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A Special Education System in Shatters

Schools across America have been drastically impacted by the COVID-19 pandemic, which has shifted learning online for the last year. While the transition to virtual learning has impacted every student, it has taken a greater toll on students with disabilities, many of whom are failing to receive the services that they normally get when attending school in-person.

The pandemic has exacerbated Alameda Unified School District's (AUSD) pre-existing problems concerning their ability to provide needed special education services for students with disabilities or learning differences attending the city's public elementary, middle, and high schools. The current challenges that AUSD faces in meeting the needs of students with individualized education plans (IEP's) have persisted for many years.

One major indicator of how well the district and its schools are doing in terms of meeting the needs of all students, including those with disabilities or learning differences, is standardized tests for math and english language arts (ELA). Due to the COVID pandemic, the California Department of Education passed [Executive Order N-30-20](#), which waived the requirement for statewide testing for the 2019-2020 school year. Thus, the most current available data are from the 2018-2019 school year.

The 2018-2019 reports from AUSD elementary schools highlight the magnitude of the district's long-lasting problem. At all nine district elementary schools across the island, students without disabilities performed better on math and ELA tests than students with a documented disability. The average percentage of Alameda elementary students without disabilities exceeding standards

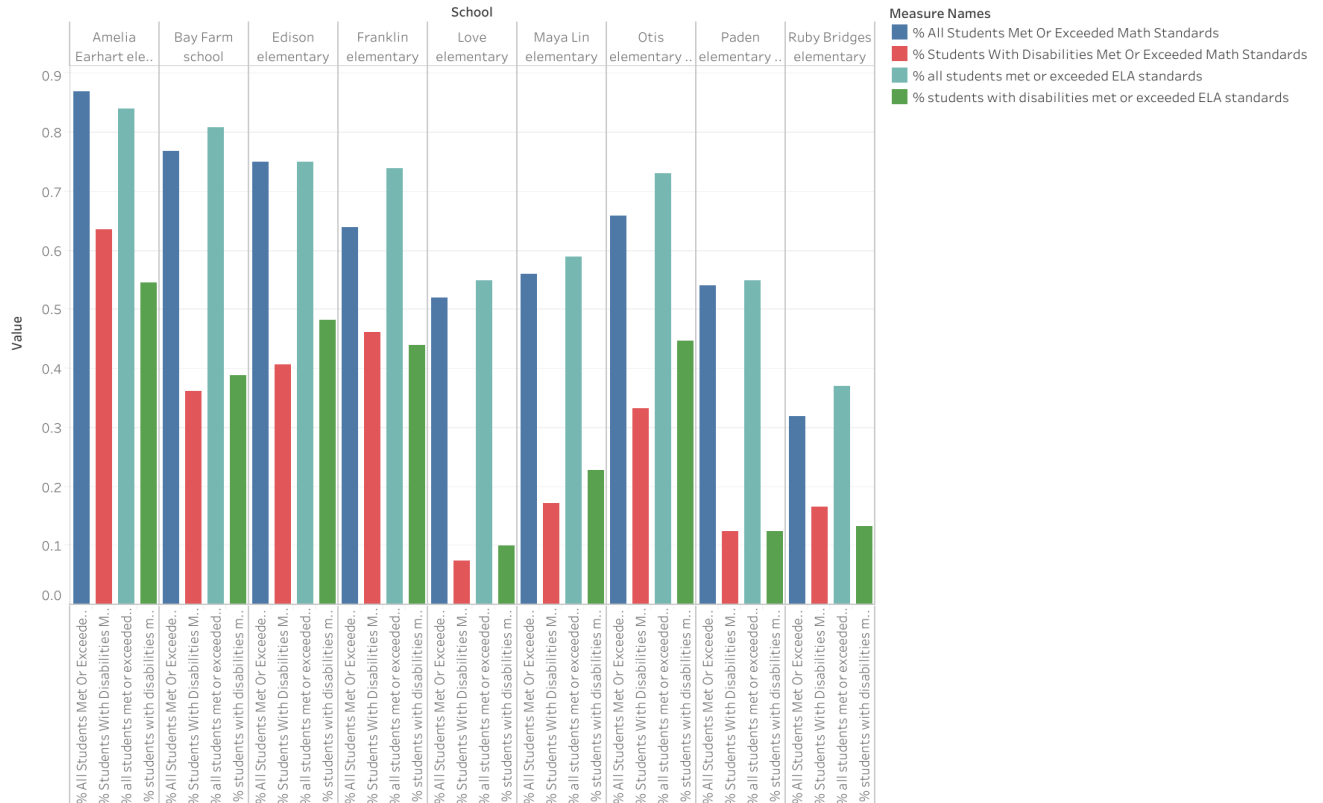
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in math was 62 percent and ELA was 66 percent. In contrast, only 30 percent of students with disabilities met the standards for math and 32 percent for ELA.

