Informing and supporting parents, educators, service providers, and policymakers on research-informed and promising practices, state and federal laws and policies, and the successes and challenges of invested educational partners as they work to improve and strengthen special education services for students with disabilities in California

THE SPECIAL EDge

Volume 38, No. 1 Winter 2023–2024

Equity and Belonging for All Students

What's Inside. . .

Ensuring Equity Through a Healthy System of Support 3
Equitable Access Through Universal Design 5
Connecting Tribal Families with Resources 8
Families and Equity 12
Addressing Disproportionality: Hard Work and Heart Work 19
Equity in the Classroom Through a Multi-Tiered System of Support ...27
Restorative Justice: One Approach to Ensuring Equity 30
Restorative Justice and Special Education 35
One System Collective: Developing Tools to Benefit All Students 37
Compliance and Monitoring to Support Educators 39
Nonpublic Schools and Agencies: A Study to Ensure Quality 42
Beyond Inclusion 47

New Director of the California Department of Education, Special Education Division, Dr. Rachel Heenan

After an extensive search, Dr. Rachel Heenan has been named director of the Special Education Division of the California Department of Education (CDE). Dr. Heenan brings two decades of experience in special education.

She began her career in Massachusetts, working in the field of Deafness as an instructional aide, a speech and language specialist, and a school counselor. After relocating to California, Dr. Heenan served as a social worker for a foster family agency serving Deaf/Hard of Hearing children and families. Along with her extensive local experience, Dr. Heenan has also served in various educational leadership roles as assistant principal, early intervention service coordinator, and special education administrator.

Prior to joining CDE, Dr. Heenan was the director of special education and the Special Education Local Plan Area (SELPA) director for the Long Beach Unified School District, the fourth largest district in the state. As the CDE special education director, her work will continue to focus on serving the underserved, addressing disparities in our educational system, breaking down barriers, and creating a more equitable learning environment that benefits all students.

Dr. Heenan holds a doctorate from the University of Southern California in educational leadership, a master's degree from Gallaudet University in Washington, D.C., and a bachelor's degree from Emerson College in Boston, Massachusetts. Dr. Heenan started her new position as Special Education Division Director on November 20, 2023. She replaces Heather Calomese, who now works at EdVoice.

Rachel Heenan, Ed.D.,
Director, Special Education Division,
California Department of Education

Erin Rodrigues: Education Programs Consultant

John Burke: CDE Administrator

Kristin Brooks: SIP Executive Director

Kevin Schaefer: SIP Director of Equity and Inclusive Practices

Kris Murphey: Editor

Mary Cichy Grady: Editor at Large

Geri West: Content Consultant

Janet Mandelstam: Staff Writer and Copyeditor

Nicole Tucker Smith, Lorraine Garcia: Contributing Writers

The Special EDge **is published by the Supporting Inclusive Practices (SIP) Project. Funding is provided by the California Department of Education (CDE), Special Education Division, through contract number CN077046. Contents of this document do not necessarily reflect the views or policies of the SIP Project or the CDE, nor does mention of trade names, commercial products, or organizations imply endorsement.**

To request an e-subscription, please email join-edge-newsletter@mlist.cde.ca.gov

To unsubscribe, please email unsubscribe-edge-newsletter@mlist.cde.ca.gov

Please direct questions to EdgeNewsletter@cde.ca.gov

Ensuring Equity Through a Healthy System of Support

by Nicole Tucker-Smith, founder and CEO of Lessoncast, author, international presenter, and leader of the Jumpstart PD Network, a community for equity-minded educators to work smarter and more efficiently in designing effective professional development

Equity is achieved when all learners can thrive as their full authentic selves in a community that values their assets and aspirations. No single superhero educator, however, can "save" students from the oppressions of systemic bias, exclusionary practices, and low expectations. And no single program can address the complex challenges that exist in designing educational systems that promote learner agency and self-efficacy. In fact, operating in silos or in isolation can lead to burnout and exhaustion for staff, accompanied by a series of fizzled initiatives in schools.

Ensuring equity requires a healthy system of support that includes (1) an intense commitment to every individual learner (especially learners who have been historically marginalized) and (2) an intentional system designed to coordinate efforts, programs, and initiatives.

Ensuring equity through a healthy system of support is a "WE" endeavor. While we each have specific roles, WE—from the classroom to the county office to the state department of education—have a shared responsibility. WE are mutually interdependent. WE must learn from one another, share successes, and reflect honestly on outcomes.

A healthy system of support

recognizes that ensuring equity and belonging requires us to address the impact of past inequities. But WE cannot design fully inclusive spaces while ignoring previous exclusionary or discriminatory practices. Communities cannot, for example, cultivate equitable opportunities on a foundation of disproportionality. Addressing the impact of the past requires us to courageously examine the data—and the structures that produced those data.

We must learn from one another, share successes, and honestly reflect on outcomes.

As we stay focused on equity, WE must also insist on learning and designing from diverse perspectives. This includes elevating voices from communities that have been historically marginalized. Diverse perspectives help education communities reframe roadblocks into new pathways and potential opportunities.

In addition to addressing the past, being mindful in the present, and insisting on diverse perspectives, healthy systems of support are designed with an explicit commitment to equity. Equitable learning environments and opportunities do not appear by accident or without intention. Ensuring equity requires a public commitment at all levels throughout our educational ecosystem.

This issue of *The Special EDge* newsletter explores specific examples of what it looks like to collaboratively and courageously take action to ensure equity. One story describes how the program Acorns to Oak Trees is bridging the gap between tribal families and regional centers (*page 8*). Another recounts how the California Department of Education, through its State Performance Plan Technical Assistance Project, is helping Local Educational Agencies (LEAs) remedy disproportionality and significant disproportionality with regard to students of color who have Individualized Education Programs (*page 19*). A pair of stories highlights the successes of Oakland's Edna Brewer Middle School in using restorative justice to remedy inequities in school disciplinary measures and

academic opportunities (*page 30*), and then specifically the benefits of restorative justice for students with disabilities (*page 35*).

In this newsletter you also will read about educators who are successfully using a multi-tiered system of support (*page 27*) and Universal Design for Learning (*page 5*) to make learning accessible for all students. And you will follow the journeys of courageous and dedicated parents and family members as they advocate for equity and belonging in the classroom for their children with disabilities (*page 12*). This issue also illustrates the power of cross-agency coordination and collaboration: it introduces the One System Collective and its commitment to continuous improvement and strong, effective systems for all students (*page 37*); it describes California Department of Education's commitment to effective monitoring (*page 39*); and it documents the state's commitment to accountability for those students who are served by nonpublic schools and agencies (*page 42*).

Our differences make us stronger, healthier, more vibrant, and more resilient.

Finally, you'll read how the chair of California's Advisory Committee on Special Education (ACSE) is expanding the definition of inclusion to include the right rather than the permission to belong (*page 47*).

Ultimately, healthy systems of support embrace variability—the dynamic strengths and challenges that reside within each community member, the intersecting aspects that make us human. WE recognize that our differences make us stronger, healthier, more vibrant, and more resilient. By paying attention to the experiences of those learners on the margins of our spaces and systems, WE learn how to operate with empathy. With that capacity we can then choose equity by prioritizing healing, access, and aspirations over the comfort of maintaining "the way we've always done things."

WE know that too many established practices are not serving all of our learners. By addressing the issues of the past, mindfully developing awareness and collective capacity, learning from diverse perspectives, and designing for the future, we can uplift everyone. The following stories help show the way. ◀

Equitable Access Through Universal Design

India Greeley is about to present a lesson to her class at Silver Springs High School in the Nevada Joint Union School District in Grass Valley. "I will verbally tell the lesson. It will be written on the board. It will be on the computer. It could be a video."

And when it's time for her students in this alternative high school diploma program to demonstrate that they have learned the lesson, "Some will write on paper," Greeley says. "Some might write on the computer or use speech-to-text on the computer. Others may verbally give me their answers. Or they could create a piece of artwork to show me that they understand what we talked about. I make sure when I am presenting that I think of the barriers to learning."

This is Universal Design for Learning (UDL) in action.

UDL Framework

UDL is a framework for creating classrooms and instruction that allow for an important reality: students learn in a variety of ways. In a UDL classroom, teachers deliver lessons in ways that are accessible to all learners, with and without disabilities. Every student then has the opportunity to engage with the curriculum, learn, and experience success in school.

The UDL framework and guidelines were developed by *CAST*,[1] a nonprofit educational research organization based in Massachusetts. CAST uses a three-step approach to creating a successful UDL classroom:

Multiple means of engagement. For example, some students might prefer to work alone while others like to work with their peers. Some may prefer regular routines while others are motivated by spontaneity.

We meet schools where they are and create a doorway to UDL.

Multiple means of representation. Educators offer information in ways that respond to the different learning styles of students. For example, information is delivered through visual or auditory presentations rather than, or in addition to, printed text.

Multiple means of action and expression. Assignments offer varied ways for students to show that they have understood the lesson, including use of assistive technology.

What Greeley is doing in her classroom is being replicated throughout California as UDL has gained traction as a tool that aligns with the state's goal of developing one inclusive system of education for all students. Some county offices of education (COEs) and school districts are just beginning UDL trainings while others have embedded UDL practices systemwide.

Spreading UDL

The *Open Access* project[2] at the Placer County Office of Education is bringing UDL to nine COEs and Special Education Local Plan Areas (SELPAs) across the state as part of its Leading and Coaching Towards UDL project.

Jennifer Boettger is the project lead for Open Access. In addition to training and coaching educators, her work includes helping participating COEs and school districts build the culture and practices necessary to sustain UDL.

"Once a district contacts us," Boettger says, "we meet with administrators to discuss their area of need," It could be low math scores, for example, or attendance. "Then we customize the training for the area."

"All schools come with different needs," says Open Access Coordinator Laurie Balsano-Wright. "We meet them where they are and create a doorway into UDL for them."

Then "everybody moves through the process at their own pace," says Boettger. General and special education lead trainers, themselves trained by Open Access, support districts and schools through a two-

1. Learn more about CAST at *https://www.cast.org/about/about-cast*

2. Learn more about the Open Access project at *https://www.openaccess-ca.org/*

year UDL implementation program. The objective is to create a culture where all lessons are designed for all learners from the outset.

"Humboldt County is moving through the process quite well," says Boettger. Marci Zeppegno is Humboldt COE's program manager for prevention and intervention services. When Open Access partnered with the local SELPA on UDL training, "we saw the benefits," she says. The county is now in its second year of training and moving into coaching.

"At least one general education and one special education teacher at each site go through the trainings together," Zeppegno says, "and they work together to develop lessons, too."

Wendy Turk, the SELPA orthopedic education specialist, says the trainings help general education teachers "set up their classrooms with a UDL lens so lessons are more accessible. If you can get more and more teachers designing their classes this way, there may be fewer students who need assistive technology."

Zeppegno says she already sees some positive outcomes of the training. "UDL helps to support a sense of belonging," she says. "Teachers are thinking of ways to support cultural differences." It is important that teachers provide flexibility, she says, and she cites one fourth-grade class where the students were asked to show what they had learned. In response, she says, students recorded audio and video responses, and one drew a comic strip.

Christine Yanone, the county's assistive technology specialist, acknowledges that "the concepts of UDL are easy; the implementation is hard. The goal now is to create models." Redwood Preparatory Charter School in Fortuna along the Mendocino Coast is becoming a demonstration site. "The first step," says Zeppegno, "is to train all staff in UDL."

"UDL is not a technical intervention; it's a cultural transformation."

Getting buy-in from staff is not always easy. As author and education activist Jonathan Mooney has said, "UDL is not a technical intervention; it's a cultural transformation." That transformation can be difficult, "especially for long-time teachers," says Annie Stephanos, an instructional coach at Sutter Elementary School in the Santa Clara Unified School District. "Equity and inclusion were not part of our education, and UDL can be looked at as just one more thing" added to their workload. There is definitely a shift from teacher-centered to student-centered education, she says. "And if we are going to promote equitable classrooms, UDL is a big part of that."

