at a higher per student rate).

While the self-contained classroom was considered the least restrictive and most appropriate for some students, IBO found that students appeared to to stay there, especially if they remained in the same school. A change in school was found to be the most significant predictor of a change in programming recommendation, likely due to a change in setting availability or a different school context. Still, the majority of students who changed schools were recommended the same setting as at their previous school. More and varying programming options at every school hold the potential to provide multiple and shared pathways to meet students' multi-dimensional and developing needs. Greater offerings at all schools can reduce the likelihood of excluding groups of students from accessing curriculum and socialization that is more readily available to their peers without disabilities. Investing in general education and integrated classrooms to meet students' evolving and diversified needs may hold the greatest potential to achieve high-quality special education.

Endnotes

[1] IDEA requires that schools (private, and public - districts and charters) serve students with disabilities alongside their peers without disabilities, to the maximum extent appropriate (34 CFR §300.114 (a)(2)(i)). Additionally, schools must ensure that a student with a disability is only removed from the general educational environment (including removal to separate schools or special classes) when the nature or severity of the student's disability is such that s/he cannot be educated in general education classes, even with the use of supplementary aids and services (34 CFR §300.114 (a)(2)).
[2] NYC Public Schools, "Boldly Reimagining Special Education." https://www.schools.nyc.gov/learning/special-education/boldly-reimagining-special-education.
[3] IBO examined the share of students that had an IEP by the following student characteristics: race, gender, English Language Learner status, neighborhood poverty designation, housing status, and borough of enrollment.

IBO's mission is to enhance understanding of New York City's budget, public policy and economy through independent analysis.