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Additionally, the data shows a link between performance and socio-economic status. Schools in the more affluent east end of Alameda posted better test results for both students with disabilities and those without than schools on the west end. Moreover, students who attend east end schools--Edison, Otis, Amelia Earhart and Bay Farm--are disproportionately white and Asian; whereas, west end schools--Ruby Bridges, Maya Lin, Love and Paden--are more ethnically

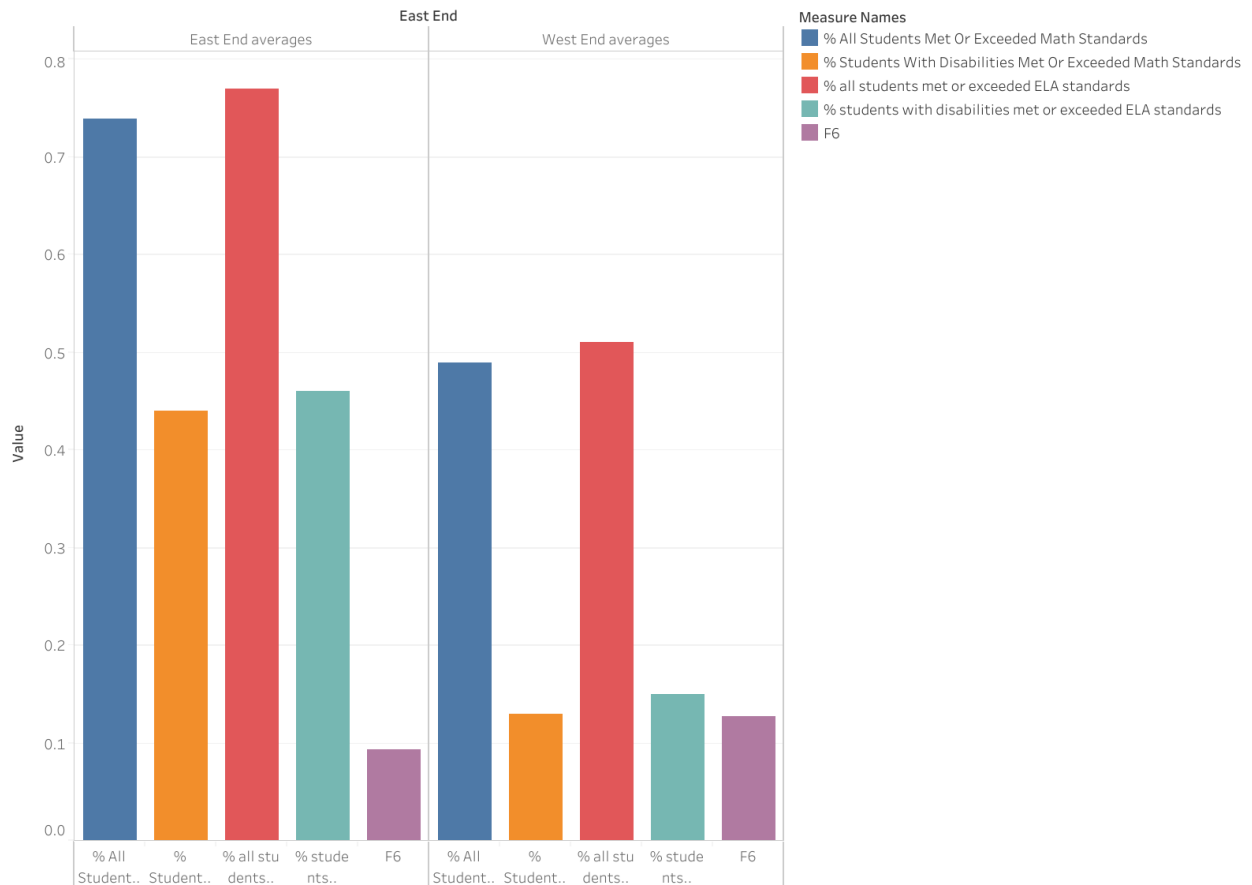
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diverse with greater numbers of Black, Latinx, and immigrant students.