The UDL practices that Greeley uses in her high school class are the same as those Stephanos uses in elementary school. "I set the table with clear expectations and the kids get a menu," Stephanos says. "They are given a choice on how they want to learn. We're there to present them with choices without compromising the rigor or quality of the material."

Stephanos is "passionate" about UDL "both as a parent and a teacher." She has a daughter in high school with an Individualized Education Program (IEP). UDL, Stephanos emphasizes, is not only for students with IEPs "but for all students, including those who just need a different approach to the curriculum."

"A UDL environment is very supportive," she says. "Students can do so much. They are not afraid to ask for help. They are more independent and self-reliant. And students can assess their peers; they can say what makes a good presentation. You can do this from kindergarten on."

Converting all classrooms to UDL will take time, Stephanos says. "But if we put students first, UDL will come to the forefront."

UDL in Action

UDL already is in the forefront in Santa Clara County, and nowhere more so than in Palo Alto. Sandya Lopez is the director of the *Inclusion Collaborative*[3] in the county office of education. The collaborative "supports professional learning and coaching around inclusive practices, including UDL," she says, and connects those

3. Learn more about the Inclusion Collaborative at *http://www.inclusioncollaborative.org*

practices to co-teaching. "We train districts and schools on UDL practices first and then move into co-teaching."

Santa Clara has a California Coalition for Inclusive Learning grant from the California Department of Education to teach and coach UDL throughout the county, Lopez says. "We offer a two-day introduction called 'What Is UDL,' followed by monthly implementation training, and coaching sessions if wanted. Now we are getting administrators on board to make UDL systemwide and create the structural changes needed to support UDL."

All administrators, as well as all staff, in the Palo Alto Unified School District have received UDL training, says Cynthia Loleng-Perez, co-director of special education. "Staff has been working with the Inclusion Collaborative for about three years," she says, "and we have contracted with them to provide UDL training for all secondary schools."

Palo Alto is a full-inclusion district and no longer has any subject area special day classes. "Even students with moderate-to-severe disabilities are included [in general ed classes] most of the time," Loleng-Perez says. "Our philosophy is that in order for every student to be successful, teachers have to use UDL strategies to support any struggling student with or without disabilities."

That philosophy is evident at Palo Alto's Gunn High School where "every student is in at least three general education classes a day, and usually more," says Assistant Principal Courtney Carlomagno, who oversees co-teaching at the school. Gunn is using UDL "as a basis for implementing co-teaching," she says.

Co-teaching was first piloted at Gunn in the 2012–2013 school year with one social studies class and was expanded the following year to core courses at each grade level. Ben Beresford and Tim Young have been co-teaching for the past three years. Beresford, a social studies teacher, and Young, a special educator, teach U.S. government and world history.

They first received UDL training "in the winter before COVID, and it blew my mind," says Beresford. There followed a "long-running series of trainings on integrating UDL principles into the classroom." In the classroom now, he says, "we're flexible; we try to give access to the course material in varied ways: hard copy, digital form, text to speech."

"It's two teachers giving access to all students," says Young. "It's all about accessibility." And, following the UDL principle of multiple means of engagement, he says, "A couple of kids self-selected to work independently. "

The combination of full inclusion, UDL, and co-teaching is working at Gunn. Special education students are scoring better on tests and graduating at higher rates, says Loleng-Perez. And the percentage of graduates with IEPs meeting A–G requirements (meaning they qualify for college admission in California's university system) has risen from 73.2 percent in 2017 to 83.3 percent in 2022.

UDL Progress

All of this work across California echoes the CAST foundational premise that "Barriers to learning are in the environment, not in the student." UDL is helping to break down barriers and create an environment that supports all students, no matter how they learn. And UDL "is growing by leaps and bounds," says Bolsano-Wright at Open Access. "It's becoming the thing we do." ◄

Connecting Tribal Families with Resources

For tribal families of a student with a disability, navigating the California educational system can be especially difficult. A history of traumatic experiences within that system—along with fear of being labeled, geographical challenges to accessing services, and other factors—can mean that Native children are often diagnosed later and receive fewer services. ***Acorns to Oak Trees***[1] is working to change that.

Driven by her experience as a Native mother of a child with a disability, Season Goodpasture founded Acorns to Oak Trees in 2021. When her daughter Harley was 10 months old, Goodpasture says that Harley "still wasn't crawling, or even close." She rejected bottles and cried at mealtimes. A visit to a pediatrician led to a warning that Harley was malnourished. The doctor may not have known how hard it was to feed Harley, or the statistics related to intellectual and developmental disabilities in Native communities, or the effect her words would have on Season and her husband James.

But the doctor did refer Harley to physical therapy. "It was the physical therapist who first told me about the regional center," Goodpasture says "and it just blew my mind once I really started to understand what a regional center system was."

Harley Goodpasture

Regional Centers[2] in California are nonprofit corporations that contract with the state's Department of Developmental Services (DDS) to provide or coordinate services and supports to individuals with developmental disabilities. The centers provide diagnoses and assessments, then help families identify and access the supports they need. Harley was eventually diagnosed with ***Autism Spectrum Disorder***.[3]

Although American Indian and Alaska Native children have the highest disability rates in the United States (5.9 percent),[4] they represent less than 1 percent of the people served through California's regional centers.

Holding Their Ground

Goodpasture is not just a parent; she is also a marriage and family therapist. She is Maidu and Paiute and grew up as a member of the Susanville Rancheria in Lassen County.

She and her husband James and their four children live in Riverside County, and James and the children are members of the Pala Band of Mission Indians located within San Diego County. Prior to starting Acorns to Oak Trees, Goodpasture served as the director of social services for the Pala Band for 10 years.

Even with her educational

1. Learn more about Acorns to Oak Trees at *https://www.acorns2oak.com/*
2. Find California's Regional Centers at *https://www.dds.ca.gov/general/eligibility/*
3. Information about ASD is available through the California Autism Professional Training and Information Network—CAPTAIN. Go to *https://www.captain.ca.gov/about.html*
4. Young, Natalie A. E., "Childhood Disability in the United States: 2019," ACS-BR-006, *American Community Survey Briefs*, U.S. Census Bureau, Washington, DC, 2021.

and professional background, she found that getting help for her daughter was difficult. And then she thought of other families trying to get help—some of whom might not have her familiarity with the system—and decided to start Acorns to Oak Trees to help connect Native families with services and supports. The organization's motto is "The Mightiest Oak Tree Was Once a Little Acorn that Held Its Ground."

Soon after its founding, Acorns to Oak Trees received funding from DDS to create the first community navigator program for native families across the state.

It provides screening services, occupational and speech therapy, family support and technical assistance to help Native families navigate the system when they have concerns about their child's development and those families whose child(ren) have an individualized family services plan (IFSP) or individualized Education Program (IEP). Acorns recently bought and equipped an RV which is brought directly to Native communities and is specially equipped to conduct screenings and assessments.

In October, Acorns to Oak Trees drove the RV to an outreach event in Santa Rosa in Sonoma County. Families ate tacos at folding tables while their kids tossed inflatable balls. Clipboard-carrying staff chatted with family members and called children by name to invite them to the RV for screening. Upstairs in the Sonoma County Indian Health building, Goodpasture showed a movie, *Harley's Hope*, and talked about the resources offered through regional centers. North Bay Regional Center staff were there to answer questions.

"A lot of families just don'tknowwhattheir rights are and a lot of the times they're just getting the bare minimum."

"Parents shouldn't have to become an expert in all these fields to get their child what they need," Goodpasture says. "A lot of families just don't know what their rights are and a lot of the times they're just getting the bare minimum."

She points out that this is especially true for tribal populations who are not being reached by assessment and identification efforts. As a result, they are not receiving early intervention services as required under Part C of the Individuals with Disabilities Education Act (IDEA).[5] Goodpasture says that for Native families, a child's possible disability is often classified as a behavioral issue. "It's considered poor parenting, or they're just out of control." Since intervention is likely to be ***more effective*** when it is provided earlier in life than later,[6] this misunderstanding can have long-term consequences for the child and family.

Because historically many Native families have had ***traumatic experiences***[7] within the educational system, some Native parents are cautious about engaging with their student's school. "You have to understand the role and what the education system has represented," Goodpasture says. "It's not that long ago that our ancestors experienced it. My grandma was taken from her mother at the age of 5 years old. She only spoke Maidu at the time, and she was sent on a train 12 hours away to a boarding school (the Sherman Institute in Riverside). That was her introduction to the education system. That's someone I knew in my lifetime."

According to a ***report***[8] released in 2022 by the federal Bureau of Indian Affairs, there were

5. IDEA Part C requires each state to have a comprehensive, coordinated, multidisciplinary interagency system to provide early intervention services for infants and toddlers with disabilities and their families. In California, this system is called Early Start. To learn more about Early Start services and eligibility requirements, go to ***https://www.dds.ca.gov/services/early-start/***

6. The National Early Childhood Technical Assistance Center. (2011). *The Importance of Early Intervention for Infants and Toddlers with Disabilities and their Families*. ***https://ectacenter.org/~pdfs/pubs/importanceofearlyintervention.pdf***

7. Federis, M., & Kim, M. (2023). *Examining the Painful Legacy of Native American Boarding Schools in the US. KQED.* ***https://www.kqed.org/news/11883520/examining-the-painful-legacy-of-native-american-boarding-schools-in-the-u-s***

8. Newland, B. (2022). Federal Indian Boarding School Initiative Investigative Report. US Department of the Interior, Indian Affairs. ***https://www.bia.gov/sites/default/files/dup/inline-files/bsi_investigative_report_may_2022_508.pdf***

12 Indian boarding schools in California. The report found "ample evidence" that the United States "coerced, induced, or compelled" Indian parents to send their children to these schools, where they were separated from tribal relationships and traditions. They were also intentionally separated from "the love of home and the warm reciprocal affection existing between parents and children," as described in the report to the Secretary of the Interior from 1904, "and directed toward agricultural labor in order to survive."

Goodpasture says, "I feel so bad for so many Native families, because there still is a lot of fear of the education system. It's not a safe place for a lot of reasons." Native parents often feel very ill equipped to walk into an IEP meeting—just as she did—and often they have less education and mainstream work experience than she does.

Building Relationships

All schools and local educational agencies (LEAs) are required to consult with Tribes under the Elementary and Secondary Education Act as reauthorized by the Every Student Succeeds Act.[9] Additionally, the Individuals with Disabilities Education Act (IDEA) requires LEAs to develop community relationships that support outreach and *Child Find*[10] activities. Goodpasture has found, however, that many school districts do not have a relationship with the Tribes in their area; and, if they do, the relationship may not be a very good one.

"A lot of families just don'tknowwhattheir rights are and a lot of the times they're just getting the bare minimum."

She advises schools to start building connections with the Tribes in their areas—and with the tribal childcare providers and social service departments in particular. "Why not reach out to us and say, 'Hey, I'm having a hard time getting a hold of this family.'" Learning about the Tribes and their histories can help educators understand the reasons families might be hesitant to engage with the schools directly.

In addition to helping build relationships between families and schools, Goodpasture is strengthening connections with professionals and government organizations across the state. "I really applaud DDS for what they did, because within six months (of hearing about the problem) they set aside $500,000 to do tribal *Early Start*[11] outreach." A recent visit to Acorns to Oak Trees headquarters from State Secretary of Public Instruction Tony Thurmond has made her optimistic that more good things will come.

Partnerships

Among the specific services Acorns to Oak Trees provides are education and outreach, home visiting, and parental support. People can contact Acorn through the organization's *website*[12] to request a custom outreach event. Treatment modalities run the gamut: speech, occupational, behavioral, play, and even equine therapy. The organization eventually hopes to open an inclusive Montessori-based school on its five-and-a-half acre ranch in the Pala community.

San Diego Regional Center (SDRC) Executive Director Mark Klaus started working with Goodpasture when she was doing outreach for the California Tribal Family Coalition (CTFC). More than 100 of his staff attended a training on tribal history hosted at one of the tribal nations in the area. "I can't tell you how many staff came up to me afterwards and said 'I had no idea. . . ,'" says Klaus.

9. For more information and resources for Tribes, go to CDE's *Tribal Consultation Toolkit* (July 2021), at *https://www.cde.ca.gov/sp/ai/tc/documents/tribalconsultationtoolkit.pdf*

10. Child Find mandates require all school districts to identify, locate, and evaluate all children with disabilities, regardless of the severity of their disabilities. For information about Child Find in California, go to *http://charterselpa.org/wp-content/uploads/2018/01/CHILD-FIND-BASICS.pdf*

11. Early Start is California's early intervention program for infants and toddlers with developmental delays or at risk for having a developmental disability and their families. To learn more about Early Start services and eligibility requirements, go to *https://www.dds.ca.gov/services/early-start/*

12. The website for Acorns to Oak Trees is *https://www.acorns2oak.com/contact-us/*

San Diego has the largest number of federally recognized Tribes of any county in the United States, and SRDC supports more than 40,000 people with developmental disabilities in its two-county catchment area.

Goodpasture and Klaus have continued to collaborate over the years. "My interest is providing services for people who need services. And Season's passion and connections just aligned with what I wanted to see for San Diego Regional Center," says Klaus. "She truly has been an outstanding partner." He says it is Goodpasture's vision that has helped link Native families with the regional center, and parents trust her because she is both a tribal member and a parent of a child with a disability.

Acorns to Oak Trees was authorized in the Fall of 2022 to provide services through SDRC for Early Start, which serves children from birth to age 3. "They started with speech therapy and occupational therapy," says Klaus, "and six months later were doing early infant education developmental programs." Klaus expects Acorns to be doing intakes soon, "so it will be a seamless process in terms of the families, in terms of that trust."

Goodpasture says she is "feeling pretty good" about Early Start services. "Not that it's a perfect system, but I believe in the leadership. I believe in their hearts." Next up, she says, is to improve services to school-age Native children under *Part B of IDEA*[13] "because that's just as important."

As a mother of a child with a disability, a tribal member, and a dedicated professional, Season Goodpasture is perfectly suited to improve collaborations among Tribes, school districts, and regional centers. If the recent outreach event is any indication, tribal families are ready to hear from her. ◄

Extra!

Watch Harley Goodpasture light the 2023 holiday tree at California's state capitol with the Governor and First Partner: *https://www.youtube.com/watch?v=zcpmiPVlc5Y*

13. Complete descriptions of IDEA's Part B regulations are at *https://sites.ed.gov/idea/regs/b/b*

Families and Equity

Parents of children with disabilities are a committed and resilient group. By the time their child turns 23, most of them have become experts in navigating the system of special education and related services. All of them have become experts in knowing when and how their children received an equitable chance of succeeding in school. Those chances typically include a sense of belonging and value. These parents are also clear on what they wish had happened to give their children and the children of other families a fairer shot at success in school and adult life.

Family Equity and Belonging

Moira Allbritton has five children with disabilities. She acknowledges that raising her family has been complicated, and the experiences that her children have had in school have been complicated as well. The trajectory of her son Charlie's education, however, illustrates one version of a success story that began in third grade.

Allbritton describes Charlie's disabilities as "significant. He has autism and epilepsy. He had brain surgery when he was young. He has TBI [Traumatic Brain Injury] markers and a specific learning disability in the area of memory."

When Charlie was entering third grade, Allbritton showed up for an Individualized Education Program (IEP) meeting expecting her son's schedule to reflect the common mixed bag of a few hours of instructional time in a general education classroom and other hours in special education settings. But Charlie's third-grade teacher asked her, "Can we change his schedule? Can he just be in my classroom? This back and forth, in and out—it's not working for him. It's not working for me. I think I can teach him, but I would need him to be here.'"

"That," says Allbritton, "was the radical beginning. That was the beginning of Charlie becoming a student who we could see a diploma path for."

"I don't care if a teacher loves my kid. But I want them to see value. I want them to see that there's a purpose in teaching my child."

Because Charlie's third-grade general education teacher believed in Charlie and "took on the responsibility for Charlie's learning," says Allbritton, his instructional aide "was now able to look at other things, like the latency response for an instruction from the teacher." In effect, the aide was able to focus more on Charlie's ability to understand and learn. "Charlie also learned that when the teacher talked, he had to listen; that he was sharing a teacher with others. That year for Charlie was not just academically important. It also put our behavioral strategy on a different path."

Charlie made progress in third grade, and he emerged with a strengthened sense of belonging, says Allbritton. "He was a part of this class." The year before, she says, Charlie had not been able to attend a full day of school.

"Not all of my children have the Charlie story. But this is my story of what is possible."

Charlie is now 20. He attends a college-to-career program at his local community college. "He's taking three courses," says Allbritton. "He works in a café two days a week. He enjoys having a job. He's very proud of himself. He has great colleagues and coworkers."

Three days a week he goes to Revision, a nonprofit art center that Albritton describes as a "dream" program. "It's this big open bright space with all of these materials and colors, and he can do whatever he wants for four hours. It has resident artists—professional

artists who come and work with people with developmental disabilities."

Charlie also attends speech therapy. "He goes to counseling. He's volunteering at church. He goes to a senior center and calls the bingo numbers. He has a pretty full life. He's more and more part of his community.

"When I think of the people who know him, all the different settings he's been brought into. . . I think it all started with that third-grade teacher," says Allbritton. All of these people gave Charlie a powerful message: "It's the message that 'I see value in spending time with you.' Isn't that what we want?" she asks.

"I don't care if a teacher loves my kid. But I want them to see value. I want them to see that there's a purpose in teaching my child."

Research and data support the heartening pattern of this story: When key adults in the life of a child believe in the child's ability to learn and succeed, the child more often than not justifies that belief.[1] An important part of this belief, says Allbritton, involves staying the course through all of the "many ordinary days, the tiny, tedious things over time. It's a lot of just day after day thinking about 'what is the small change that I can do to give more opportunity to the student.'"

Caring for and teaching children, with and without disabilities, "can seem like drudgery," she says, and parents and teachers both can fall into a pattern of thinking that "I'm doing all of this, and it doesn't really matter.

"It does matter," she says, "because every effort"—to provide services, support, encouragement, and opportunity—"changes the way that everyone looks at that student." These efforts help to create a world where everyone belongs. ◄

1 Papageorge, N. W., Gershenson, & S., Kang, K. M. (2022). *Teacher Expectations Matter*. MIT Press. *https://direct.mit.edu/rest/article-abstract/102/2/234/96757/Teacher-Expectations-Matter*

Family Equity and School Engagement

"Heart-leaping stuff happens all the time," says Jeff Ladman as he watches his three sons grow and learn with their classmates in the Encinitas Union School District (EUSD). Ladman describes his boys as "neurotypically divergent." And in their schools, "they are known and accepted for who they are by a large part of the [student] population. They're invited to playdates.

"We invite everyone to birthday parties. . . They get invited to a lot. I consider that a win." Yet Ladman also acknowledges that his sons are "not fully accepted" among all students. "But it's progress," he says. "We're on the way. I'm a realist. This would not have happened even six years ago."

Six years ago Ladman joined an organization called the Special Education Parent Council. Through that experience he has come to know—and celebrate—the power of parents working together and with their schools.

Special Education Parent Council

Maria Waskin, the executive director for EUSD, explained that the Parent Council grew out of an effort "to create a venue for parents of students with IEPs to feel more connected." One parent, she says, "suggested creating a special education PTA [Parent-Teacher Association] parent liaison position at each school." In this way, every school in the district would have a member of the PTA dedicated to special education issues. This group of Special Education PTA Parent Liaisons from each school make up the overall Special Education Parent Council.

"Heart-leaping stuff happens all the time"

"The focus of the parents' work is to support inclusion at the schools and to help with disability awareness activities," says Waskin. The liaisons "help make sure that room parents in the general education classes consider the needs of students with IEPs and their families." They also serve as a resource to parents of other students with special needs at their site.

The effort started at one school, Mission Estancia. "When we presented the idea to the PTA presidents council, they were excited. The effort took off,

eventually becoming a powerful presence in every school," says Waskin. The ***EUSD Special Education Parent Council***[2] members from the nine schools now get together monthly to plan events and discuss efforts to promote inclusion, according to Erin Lain, EUSD program specialist.

Currently, this Parent Council sponsors four family events a year, says Waskin: "a welcome-back picnic, a movie night, a Valentine's Day dance, and a fun day and resource fair. Those are opportunities for families and their students with IEPs to come together to socialize in an environment that's designed for them. But we invite all students. And we make these events free for everyone so there's no barrier based on income."

At the Valentine's Day dance last year, "there were lots of gen ed student, lots of students with disabilities, lots of parents," says Lain. In fact, so many people want to attend the event that tickets were oversold and "we actually had to turn people away, which was sad." But the silver lining, she adds, is that these council-sponsored events "have become super popular."

"We just had a community family picnic where we had all sorts of fun activities for kids to do," says Lain. "We also had a Disabilities Walk. We had signs that we put up around the soccer field—just trying to broker inclusion and acceptance for people who are different. Our motto is 'Choose to Include.'"

Their motto is
***Choose to Include*.**

That motto was on signs at the picnic and is also featured on t-shirts, sweatshirts, and hats. The organization raises money by selling this "merch" and from donations. The revenue it generates ensures that the council's four activities are free.

The council also uses its money for mini-grants to teachers who have "creative ideas that facilitate inclusive opportunities for our students with disabilities," says Waskin. "We encourage our staff to create opportunities for meaningful interactions among all students."

These mini-grants have paid for game clubs for "students who have a hard time socializing or navigating on the playground," says Waskin. The grants have also paid for classroom libraries that house books that feature "diversity in ability levels. These libraries have been a big hit." One teacher was funded to purchase math-centered board games that he used in small, collaborative-learning groups in his classroom. In this way "all kids can participate, even if they are at different academic levels," says Waskin.

The Parent Council approves 15–20 grants a year. Most of the grants are $250 to $300, although one year the Parent Council funded $2,000 for outdoor equipment that makes it possible for students with various physical abilities to enjoy recess with their classmates.

Parent-Directed Curriculum

An *Ability Awareness* curriculum may reflect the most powerful use

2 Learn more about the Encinitas Union School District Special Education Parent Council at ***https://www.eusdspedparent-council.com/***

of the Parent Council's funding—and of parent expertise. The district has been using a disability awareness curriculum for more than 15 years. And it "has evolved over time," says Waskin, thanks to parents. Four years ago, she says, "our Special Education Parent Council created a scope and sequence" for the curriculum. "These parents made a list of the kinds of things they wanted the curriculum to target, and they developed some lessons and activities and suggestions." The district worked with the parents to incorporate their ideas.

"We started thinking about grade-appropriate lesson plans" for this curriculum, says Ladman. "Now we're in our third year" of using the curriculum that parents helped shape, "and we have specific lesson plans" for all students in the district, from kindergarten through sixth grade. "Over the course of their time with us," says Waskin, "every child is exposed to these lessons, and they will have learned about all sorts of disabilities"—and potentials.

Evolution

Ladman appreciates what he sees as the district's evolution—not just in the way it is partnering with parents and family members, but in its thinking about students with disabilities.

"We started doing things that they called 'disability awareness,'" he says. "And then they were called 'ability awareness.' And then they became 'inclusion in action.'"

This evolution was precipitated in part by "parents coming into schools and pushing" improvements in the curriculum, in inclusion, in activities. Ladman is quick to add that, in his experience, parents have pushed in ways that the school staff could appreciate and hear.