AUSD schools in West End vs. East End



Jen Laird-O'Rafferty, an Alameda resident and education researcher, leads RTI's evaluation of programs serving vulnerable youth within the Center for Evaluation and Study of Educational Equity. Although she has not done any research specifically focused on special education in Alameda schools, she has done work relevant to special education in the state of California and other states. Regarding the issue of test performance discrepancy between students with disabilities and those without, Laird-O'Rafferty mentioned that some students have disabilities that make it hard for them to take a state assessment, and she offered alternative methods of measuring a student's progress.

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“If a student can’t access the state test, even with accommodations, there should be other assessments that each student should have. Each student with an IEP should have annual goals and those might be achieving grade level standards in math or being able to count coins,” Laird-O’Rafferty said.

The testing disparity is not the only problem with AUSD’s special education services. In December, GMK Psychological Services (an outside agency) conducted an [auditory review](#) of AUSD’s school psychologists’ practices and assessments. Their evaluation found that race and culture did not have an impact on the quality of the assessment or students’ eligibility for special education services. At the same time, the report concluded that the district fails to train school psychologists on how to qualify a student with a primary and secondary special education eligibility or how to determine which area is primary and secondary.

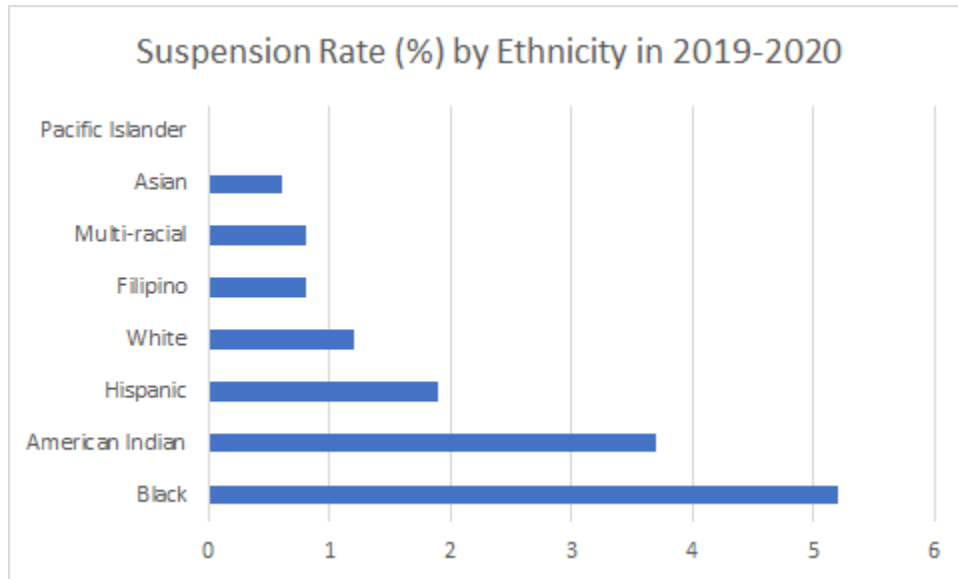
Another shocking discovery from GMK’s investigation is that AUSD is currently giving all Black students IQ tests, an action prohibited by the California Department of Education (CDE). Furthermore, AUSD has been flagged by CDE for having significant disproportionality, which means that the district is overly identifying African-American students as students with intellectual disabilities (ID) or other health impairments (OHI) like ADHD, as well as suspending them at greater rates and putting them in certain classes. The [Comprehensive Coordinated Early Intervening Services Plan](#) report revealed that only 5.8 percent of the students in AUSD are Black, yet 11 percent of the district’s students with documented disabilities are Black. It also showed that while suspension rates for Black students have been gradually declining over the past few years, they are still higher than any other racial group. In the