As Ladman talks about how included his sons are now in their schools, he says, "I think we've gotten there, in a sense. And the next step is not just inclusion but acceptance for all students with disabilities.

"We're at the dance,'" he says, "Now we want people to ask us to dance." ◄

Family Equity and Cultural and Linguistic Responsiveness

Moira Allbritton's work at *San Diego's Exceptional Families Resource Center*[1] (EFRC) has put her in touch with many families of children with disabilities. "The more I talk to families whose preferred language is not English," she says, "the more I imagine how hard it would have been for me to do anything that I have done, to be as participative as I have been, if the first time I got my translated copy of my child's IEP was after I signed it." With five children with disabilities, she has become as expert as a parent can be in the IEP process.

Allbritton has reflected at length on how much native English speakers rely on understanding and memory to navigate school for their children—and how if understanding isn't possible because of a language barrier, there is no knowing or remembering what has happened or is going to happen—a particularly terrifying position for parents when their children are involved.

"All of these conversations happen at school about our children—and they disappear. There is no paper trail," she says. "And then knowing that in some districts, IEP teams have an hour for an IEP meeting—and if you're doing serial translation, that creates basically a half-hour IEP. How is the family really getting an opportunity to participate? Isn't that an equity issue?"

Elena Kaltsas agrees. A resource specialist at EFRC, Kaltsas works in the center's *Community Navigator Program*,[2] connecting underserved families that have children with disabilities to much-needed services and systems.

People from other cultures and who speak other languages, however, "experience layered challenges," says Kaltsas, "when they attempt to interact with

1. Learn more about the Exceptional Families Resource Center at *https://efrconline.org/*

2. Learn more about the Community Navigator Program at https://www.dds.ca.gov/rc/disparities/community-navigator-program/

disability service agencies, as well as with our educational and healthcare systems." Many countries don't offer services and supports for people with disabilities, she says, so many immigrants in particular "are not even aware that such things exist or are available for them. In some cases, their native language may not have terminology around disability at all."

In addition, people with cultural and linguistic differences, even if born in the United States, "have a history of interactions with our systems that have been fraught with anxiety, tension, and a feeling of not being welcome," she says. "Given this context, we can understand how challenging it must be to entrust the wellbeing of a family member with a disability to these unwelcoming or unaccommodated systems."

The commitment Kaltsas holds to supporting families from marginalized communities is personal. Her father was an immigrant who spoke little English. During her young adult years, she helped him work through systems that he found "nearly impossible to navigate alone." In addition, Kaltsas was for 20 years the primary advocate and caregiver for her bi-racial and multicultural daughter who, at age 4, was "diagnosed with an optic glioma brain tumor, resulting in loss of vision, a brain injury resulting in an intellectual disability, as well as other physical disabilities and chronic conditions." Kaltsas transformed her experiences from these years into the skills needed to be a "cultural broker" for other families from marginalized and underserved communities.

She also views her current work as an extension of her 15 years working in public health research, where her primary focus was ***minority health disparities***.[3] "It is widely known and well documented that people from all marginalized communities experience lowered outcomes in health, employment, education, and quality of life," she says. "Those outcomes are lowered even further when disability, and cultural and/or linguistic barriers are present."

"People from all marginalized communities experience lowered outcomes in health, employment, education, and quality of life."

These outcomes, she says, can be significantly improved through culturally and linguistically inclusive practices. The Community Navigator Program she currently leads recently received funding with the specific aim of providing a more intensive, culturally and linguistically relevant approach to:

1. Improve equitable access to services by providing training that values diversity, cultural knowledge, and cross-cultural collaboration.
2. Improve accessibility by ensuring that materials are culturally responsive to the needs of the diverse communities served and available in the languages of the people who need them.
3. Further improve language access by providing, during both in-person and virtual meetings, interpretation for non-English speakers and for those who use ASL [American Sign Language].

When interviewed for this story, Kaltsas pointed to a training she attended in early 2023 as an example of ways in which service providers can expand their cultural awareness and create more mindful and inclusive practices. The event, "An Introduction to California Tribal History, Contemporary Tribal Governance and Lifeways, ICWA [Indian Child Welfare Act], and More: A Training for Regional Center Professionals,"[4] was presented by the California Tribal Families Coalition and convened at the Sycuan casino.

"The event provided an in-depth review of the history of native people in America," says Kaltsas. Its purpose was to heighten awareness

3 Baciu, A., Negussie, Y., Geller, A, et al., editors. (2017). "The State of Health Disparities in the United States" in *Communities in Action: Pathways to Health Equity*. National Academies of Sciences, Engineering, and Medicine; Health and Medicine Division; Board on Population Health and Public Health Practice; Committee on Community-Based Solutions to Promote Health Equity in the United States. ***https://www.ncbi.nlm.nih.gov/books/NBK425844/***

4 For more about this event, go to ***https://caltribalfamilies.org/wp-content/uploads/2023/09/2nd-Annual-CA-AI-Disability-Symposium-Booklet-3.pdf***

and understanding of what native people endured during the past 500 years and how those experiences translate into a reluctance to engage with public systems that, Kaltsas says, "have historically deceived, erased, and failed to protect them. This contextual awareness is critical if we are to engage these communities in a way that is culturally informed, sensitive, and mindful. We must use these contexts as a reference point."

Kaltsas has been successful in providing supports for many kinds of families. She is currently working with an Afghan refugee family of three. The mother has serious health issues. The daughter is nineteen and has undiagnosed learning disabilities. She wants to continue her education, but the Taliban closed down her school when she was in Afghanistan, and she has no paperwork documenting a history of education—and no IEP. The son is attending UC San Diego, and is the only English speaker in the home. He serves as the cultural broker for the family. To support

Schools and Culture

Chris Stoner-Mertz is chief executive office of the California Alliance of Children and Family Services. She also has a foster son "who had some challenges in his school. Black boys tend to be the ones who get identified for special education because of how they're experiencing their trauma and how they bring that to school." Teachers, she says, "don't always receive the training they need or the understanding of race and culture, to effectively respond."

"We luckily had a superintendent who understood and worked with us to address the racial issues." That superintendent, says Stoner-Mertz, "frankly, pushed against having a child in special ed who didn't need it but did need some other educational supports."

Stoner-Mertz sees what her foster son experienced as reflective of the pressure that schools feel to respond to certain behaviors, in some cases by referring students to special education when solutions lie elsewhere—and when some of the assumptions about the student emerge from implicit bias.

The California Alliance is addressing the challenges related to both the skills and the ethnic and racial match of teachers and service providers to the students they serve. Adrienne Shilton is the director of public policy and strategy at the Alliance. "Almost 80 percent of kids who are on MediCal are kids of color," she says. "We know, based on demographic data, that we don't have a match [among the professionals serving them], especially when we look at the positions that require licenses and more advanced degrees. This is a huge equity issue."

The Alliance has been studying and reporting on this issue for years, "framing recommendations, working on policy related to this, as well," says Shilton. The challenge, she says, "is systemic. And it's not going to be resolved easily or quickly. But one program that we're really excited about is our Catalyst Center.[1]"

This nonprofit arm of the Alliance is developing an apprenticeship program in partnership with Las Positas Community College in Alameda County. "This is a program for diverse apprenticeships, creating opportunities for young people of color to come into our educational system and have opportunities that they felt inaccessible before," says Shilton.

These future professionals spend half their time studying and the other half "working with the nonprofits that we represent—and getting paid for their time with the organization. It's a true apprenticeship program model.

"We want to expand this program into other counties after we launch this one. We need much more of this type of work happening."

1. To learn more about the Catalyst Center, go to https://www.catalyst-center.org/

his mother and sister, he works 16 hours a day, holding down three jobs: delivering food and working for two driving services as an independent contractor. The family faces "chronic food insecurity, live daily on the precipice of losing their housing, and need intensive support. The family was once thriving in Afghanistan, but political turmoil forced them to flee."

The daughter wants to become a Certified Nursing Assistant. The son wants to be a mechanical engineer. Says Kaltsas, "They just want to create a decent life for their family—the same things all of us want: safety, peace, the ability to meet basic needs. And they just want to give back to their communities."

Kaltsas encourages other educators and service providers to do the following as they work with underseved and marginalized communities:

- Practice empathy.
- Be willing to "unlearn and relearn" assumptions about others and professional practices.
- Step outside of your role. Ask yourself, "If this were my child, how would I want the child to be welcomed, treated, supported."
- Ask questions. Begin with, "Please forgive me for not knowing, but I'm not quite sure how to . . . ." Get comfortable asking, "What do I need to know about and be mindful of?"
- Admit what you don't know. Admit that you're vulnerable. People respect acknowledging vulnerabilities, which then makes human connection and trust possible.
- Set aside ego. Remember the most astute master is forever a student.

This work, she says, "takes courage and an open heart. Too often, we are afraid of offending. But consider the bravery it took for that family to interact with the system, to allow us into their communities and their homes—their most sacred of spaces." This interaction is much easier, she says, when "practitioners integrate the culture, expectations, and preferences" of individual families in their policies and practices. "Then we're creating a system that's equitable for all." ◄

Addressing Disproportionality: Hard Work and Heart Work

"It's one of the best processes the state has," says Janet Schulze, "and I've been in education for more than 30 years."

"This has been one of the most valuable processes that I've participated in," says Kim Kianidehkian, also a veteran educator in California's public schools.

Schulze is the superintendent of the Pittsburg Unified School District in Contra Costa County, and Kianidehkian is the current director of educational services for the Evergreen Elementary School District in Santa Clara County. The process they're both referring to is the Comprehensive Coordinated Early Intervening Services (CCEIS), which is federally required when a local educational agency (LEA: a school district, county office of education, or a charter school approved by the California State Board of Education to be an LEA) is found "significantly disproportionate."

What exactly is this process? Why is the praise for it so high? And, most importantly, how has it helped students?

Background and Context

The Individuals with Disabilities Education Act (IDEA) was amended in 2007, in part, to ***strengthen the equity requirements*** of the law by addressing disparities in the treatment of students of color within LEAs.[1] When LEAs disproportionately identify any racial or ethnic group of students in a disability category, or when they disproportionately suspend or expel any particular student group, the LEA is designated "***disproportionate***"[2] or "***significantly disproportionate***"[3] if the LEA's identification, placement, and disciplinary data reflect disproportionality for more than three years.

With significant disproportionality, the LEA must undergo the CCEIS process and set aside 15 percent of its IDEA money to fund these early intervention services and address the factors that contribute to the significant disproportionality, such as policies, practices, and procedures. This requirement is designed to ensure that the LEA makes a concerted effort to give all students the support they need at the first sign that they're struggling academically or behaviorally.

According to the ***Center for IDEA Fiscal Reporting***, the services that are central to CCEIS should "help children who need additional academic or behavioral support to be successful in school. They can include professional development and educational and behavioral evaluations, services, and supports."[4]

Research and data[5] support the fact that when a child exhibits troubling behavior or performs poorly in reading or math, often the cause is not a disability. Too often, however, a referral to special education is the first line of defense in a school. CCEIS is designed to provide an option that more accurately reflects what the child needs.

For decades, research also has shown the ***benefits of early intervention*** (EI).[6] When well-designed and thoughtfully provided, EI services make it possible for struggling students to catch up to and stay abreast of

1. O'Hara, N., & Bollmer, J. (2021). *Equity Requirements in IDEA*. IDEA Data Center. ***https://ideadata.org/sites/default/files/media/documents/2021-07/EquityInIDEA.pdf***
2. Learn more about disproportionality in special education at ***https://www.parentcenterhub.org/wp-content/uploads/repo_items/legacy/dispro-trainerguide1-2020.pdf***
3. Find the definition from the U.S. Office of Special Education Programs of "significant disproportionality" at ***https://sites.ed.gov/idea/files/significant-disproportionality-qa-03-08-17.pdf***
4. Center for IDEA Fiscal Reporting & IDEA Data Center. (2018). *Quick Reference Guide on Coordinated Early Intervening Services. **https://cifr.wested.org/wp-content/uploads/2021/04/CIFR-CEIS-QRG.pdf***
5. Annamma, S., Morison, D., & Jackson, D. (2014).Disproportionality Fills in the Gaps: Connections between Achievement, Discipline and Special Education in the School-to-Prison Pipeline. *Berkeley Review of Education*, 5:1, 53–87. ***https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2512330***
6. The Early Learning Institute. (2024). Top Five Benefits of Early Intervention. ***https://www.telipa.org/top-5-benefits-early-intervention/***

their classmates in *reading*[7] and *mathematics*.[8] These services also help students learn the *social and behavioral skills*[9] they need to succeed in their schools and communities.

Students need EI support for a variety of reasons. Sometimes they have not had the opportunity to develop the preliteracy or math *skills they need to succeed in school*.[10] Perhaps their parents couldn't afford quality day care or preschool, which is where many children learn these skills. For other children, problems may emerge because of a disconnect: The LEA's support for students doesn't meet all their needs. The curriculum doesn't reflect the lived experience of some students. The teachers and administrators have expectations that don't align with the values of some of their families. The LEA may not have adequate supports for children experiencing trauma. When these conditions exist, certain students may not feel welcomed in school. As a result, these students may act in ways that can lead to misplaced assumptions about the source of their behavior—and to an *inappropriate disability label*.[11]

Within this context, the CCEIS work is about more than students' academics or behavior. The central challenge of addressing disproportionality often requires systemic changes that include developing cultural and linguistic competence, identifying and rectifying implicit bias, and creating a shared understanding of the importance of facing and eradicating racism among staff members.

The State Performance Plan Technical Assistance Project

To support school districts in their CCEIS work, the California Department of Education created the *State Performance Plan Technical Assistance Project*[12] (SPP-TAP) in 2009. The project, which is housed at the Napa County Office of Education, designed a process for reducing rates of disproportionality among LEAs in the state. More than 11 percent of school districts in California are currently designated as significantly disproportionate—103 LEAs out of 1,500. They all work with SPP-TAP to do the following:

- Gather information about their disproportionality and inquire deeply into its sources.
- Collect data and conduct a root cause analysis.
- Plan for improvement.
- Implement the plan and monitor its results.

These steps reflect a fairly standard systems-change protocol—nothing new to many teachers and most educational

7. Ramey. C. (n.d.). *Why Early Childhood Intervention Is a Key Investment for State and Local Policymakers*. Michigan Family Impact Seminars. *https://www.purdue.edu/hhs/hdfs/fii/wp-content/uploads/2015/07/s_mifis01c02.pdf*
8. Dumas, D. McNeish, D., Clements, D., et al. (2019). Preschool Mathematics Intervention Can Significantly Improve Student Learning Trajectories Through Elementary School. *AERA Open, 5*(4). *https://journals.sagepub.com/doi/full/10.1177/2332858419879446*
9. Karoly, L., Kilburn, M. R., & Cannon, J. S. *Proven Benefits of Early Childhood Interventions.* Rand Corportation. *https://www.rand.org/pubs/research_briefs/RB9145.html*
10. Gacia, E., Weiss, E., (2015). Early Education Gaps by Social Class and Race Start U.S. Children Out on Unequal Footing. Economic Policy Institute. *https://www.epi.org/publication/early-education-gaps-by-social-class-and-race-start-u-s-children-out-on-unequal-footing-a-summary-of-the-major-findings-in-inequalities-at-the-starting-gate/*
11. Farnsworth, M. (2016). Consider Culture Before Referral of Culturally and Linguistically Diverse Students for Special Education Services. ¡Colorín Colorado! *https://www.colorincolorado.org/article/consider-culture-referral-culturally-and-linguistically-diverse-students-special-education*
12. Find SPP-TAP's website at *https://spptap.org/*

leaders. On top of this boilerplate, according to Kianidehkian, "is a lot of work—a heavy lift. And I will be frank and say I felt totally overwhelmed by it at the beginning."

The prospect of conducting an in-depth analysis of an entire school system and emerging with an effective plan for improvement could overwhelm anyone. But, in Kianidehkian's words, the process that SPP-TAP has created "is so organized ... It helps you focus on exactly what you need to do."

Schulze says, "That process is a gift. It's very detailed, very thoughtful. You get an outside set of folks who look at your data, your policies, your practices, your procedures." Schulze also talks about the value of the focus groups and interviews that are another part of the process.

The SPP-TAP facilitators "really push you in your thinking," says Schulze. "In my mind, it's something every district should go through every five years, regardless" of their disproportionality designation.

Connie Silva has led SPP-TAP since its inception. When asked why people gave the project such high marks, she first points to the quality, knowledge, and commitment of the technical assistance facilitators who have signed on to do this work, many of whom were on the receiving end of CCEIS before they retired from roles as principals, superintendents, or Special Education Local Plan Area (SELPA) directors. Each LEA that works with the project is required to create a CCEIS team. The facilitators oversee and guide these teams.

In addition, the process "gets very explicit around what it actually takes to do the work" of addressing disproportionality, says Silva, and it demands more than lip service. "We regularly hear the phrase, 'we're going to serve all students' and the term 'equity.' What our project and our facilitators help districts do is really get at what those things mean" and how to act on the commitment.

Silva talks about the paradoxical role the COVID-19 pandemic played in the evolution of the project. "It made everybody's job so much more challenging, but it was also a reminder of 'why am I doing this? Why am I going to stay in education? It's not the money. It's not the fame or power.'" In effect, she says, the pandemic helped many educators reaffirm their reason for working in schools: "It's our care for students," says Silva.

The Black Lives Matter movement after the killing of George Floyd created another sea change in the work, says Silva. The interplay of these events with the pandemic "brought to the surface many of the underlying inequities that live within our educational systems." People everywhere started paying more urgent attention to these inequities, says Silva, and they wanted to make corrections. "We saw a marked decrease in resistance to the CCEIS process, which requires uncovering the root causes of our inequities. Educators truly wanted to address these issues."

"And then we just don't stop," she says, referring to the determination of the project's staff. "We don't go away." SPP-TAP holds districts accountable—while helping and supporting them.

Strategies in Evergreen

With SPP-TAP's support, Evergreen Elementary School District has put in place strategies for addressing disproportionality that "have become very, very valuable," says Kianidehkian. One in particular involves engaging families.

Evergreen identified a lack of family engagement as one of its root causes of disproportionality. Because many of the district's families speak English as a second language (or not at all), and many were not born in the United States, the CCEIS team hired "community liaisons who have a lot in common with the families," says Ashley Morefield, the teacher on special assignment who works with these liaisons.

"Most of our liaisons came to the United States as children. They experienced a new country and a new school," says Morefield. "They are able to relate to our families, help them understand what the American school system is and how to advocate for their child."

The liaisons attend professional development events to learn how to work with issues of culture and language. "We're training them to support families. We're also helping them become more knowledgeable about our processes, like the IEP [*Individualized Education*

Program[13]] and our *504 plan*[14]," says Morefield.

The presence of community liaisons is new to the district. But according to Kianidehkian, in the current school year alone the liaisons have contacted families more than 600 times to discuss such issues as student attendance and the importance of family participation in school events and meetings. Parent and family attendance at the district's English Learner Advisory Committee meetings, the CCEIS Educational Partners meetings, and the "Cafecitos" (where the school principals meet with parents over coffee) has grown significantly just within a year, says Kianidehkian.

The community liaisons were hired to focus on improving family engagement through in-person contacts, home visits, and phone calls. They "are armed with a whole lot of resources just to share with parents," says Kianidehkian. But their role is already expanding. They're currently partnering with school social workers and through this collaboration have developed a home visit protocol, "which includes tracking, monitoring, and checklists," says Kianidehkian.

She calls the liaisons "first responders" and sees them as perfectly positioned to know when more intensive services are called for. As a result, the liaisons are also developing—again with school social workers and other school staff—a home visit flow chart. If they're in the middle of a home visit and a parent or family member reveals information that suggests the need for more specialized or intensive services, this chart will help the liaison know exactly what to do and whom to call.

When asked why the liaisons have been so effective in such a short period of time, Morefield says, "It always comes back to relationship-building. Our liaisons are spending so much time being visible and connecting with families on campus. At drop-off and pick-up you'll find them everywhere, chatting and connecting, making sure the community understands who they are. They quickly became very popular at their schools, and parents quickly understood that 'this is someone who advocates for us. This is someone who supports us.'"

During the current 2023–2024 school year, the district has added community liaisons in schools that are not technically disproportionate—a tribute to the general effectiveness of the people in these roles and the work they are doing.

Engaging Families in Alameda

The Alameda Unified School District also has been working with SPP-TAP to address issues of disproportionality. Shamar Edwards was hired in 2019 as the Senior Director of Equity and African-American, Black, and Multiethnic Achievement. She oversees the CCEIS work with SPP-TAP, which involves providing services to students who would most benefit from targeted early interventions. These students are identified based on their scores in reading and mathematics on the *STAR* test[15] and on their disciplinary histories (e.g., chronic absenteeism or the number of

13. Learn more about IEPs in California at *https://www.cde.ca.gov/sp/se/sr/ieprresources.asp*
14. Learn more about 504 Plans at *https://www2.ed.gov/about/offices/list/ocr/504faq.html*
15. Learn more about California's STAR (Standardized Testing and Reporting) tests at *https://www.cde.ca.gov/re/pr/star.asp*

suspensions). They're referred to as "focal scholars," and they're each given an individualized learning plan with documented goals. These goals are personalized and tracked in student data platforms.

The only way that a student can be technically considered a focal scholar, says Edwards, "is if the school has had a conversation with the family." During this conversation, the family is informed of what is involved, which includes "opportunities for tutoring and other enrichment."

The district's first outreach to families in this effort was met with skepticism, Edwards says. "We needed to address the distrust and disconnect with families," she says. "I remember one family saying, 'You need to focus on the staff, not my kid.'"

Edwards met resistance with honesty. She first sent a letter out to families "essentially owning that our district has not done a good job—but that's why we're in this situation" of addressing disproportionality and working toward district improvement. She described to families "our strategy to start to move out of this situation."

"We are inviting you," she wrote to them. "Literally, the title of the letter was 'An Invitation,'" she says, and she made it clear to parents that, 'If you decline, we're still going to do the best that we can. But we'd like to partner with you.'"

Staff and teachers also receive ongoing training on how to engage with families. The district provided its teachers with training on Dr. Karen Mapp's *Dual Capacity Framework*,[16] which is a roadmap for collaboration between families and schools. District leaders and staff worked directly with Tenneh Weller with High Expectations Consulting who uses Mapp's work, and organized a Hopes and Dreams conference, which gave staff the opportunity to listen to families talk about the hopes and dreams they have for their children. "It's that simple," says Edwards, and it started making a difference."

Teachers learned how to make positive phone calls home, sit with families to discuss their hopes and dreams for their child, and share student progress and the interventions they were using.

"Hopes and dreams" represent an ongoing theme in the district. They are part of each focal scholar's plan, part of conversations with families, and a recurrent theme of professional development and outreach events.

Teachers learned strategies for developing trust. These strategies included making positive phone calls home, sitting with families to discuss their hopes and dreams for their children, and sharing with family members the students' progress and the interventions that were being used. These efforts have "been in place a solid two years," says Edwards.

The district distributed a "trust survey last year, and we are starting to see improvement," says Edwards. "With that additional outreach to families and legitimately trying to partner with families, we have noticed a difference with our families feeling more connected to the school, which was one of our metrics. It's a partnership," says Edwards. "They can call on me. I can call on them. They give constructive feedback. No one has personalized it. We just try to accept what they're saying and revise our ways."