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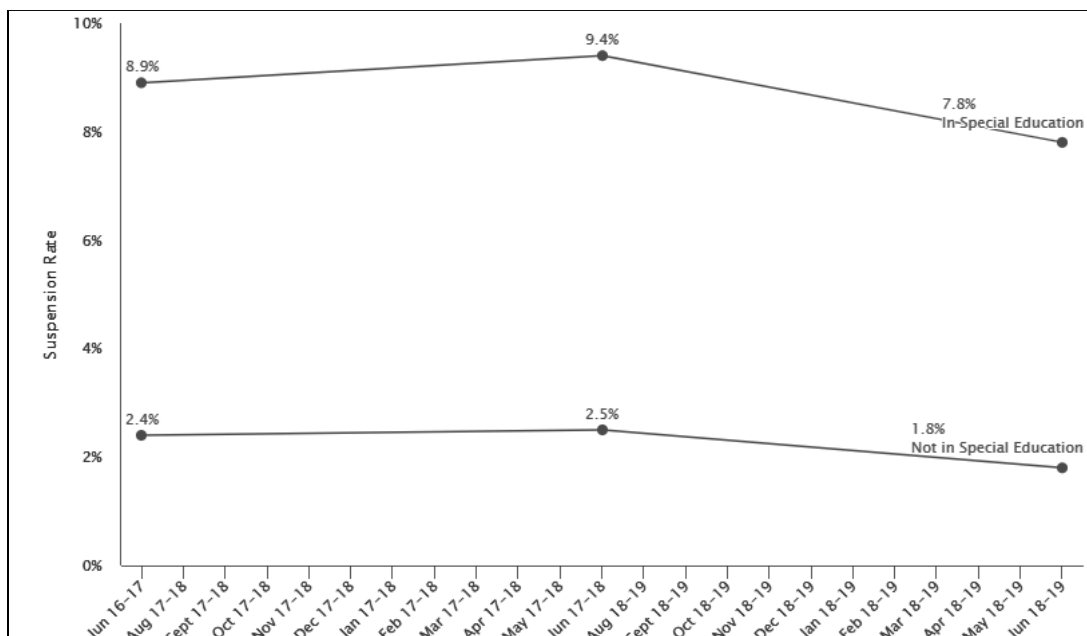
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2019-2020 school year, Black students overall were suspended at a rate of 5.2 percent, more than twice as high as any other ethnic/racial group except for American Indians, who were suspended at a rate of 3.7 percent.



Further, students with IEPs are more likely to be suspended than their peers without documented disabilities.



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Whereas some students with disabilities are offered various additional services while remaining in a regular class, others are placed in a special day class for students with disabilities. In February 2019, AUSD abruptly moved an entire special day class from Lincoln Middle School to Wood Middle School. The district notified parents and students only one week prior to moving the class, but never informed other Lincoln students and families. Thus, students of the special education class were not given the chance to say goodbye to other members of the Lincoln community.

In the aftermath of this action, parents of students in special education, community members, and allies teamed up to write an [open letter to the AUSD community](#) calling for change and more inclusion for students in special education. The letter received 347 signatures from parents of students with disabilities and other community allies.

“When our children are asked to move, it is often with almost no recognition, as if our children are invisible - not seen as valued members of the community or as equal to their typically developing peers...We urge the district to make inclusion of students in special education, especially those in special day classes, its top priority this year. This is a civil rights issue that can no longer be ignored,” stated the letter.

Sarah Taylor, Professor and Chair of the Department of Social Work at California State University, East Bay, has a son who has a genetic condition called Fragile X Syndrome. While her son now attends a private school in another county through a settlement with AUSD, he went to public schools in Alameda for ten years prior to switching schools.

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Taylor explained that her son often faced a lack of acceptance during the years he spent attending Alameda schools. For instance, he always likes to carry celery with him. Last year, instead of being curious about this habit, Taylor said that her son's teacher at Lincoln Middle School wrote a strange email to them asking her son not to come to school with celery anymore because other children will have weird thoughts about him.