When asked what she is most proud of in her work, Edwards points to the progress the district has made in building these relationships with parents and family members, "pushing through, building trust."

Addressing Racism and Cultural Disconnect

"What's pretty eye-opening here in Alameda," says Edwards, is the rate of Black and African-American students who are identified as needing special education services under the disability category of "Other Health Impairment." In one year, she says, "69 of 193 students were qualified [for special education] between preschool and kindergarten." While there are legitimate needs for some special services, she says,

16. Learn more about Karen Mapp's Dual Capacity Framework at *https://www.dualcapacity.org/*

"there is also some bias at work to generate those types of numbers, especially at such a young age."

Last year Edwards started an Equity Series of meetings for the managers in the district: "principals, assistant principals, food service mangers—if you are a manager at any level, you have to come to these meetings." The series addresses such issues as implicit bias and racism. The plan is for managers "to share what they learned with their staff to assist with capacity building," says Edwards.

She acknowledges that "no one training is going to change things," especially in the complex areas she is addressing. "It's ongoing. And we are trying to create a new culture."

Alameda is not alone in this struggle.

Antoine Hawkins is Evergreen's superintendent, and he fully supports the district's leaders—including Kianidehkian, Morefield, Deborah Ashmore who is assistant superintendent of educational services, and others—in their focus on equity.

"We brought in [consultant] *Nicole Anderson*[17] to focus on equity training," says Hawkins. Through this and other trainings, he is determined "to look at implicit bias, to look at all of those areas that impact student learning, to make sure that staff can understand the dynamics of the communities we're serving."

Evergreen does not have "one super-majority" in its demographics, says Hawkins. So rather than focusing on one group, the district is working to incorporate *principles of cultural relevance*[18] among all of its staff so they can partner with all families and serve all students. "We know at the base level we have good staff who want to do a good job to make sure that our babies have what they need to be successful."

The Mission of Pittsburg Unified School District

"To inspire our students, to ensure they achieve equity in academic excellence and to bring students closer together through shared experiences in learning. We believe the cultural diversity of our community and our youth are our greatest assets. We endeavor to bring our students to their fullest potential and to create lifelong learners who will contribute positively to the world."

Hawkins was not surprised when he received some pushback from teachers in response to these trainings and their focus. "You're talking about cultural change," he says. He sees one ironic stumbling block coming from the district's previous successes. "Evergreen has been an anchor district for years in Santa Clara County," says Hawkins. "A lot of districts would come in times past to our district to receive training on best practices, so we have embedded in our culture some belief that we don't need help." In effect, the district's staff were having a difficult time accepting the fact that they now are the ones in need of training on best practices.

Hawkins sees this pushback as coming from their beliefs about "what success looks like. But we're asking teachers to question their own pushback and take an inward look to see what is driving that." With that reflective examination, he says, "we can all come together to focus on our prime directive, which is educating every student to the best of our ability."

Behavior, Discipline, and Culture

Pittsburg Unified is also working to address issues of cultural disconnect and implicit bias. In 2022, the district was also found to be disproportionate in the area of discipline. Tracy Catalde, a school psychologist and PUSD's coordinator of social-emotional support and counseling, was perfectly positioned to respond.

Catalde joined the district in 2002. Some of his early research focused on disproportionate discipline. He had also worked with Jeff Sprague at the University of Oregon on Positive Behavioral Interventions and Supports (PBIS). This background has served him well.

"What I saw right away was an over-reliance on traditional discipline methods as opposed to prevention. Teachers didn't know

17. Learn more about the work of Nicole Anderson at *https://www.nicoleandersonconsulting.com/resources.html*

18. Resources for developing culturally relevant pedogogy can be found at *https://www.cde.ca.gov/pd/ee/culturalrelevantpedagogy.asp*

what else to do; administrators didn't know what else to do. It took some time to change the hearts and minds. And it took some time to address the academic needs. Oftentimes there's a nexus between behavior and academic delays. Part of what I was doing was changing their paradigm to understand that what they [the teachers] see in many cases is not a disability but a lack of skill.

"I've worked for years with teachers to understand how to improve outcomes for all of the students in the classroom, not just the ones who are complying with your every request or who sit when you tell them to sit.

"Students have different needs," he says. "Some need to stand. Some need to type. Some need a pencil as opposed to a pen, a fat pen versus a small pen. Some need flexible seating."

From these years of experience, Catalde has found one of his most powerful tools in empathy. "Helping teachers understand what is going on" with their students, "helping them understand what the child feels when you raise your voice, when you say you want them to respect you but you're behaving in a profoundly disrespectful way.

"I've always said the PBIS framework of the three B's—Be safe. Be respectful. Be responsible—is not just a framework for students. It's also one for adults.

"As students receive and feel respect, they're included fully, not just the part of them that's compliant. As they receive that respect, you really see a transformation in the classroom. That's been my work throughout my career. My mission has been to make things more equitable, better for all students."

Dissolving Boundaries

Shulze started her work a principal at PUSD in 2014, first aligning the district's programs and making educational practices more inclusive. As part of this effort, she helped the district craft a vision statement. "And then," she says, "we made big adjustments to how we were supporting our students with disabilities and our teachers." Special education was underfunded and understaffed, so staffing and funding were increased. The district worked with its teachers unions to create "a behavior support aide position to provide support to students whether in special education or general education. We added behaviorists to the district." Schulze also studied scheduling patterns, introduced restorative justice practices, hired more paraprofessionals, provided training in co-teaching techniques, examined the data for attendance patterns and time in class.

Then the district was found to be significantly disproportionate in "the number of African-American students in special education for ED [emotional disability] and OHI [other health impairment]," says Schulze. "We have since dropped OHI, which was great news, and we continue with disproportionately in special ed for ED."

"When we got that designation," says Schulze, "you have that moment of 'Oh, No!'" And while there were so many reforms the district was making, she quickly realized that CCEIS was "a way to move that work faster" and help people see that "we still haven't done enough." She saw working with SPP-TAP as an "opportunity for us to refocus and get another set of experts"—to simply strengthen the work district staff were already doing.

"During these past three years," says Schulze, "we have worked very closely with Dr. Mildred Browne, our current TA facilitator. Her expertise and guidance have been critical to our success throughout the entire CCEIS process."

Schulze believes that the most critical decision in the subsequent work was placing CCEIS in education services—in effect, in *general education*.[19]

19. Research that supports the importance of general education assuming a central role in addressing disproportionality can be found at *https://files.eric.ed.gov/fulltext/EJ796430.pdf*

"When you have CCEIS, there's a tendency to think special ed is going to do this. And I said, No."

While special education staff are important and supportive members of the CCEIS team, "our ed services led the work. I knew that [if we didn't do that] we wouldn't get the change" the district needed to reduce instances of disproportionality. "The change has to happen in *gen ed*.[20]" This change requires "shifting the culture," says Schulze.

"We're still working on that." She continues to have conversations with her staff "where I'm saying, 'Nope. That's the process for all children. Nope. Special ed doesn't have a different process'"—working to "deeply embed those practices" of inclusion and the belief that all children are general education students first. That, she says, takes time.

"Since the pandemic," she says, "we've been having a lot of discussions about 'challenging behavior is not a disability. The result of trauma is not a disability. Interrupted schooling is not a disability.'" She talks about the importance of constantly reinforcing those facts "so that when you receive a child in your class and there are needs, it is not that immediate, 'Oh. There must be a disability.'" Instead, she says, "There are things we have to put in place and try and document and work on" before school staff should even consider assessing a child for a disability.

20. For research that supports this position, see *https://education.sdsu.edu/news/2021/study-tackles-inequity-in-special*

Other Areas of Focus

Pittsburg, Alameda, and Evergreen have done considerable work in additional areas in order to address their disproportionality. They're creating reliable and coordinated data systems, documenting the effectiveness of interventions, building collaborative teams of general educators and special educators, designing (and insisting on) consistent and effective assessment practices among all district schools, aligning programs and services. And they're measuring their progress.

"Often in education we just try the next best thing," says Kianidehkian. "We throw it at the wall and hope it sticks." The work with SPP-TAP, she says, "is not that." When districts and schools keep at it, this work sticks.

"There's no way to actually measure the changes in someone's heart," adds Catalde. "You have to look at behavior. And if we keep at it through what we do, we are headed to change a lot of hearts." ◀

Resources

- *A New Wave of Evidence: The Impact of School, Family, and Community Connections on Student Achievement* by Anne Henderson and Karen Mapp. *https://sedl.org/connections/resources/evidence.pdf*
- *A Scalable Empathic-Mindset Intervention Reduces Group Disparities in School Suspensions by* Jason Okonofua. *https://www.science.org/doi/10.1126/sciadv.abj0691*
- *Avoiding Racial Equity Detours,* by Paul Gorski. *http://www.edchange.org/publications/Avoiding-Racial-Equity-Detours-Gorski.pdf*
- *General Education Teachers' Use of Evidence-Based Practices: Examining the Role of Student Race and Risk Status*, by Ambra Green. *https://journals.sagepub.com/doi/abs/10.1177/0198742919883570*
- *Misunderstood and Mistreated: Students of Color in Special Education,* by Hani Morgan. https://files.eric.ed.gov/fulltext/ED610548.pdf

Equity in the Classroom Through a Multi-Tiered System of Support

What does a fully inclusive classroom look like? To Shama Marshall, it's a place where the needs of every child—with or without a disability—are assessed and supported. Her motto: "If you breathe, you're included."

As principal at Lakeside Elementary School in Santa Clara County, Marshall, who also served as the special education director, used tools from the Multi-Tiered System of Support (MTSS) and her experience as an inclusion specialist for the Supporting Inclusive Practices (SIP) project to make full inclusion a reality.

When Marshall arrived at Lakeside the rural school had fewer than 100 students from transitional kindergarten through fifth grade. Twenty-seven percent of the students were receiving special education, and nearly a quarter of those students were served in nonpublic schools or outside of their home-school setting.

Marshall, who calls herself "an inclusion specialist for life, and a special educator by trade," knew that in order to make inclusion work, she had to avoid the sense that it was creating more work for everyone. With support from her district, she built a master schedule to emphasize intervention and collaboration time for teachers. "I took that right out of MTSS trainings from the *Inclusion Collaborative*[1] and the MTSS Professional Learning Institute," she says. The master schedule included protected and dedicated time for teachers to collaboratively plan, gather data, and adjust their interventions for the students. She asked physical education, science, and art instructors to get their substitute credentials so they could cover the classrooms as needed.

"I lived in that schedule, always going back to it. Who is where? What? When?" she says. Occupational and speech therapists were allocated time to consult with the teachers.

Next, Marshall pulled in tools from MTSS. The MTSS *resource inventory*[2] helped her see what strengths already existed at Lakeside. The small size of the school required classrooms with multiple grades so the seating in classrooms was already flexible with options such as scoop chairs, wobble stools, balls for sitting, and tall, medium, and short tables, much of which was purchased by the parent community. After working a long time with kids with autism, she appreciated the value of "simple things like (flexibility in seating) where they can wiggle and not have to leave their seat."

The combined classrooms also allowed teachers to accommodate students functioning at various levels within a grade. The teachers were used to building skills across

1. To learn more about the Inclusion Collaborative, go to *http://www.inclusioncollaborative.org/*

2. The resource Inventory for California MTSS is at *https://ocde.instructure.com/courses/269/pages/resource-inventory-read?module_item_id=37923*

grade levels. When "you have a 4/5 combo and a fifth grader who has a lot of needs," Marshall points out, the student can stay in that classroom while the classroom adapts.

This way, she says, "the kids can come in and options are available for them on multiple levels." The students do not have to fit into a rigid structure, and the school does not have to send students to other facilities to meet their needs.

Then she looked at staffing. "Who do we have in the way of teachers and their skills? What are their contractual roles; and also what are their interests?" She discovered that the custodian was a musician, a podcaster, an artist. One of the first/second grade teachers was "an amazing opera singer" who played the piano. Another teacher had a community garden at her home.

"The staff have all these other strengths that they could bring to the students. And once we figured out what the kids like, then we have an idea of who on site we could connect to them as their 'go-to' grownup. It's all about looking from an asset-based perspective," she says, and then making connections.

One staff member came in as a paraeducator but also mentioned that she had a background in corporate-level information technology (IT). Since the school did not have an IT department, this was very useful—and she also spoke Spanish.

Her IT experience came in especially handy during the 2019–20 school year, when the COVID-19 pandemic required some instruction to be moved online. She was also able to bring in a variety of applications to make learning accessible for more students. "If it wasn't for her, we would have never made it through COVID," says Marshall.

Inclusion was cost-effective, since placing students in off-campus programs was costing in the vicinity of $100,000 per year.

Planning and Communication

Marshall says that planning for inclusion is crucial. Schools must have an inclusion framework in place and must map out the principles, criteria, and values that lead to decisions about student placement and accommodations. Then decisions are guided less by whether or not the student has a diagnosis or a label, and more through constantly assessing and addressing the needs of every child.

She recommends considering curricula that are already tiered, so they fit easily into the MTSS structure. "Define what are the entrance criteria and the exit criteria for the tiered intervention, so that kids don't sit in intervention for the entire year. It's what they need when they need it, and then move on."

Also crucial is communicating and developing a shared understanding that is held by administrators, teachers, and parents. Once collaboration was scheduled and good communication was achieved at Lakeside, adults in the classroom could prevent the need for more intense interventions. Occupational therapists and other specialists worked with the teachers, and everyone had time for trying ideas, asking questions, and then discussing other possibilities.

"They could point out simple things like, 'I saw Shama holding her pen like this—she might need a slant board.' You don't need to have an IEP for that—that's something you can just give a kid," says Marshall. Opening up those communication lines and giving everyone permission to think outside the box was a big part of it.

Once they had the basic structure in place for inclusion, they were able to build out additional supports over the next few years. Every classroom had a "calm-down" corner. Staff received training on the use of these and other tools, such as Positive Behavioral Interventions and Supports (***PBIS***).[3] Teachers and support staff learned how to support students and re-engage

3. Learn more about PBIS at ***https://www.pbis.org/pbis/what-is-pbis***

them as needed "to keep them as close to the instruction as possible," according to Marshall.

She found that inclusion is cost-effective, since placing students in off-campus programs was costing in the vicinity of $100,000 per student per year. "It was just ridiculous," she says. "You could have somebody working in the classroom 20 hours a week helping to support these kids for $40-$50,000 a year." It made more financial sense, she says, to hire well-trained paraprofessionals and build skills among existing staff than to move the students offsite. And those paraprofessionals were available to provide support for other aspects of the school at the same time.

Marshall's advice for administrators gearing up for full inclusion? Be bold in asking for budget support. "I definitely would have planned for more coaching support for the teachers—actually calendaring out coaching cycles for them. I think I was a little scared to ask." She also stresses the need for timely access to outcome data, so teachers can see more quickly whether their efforts are getting the results students need.

Now that Marshall has moved on to a new position as coordinator of MTSS for the Santa Clara County Office of Education and is helping implement inclusive practices at other schools, she has been pleased to hear that the good communication with parents at Lakeside has led more of them to become advocates for inclusive practices. They understand the reasons why, and they know inclusion is important.

"I'm so excited when I think about the sustainability of our efforts. Because the community is saying, 'We are an inclusive school. This is what we do,' and I just think, 'Oh, man, you guys make my heart so warm and fuzzy right now.'" ◀

Additional Resources

- MTSS Swift Resource inventory: *https://swiftschools.org/docs/mtss-resource-inventory-form/*
- MTSS Schedule Guidance: *https://mtss4success.org/sites/default/files/2022-02/MTSS_Schedules.pdf*
- MTSS Swift Fidelity Integrity Assessment: *https://drive.google.com/file/d/1Cs1vBk7AIsiEHVVVtI4fF7ICAmE9Xf0J/view*
- *Partners in Education: A Dual Capacity-Building Framework for Family–School Partnerships*. A publication of SEDL in collaboration with the U.S. Department of Education *https://www2.ed.gov/documents/family-community/partners-education.pdf*

Restorative Justice: One Approach to Ensuring Equity

Ta-Biti (David) Gibson is *not* nostalgic for how things used to be at Edna Brewer Middle School." When I first got here, there were a lot of arrests. Fights every day," says Gibson, restorative justice coordinator for the Oakland Unified School District.

"If somebody bumped into somebody, they might literally swing on them. The first week I was here, we had Oakland police in our classrooms twice, with the walkies, with the guns, arresting middle schoolers. Cuffing them up, taking them out. This trauma and drama. That was the norm."

Now, says Gibson, trauma and drama are "almost nonexistent on our campus." What happened, he says, is restorative justice (RJ).

Gibson credits RJ practices not just with a notable decline in violence at the middle school (as well as at other schools in the district), but with other positive changes: a reduction in suspensions and expulsions, fewer student absences, improvements in academic performance, a more inclusive school environment, growth in community trust, and increased parental involvement.

Why Restorative Justice?

From his own experience and study, Gibson knew that punishment does not solve problem behavior. In fact, *research shows*[1] that punishment *produces no benefit.*[2] Students who are punished often develop fear and resentment toward the people or institutions responsible, which may explain in part why students who are suspended or expelled, for example, are *more likely* than their peers to do poorly in school or simply drop out.[3] Punishment also can erode school climate, thus harming all students.

Now trauma and drama are "almost nonexistent on our campus."

Educators have long recognized the need to reform school discipline policies and strategies. Positive Behavioral Interventions and Supports (PBIS), *introduced in 1997*[4] as part of the reauthorization of the Individuals with Disabilities Education Act, represented a seismic shift in educational trends—away from punitive discipline practices and toward "positive" approaches.

As most educators now know, *PBIS*[5] treats behavior as a subject to be learned. School staff do not assume that students arrive in their classrooms knowing the norms and protocols. Instead, expected behavior is explicitly taught and positively and consistently reinforced throughout the school campus by all staff, from principals to custodial engineers to teachers and classroom aides. For decades now, school districts across the country have been adopting PBIS to good effect.

Data gathering is a central feature of PBIS. This data eventually *revealed*,[6] however, that black and brown students were *still being suspended and expelled* at

1. Alvarez, B. (2021). School Suspensions Do More Harm Than Good. NEA Today. *https://www.nea.org/nea-today/all-news-articles/school-suspensions-do-more-harm-good*
2. Baily, B. (2018). Why Conscious Discipline Consequences Work and Punishments Don't (And How to Give Effective Consequences). Conscious Discipline. *https://consciousdiscipline.com/why-conscious-discipline-consequences-work/*
3. Alvarez, B. (2021). School Suspensions Do More Harm Than Good. NEA Today. *https://www.nea.org/nea-today/all-news-articles/school-suspensions-do-more-harm-good*
4. Read more about the origins of PBIS in *Positive Behavioral Interventions and Supports: History, Defining Features, and Misconceptions*, by George Sugai and Brandi Simonsen at *https://www.hbgsd.us/cms/lib/PA50000648/Centricity/Domain/288/PBIS_.pdf*
5. Learn more about PBIS at *https://www.pbis.org/*
6. Kramarczuk Voulgarides, C., Fergus, E., & King Thorius, K. A. (2017). Pursuing Equity: Disproportionality in Special Education and the Reframing of Technical Solutions to Address Systemic Inequities. *Review of Research in Education, 41*(1), 61–8. *https://journals.sagepub.com/stoken/default+domain/hf6RuVBPEShG7FCg9QWr/full*

higher rates than their white and Asian peers.[7] In California, this led to many districts being labeled as ***disproportionate or significantly disproportionate***[8] (see article page 19). The numbers also left educational leaders looking again for a way to address behavior that was not punitive—and that helped to ensure equity.

Both ***research and practice***[9] show restorative justice as an ***evidence-based approach***[10] to remedying discipline inequities in schools—and to creating cohesive school communities that value compassion and understanding while giving all students a chance to succeed.

What Is Restorative Justice?

Restorative Justice evolved during the second part of the last century out of the ***peace-making practices*** of Native American and First Nation peoples.[11] While there is no one definition of RJ, essentially it is the practice of repairing relationships while establishing or re-establishing social equality.

Over the years, RJ has caught the attention of educators as a promising practice for ensuring equity and creating healthy communities in schools. In some places RJ has even been credited with staunching the ***school-to-prison pipeline***.[12]

Restorative Justice in Oakland

OUSD has been implementing RJ practices since 2005. While the district's funds for the initiative have fluctuated over the years, Oakland has managed to make impressive progress, in part because of the district's commitment to spreading an RJ philosophy to each of its schools—but perhaps in greater part because of the dedicated staff who have figured out what works for the district's students.

Restorative justice in Oakland focuses on creating "a space for holding all students," says Gibson. "It is a way of being, more than a program. It's about being in community together. It's about how that looks, how that feels, how that happens."

This way of being, says Gibson, requires "a mental shift, a cultural shift that everyone in the community has to be a part of. I teach students and adults the practice of shifting the mind to have a different conversation in community that has a different outcome," an outcome where everybody is respected, heard, and included, and all students have the experience of belonging and being supported.

Tiers

OUSD uses a structure of three tiers for teaching RJ. Each tier has different protocols and different degrees of support. "The most important" Gibson says, "is tier one: community building."

"One day a week, every Wednesday, I'm with one teacher all day. That teacher and their students are not doing any core work. We're doing community-building work. We're talking, we're playing games, we're building relationships. Everybody is in there—the teachers, students. We're smiling together. We're also having deep, serious conversations about whatever we want to talk about—from gender to race to the economy."

From these conversations, says Gibson, a sense of community and belonging grows.

When all teachers and students share those experiences, says

7. Owens J., & McLanahan, S. S. (1998). Unpacking the Drivers of Racial Disparities in School Suspension and Expulsion. *Social Forces, 98*(4),1548–1577. ***https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8133760/***
8. National Center for Learning Disabilities (n.d.). *Significant Disproportionality in Special Education:Current Trends and Actions for Impact*. ***https://ncld.org/wp-content/uploads/2023/07/2020-NCLD-Disproportionality_Trends-and-Actions-for-Impact_FINAL-1.pdf***
9. Darling-Hammond, S. (2023). *Fostering Belonging, Transforming Schools: The Impact of Restorative Practices.* Learning Policy Institute. ***https://learningpolicyinstitute.org/product/impact-restorative-practices-brief.***
10. National Center for Learning Disabilities (n.d.). *Significant Disproportionality in Special Education:Current Trends and Actions for Impact*. ***https://ncld.org/wp-content/uploads/2023/07/2020-NCLD-Disproportionality_Trends-and-Actions-for-Impact_FINAL-1.pdf***
11. Mirsky, L. (2004). *Restorative Justice Practices of Native American, First Nation and Other Indigenous People of North America: Part One*. International Institute for Restorative Practices. ***https://www.iirp.edu/news/restorative-justice-practices-of-native-american-first-nation-and-other-indigenous-people-of-north-america-part-one***
12. Morgan, H. (2021). *Restorative Justice and the School-to-Prison Pipeline: A Review of Existing Literature*. Education Sciences. ***https://files.eric.ed.gov/fulltext/EJ1293515.pdf***

Gibson, "then you start seeing a shift. It's a human shift that is natural."

A well-established tier one, says Gibson, gives tiers two and three the foundation for constructively addressing any harm or conflict that occurs, with the seriousness of the problem dictating the tier.

Gibson sees conflict as a part of life. "In any community," he says, "humans bump into each other. In a community that has built a tier one really well, you've built a container that can hold harm when it happens."