Because of her son's overall experience with AUSD, Taylor has a pretty negative outlook regarding the district's special education program. She was a member of the Special Education Strategic Plan Committee a couple of years ago trying to help make changes in the district's special education policies. However, she believes that not much has changed.

"But I guess what I can say briefly is that I feel that the district failed in pretty much every way. At a starting point for every child you want them to feel accepted and to feel that their basic human worth and dignity are being honored. And I feel that the district did not do that as they created an overall culture that is not inclusive and welcoming," Taylor said.

The District's failings have become even more apparent in the past year. On September 27, 2020, Alameda Special Education Family Support Group (ASPED) co-chairs Heather Padgett and Christine Strena wrote a letter to AUSD superintendent Pasquale Scuduri and members of the district's Board of Education about how COVID-19 has impacted students with disabilities. ASPED is a parent education and advocacy group for parents and caregivers of Alameda students with disabilities.

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According to the [letter](#), when the COVID-19 pandemic first started last spring forcing schools to close and classes to transition online, AUSD suspended all special education services, postponed IEP meetings, and suspended assessments used to requalify/qualify students for special education. The district's initial failure to provide any services led to a lot of problems. For instance, there was regression in social and academic skills among students with disabilities as well as frustration and fear for parents who now had to care for their children while also focusing on their own work. During the 2020-21 school year, AUSD has resumed IEP meetings and some other services. Yet, students with disabilities are still not getting the full array of services, being placed in general education classes without any support, and continuing to have trouble with distance learning.

Padgette highlighted the present fears of many parents concerning their kids' academic and social regression.

"I think the big question is going to be what has been lost during this period, how do we make up for it, can we make up for it, and do we have the resources to do that," Padgette said.

John Howard, a special education teacher at Encinal High School, explained what he has been doing to help students with disabilities maintain academic success during the COVID-19 pandemic.

"I provided my cell phone number to students and families in the absence of consistent access to campus systems, and set up a drop-in zoom for all SPED students and students identified as at-risk by the school's intervention team, which I formally joined. I also delivered books and IEP

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materials to students' homes and started an on-campus learning pod for 15 students who need in-person support," Howard said.

While district staff refused to comment on what they are doing to address some of these special education issues, Heather Little, a recently elected Alameda school board member with a professional background in special education, addressed her concerns about the district's current system and hopes for change in the future. She noted that the district asked for feedback from parents and community members on its special education plan that they sent to the state.

However, the meetings with parents were apparently very short and little power was given to families who were denied access to the final plan. As a result, parents and caregivers felt like the district was just checking a box, rather than soliciting real input.

Little also pointed out the vast amount of growth and change that needs to happen in Alameda's special education system. She believes that any change to create a more equitable and effective special education system will only happen if all district employees and community members develop greater understanding and empathy for students with disabilities as this is a system wide issue.

"There are some underlying relational aspects between districts and families that have to be addressed. We need to work with families on what they name as important, ensuring better communication, more transparency, and a sense of community and inclusion in a way that hasn't been the case. Ultimately, we have got a lot of room for growth as we need to make sure that

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moving forward our special education students and families feel that they are a part not a problem of the district,” Little said.

Along with the need for more appreciation of students with disabilities from those without, AUSD’s special education problems will be helped by the federal, state, and local governments making a commitment to supply more funding to public school districts so that they can better support students with disabilities. Funding for special education comes via Special Education Local Plan Areas (SELPAs). Padgett summarized the way that SELPAs work. She noted that the amount of funds that each school district receives is based on the proportion of the population of special education students in the district. However, she pointed out the inequities in this funding model, which does not account for the differential needs of individual students.

A problem as big as this is one that will need multiple solutions and won’t be solved overnight. Howard’s number one solution is to get students back to school as soon as possible because it’s easier to deploy resources from the school site. Nevertheless, he noted, “Distance learning has revealed that there are inequities for all students, not just students with special needs. As these inequities are addressed (access to technology; a calm, safe environment in which to work; breaking down other barriers to access) then perhaps there will be better integration of all.”

Now that the state of California is gradually easing COVID-19 restrictions, allowing for schools to transition back to in-person learning, it will be up to AUSD to more effectively and equitably meet the needs of all students.