Without an RJ tier one, says Gibson, "the experience [of conflict] is totally different." The experience of conflict in other school districts often leads to detention, suspension, or expulsion. With RJ, the response to harm and conflict involves conversations, curiosity, recognition, compassion, healing, repair, and community re-integration.

Circles

Stephanie Jemilo came to OUSD in 2019 from Chicago to work in and learn from an established RJ environment. "So much [problematic] behavior comes out of feeling that you don't belong," she says.

What happens in tier one, she says, "those simple RJ circle practices—those ideas that you open up your class with a community builder, with a social-emotional check in; that you call families during the first two weeks of school just to introduce yourself"—help to build a community where successful circles are possible and belonging starts to happen. The strategies promoted through RJ, in her experience, are the strategies that "could make such a human difference for our kids."

Jemilo worked as a programs specialist and instructional coach in Oakland. During her tenure there, RJ circles became central to her work, involving teachers, RJ coordinators, and students. "The role of the RJ coordinator," she says, "is comparable to a dean or another admin, so when student conflicts come up, you can call the RJ coordinator to come in and do a circle" [see sidebars below and on the next page].

Circles also can be ongoing. At McClymonds High School, Jemilo worked with an RJ coordinator who had a daily class that students could be assigned to. "It was amazing to have that option. Throughout the school year when I would be working with teachers, and students were struggling, they could ask that the student—who, for example, had to work on his communication skills—be referred to that circle class in RJ."

How Restorative Justice Circles Work

The restorative justice (RJ) process will vary from school to school and from incident to incident in any given school. The following basic structure, however, frames most restorative justice interactions:

1. **All involved parties come together to discuss the incident in question.**
2. **Both the victim and the accused are given the opportunity to share their feelings. RJ practices provide equal time to each party, since the primary goal is not punishment but restoration.**
3. **Teachers or administrators act as facilitators to the mediation, during which they ask open-ended questions in an effort to foster reflection. These group meetings are often called "circles," which are central to RJ practices.**
4. **The following kinds of questions are posed to the accused student:**
   - **What can you do to fix this?**
   - **How would you feel if the same thing happened to you?**
   - **How did your behavior affect your fellow students?**
5. **All involved parties decide on a course of action, and all parties work together to carry out that plan.**

—This information was adapted from professional development materials created at the University of San Diego. To see more, go to *https://pce.sandiego.edu/restorative-justice-in-the-classroom/*

"I've always loved the concept that 'behavior is communication,'" says Jemilo. "When our kiddos are behaving in a certain way, they're trying to communicate something." When that behavior is negative or destructive, they're expressing their own pain or disaffection. "Hurt people hurt people," she says. "RJ allows us an alternative. It focuses on 'What is the root of this issue?' and 'How do we get to that root?"

Teacher Training

"Often," says Jemilo, "we as educators are taught subconsciously to fear our students—to fear misbehavior, to fear them challenging our authority, to fear that they could get out of control and take over the classroom." The focus of RJ on community building, she says, helps to remove that fear. And Oakland's professional development gives teachers the opportunity to learn.

That professional development process involves three steps: (1) Scheduling an introductory training early in the school year for as many staff as possible, with the training designed to prepare the school to implement proactive community-building activities and processes school-wide. (2) Providing training for a smaller group of staff members to facilitate restorative discipline processes that are designed to address rule infractions and alternatives to suspension. (3) Finally, creating "a school-wide professional learning community that allows RJ practitioners at the site to continually reflect throughout the school year on what is working, what are areas of growth, and what tweaking is needed."

This system requires teachers who can distinguish between a threat and an enculturated expression, and who can see a threat as a cry for help rather than a personal affront. The ability to see students through this kind of lens requires training and practice, along with an honest appraisal of personal, implicit biases. Oakland's professional development for RJ focuses on helping teachers understand and respect the cultures that have shaped students; and to develop the skill to understand and respond to disruptive behaviors in creative and compassionate ways.

Restorative justice practices. . .

. . . have been used in the court systems in New Zealand, Canada, and the United States, among other countries for several decades. These practices began to gain traction in schools in the early 2000s in an effort to address the over-representation of students of color in what is often referred to as "the racial discipline gap." This "gap" feeds the school-to-prison pipeline, which disproportionately channels minority students from school to prison.

—from Michelle Alexander. (2010). *The New Jim Crow: Mass Incarceration in an Era of Colorblindness*. **New York, NY: New Press.**

Cultural Awareness and Responsiveness

"These are our schools, these are our issues, these are our students, and these are our cultural differences," says Gibson. He supports teachers at his own school as well as future educators to develop the mindset and attitude they need to navigate the very complex cultural and racial currents that are inherent in California's classrooms.

"The most suspended child in Oakland public school," he says, "is still a Black male. But the overwhelming majority of our teachers are white females." In response, Gibson conducts RJ conversations with future educators at UC Berkeley. In these sessions, he helps them address the question of "How are you going to enter these arenas and have your impact be positive, not negative." That, he says, involves understanding and respecting cultures that are not your own.

Back in Oakland, Gibson has started a boys' group with middle school students. "I meet with Black boys, and we discuss things and go camping." Essentially the effort amounts to "RJ with an affinity group, and with the hope of creating with some of our most in-need students a sense of inclusion and belonging, a buy-in that 'this is my community.'"

Wish List and Next Steps

"I'm such a believer in what RJ can do for schools and communities," says Jemilo. "It is where we need to be putting our money. We cannot continue to

suspend and expel our way out of a system that doesn't support all kids."

Jemilo is a staunch proponent of ***visiting parents and family members in their homes*** as a key ingredient to successful RJ efforts.[13] She encouraged her staff to call their students' homes regularly to report on the child's successes. Teachers, she says, can more effectively respond to and support a child when they know the child's parents, culture, and something about their home life.

"Another thing we need," she says, "is an RJ matrix," so that if a student violates school rules in a way that could result in a suspension or expulsion, "there are options so that we're not excluding this child further from our school community."

She would also like to see more thoughtful re-entry protocols for students who are suspended or who are in any way excluded from their school community. When that student returns to school, "you have to close the loop," she says.

"Given how busy everyone is, often there is little reflection about what happened and why." What Jemilo would like to see in every school is what Gibson is referring to when he talks about "holding"—providing a place for the child to repair and be welcomed back into the school community. Without that holding, Jemilo says, the issues simply perpetuate.

13. Learn more about home visits at *https://www.edutopia.org/blog/family-engagement-works-parent-teacher-home-visits-anne-obrien*

Schools need to provideaplaceforthe child to repair and be welcomed back into the community.

Happy Problems

When Gibson first arrived at Edna Brewer Middle School, he says, "the surrounding families didn't want to send their children here. They spent a lot of money sending their kids to private schools and getting addresses in other districts. Now we have a 500-person waiting list. This is the school of choice in the area."

Gibson and his colleagues have other happy problems. "I have over a hundred students, peer RJ leaders at Edna Brewer, that I train," says Gibson. "The biggest challenge right now is that so many students want to become a part of RJ. It's big on this campus."

Students from the feeder elementary schools learn about RJ from the student representatives whom Gibson sends to talk to the younger students about what RJ is and what they have to look forward to when they get to middle school. "So by the time they're here in sixth grade," says Gibson, "they want to know where the RJ room is."

Gibson is taking full advantage. He works nearly nonstop to support all interested students to become trained RJ leaders and ambassadors. According to him, "Adults are tougher to change than young people." ◄

Resources

- Hear TaBiti Gibson talk about Oakland's Peer Restorative Justice Leadership Team at *https://www.youtube.com/watch?v=Y7o_b8sS-gs*
- Read about Restorative Justice and the School-to-Prison Pipeline at *https://files.eric.ed.gov/fulltext/EJ1293515.pdf*

Restorative Justice and Special Education

Restorative justice (RJ) practices are often adopted in a school district to address disproportionality. A designation of "disproportionality" is determined by special education law for any school district that identifies a specific group of students as having a particular disability in percentages that are higher than that group's presence in the district's overall student population; or when a district disproportionately suspends, expels, or places in restrictive settings any group of students in similarly out-of-proportion numbers. When found disproportionate (or "significantly disproportionate" if the percentages are higher than allowed for more than three years) that district then must undergo a process called Comprehensive, Coordinated Early Intervening Services (CCEIS; see article page 19).

Issues of perception and bias on the part of school staff and even assessment practices can complicate efforts to address disproportionality. Adding to the complication is the fact that certain disability categories can be ***subjective***—Emotional Disability, for example, and Specific Learning Disability (unlike such disabilities as hearing loss, orthopedic impairment, or blindness).

Oakland's Response

Oakland's school district was found significantly disproportionate in 2005. As it implemented the CCEIS process, the district introduced ten different programs and strategies to address the root causes. Restorative justice is one of two of those original initiatives that remain active almost twenty years later.

One goal of restorative justice in schools is to create a place where all students belong.

How did the district make RJ a whole-school, all-students initiative? It wasn't easy, says Stephanie Jemilo, who joined the district expressly to work in a committed RJ environment.

"There had been some preliminary cross-divisional work between the RJ department and the special education department" before she arrived in 2019, she says. "I was excited that this partnership was already happening." Too often, she says, "when schools are introduced to something like an RJ program, we see these programs as different and separate," with general education and special education initiating them separately or more often special education not being part of the effort at all. "Often general education teachers don't believe they can include students with disabilities."

An RJ program that includes students with disabilities clearly fits Jemilo's vision—and the RJ goal of creating a school community where all students belong. One of the first things Jemilo did was to educate general education staff about special education, and then to talk about RJ with the special education staff. "There was no pushback that I can recall," she said. "People were so willing and happy that we were providing this information and opportunity."

At the same time, she was surprised by how little ongoing collaboration there had been between general education and special education. She began introducing collaborative efforts not with questions like "How do you support kids with learning and intellectual disabilities in inclusive settings?" Rather, she says, "We were going even one step further back to 'What is a disability? Here are the most common disabilities we see in Oakland. Here is how they present themselves and how you might see them in class. Here are some challenges that might face students with disabilities if they find themselves in a gen ed class with no accommodations or modifications.'"

Redesigning the district's "counseling enriched classrooms" gave Jemilo an important toehold in the work. These classes were created "for students who have a designation of an Emotional Disability," says Jemilo. "These

are challenging classrooms, not because of the students but because of the settings." Many of the students have experienced trauma. These students are put into a small class with other students who have experienced trauma. Often, she says, they are "with staff who have a lot of love for students but may not have been trained in trauma-informed practices." This combination of factors was resulting in "a lot of big behaviors"—and an overwhelmed teaching staff.

Jemilo and her RJ colleagues came up with the idea of doing trainings with the classroom team members—the social worker, the teacher, and the paraprofessional—who "don't get much time to plan together."

The idea was to provide a training that combined RJ and special education before the school year started, "before the stress starts," so that teachers have the mental and emotional bandwidth to "talk about how to create an environment that is safe and calm and welcoming to all students." Jemilo knew that "we could be very proactive in [heading] off some of the challenges."

Even though "the pandemic hit and we had to do this training virtually with just our special education folks," the training was successful. "We offered a second iteration of the training for general education teachers."

That training, says Jemilo, also "broke down the different parts of the RJ curriculum around circles. We talked about the accommodations and modifications that you could make for students, not just with disabilities, but things you could offer all kids." For example, if a student could benefit from a prompt, "you could have some sentence starters on the board so someone doesn't have to come up with their response from scratch. You could give students the opportunity to draw a picture for their response. You could have a visual schedule posted, so kids know what's coming next and how long those sessions are going to last." Jemila also brought into her teacher trainings the foundations of trauma-informed practices.

Students as young as kindergarten and firstgradeknowwhen they'renotwelcomed. Theycantellrightaway when they're being "othered" and when they don't belong.

The content and the strategies turned out to be eye-opening for general educators.

"What we were trying to do is show that this is something that everyone can participate in. And by ensuring that everyone can participate in these activities of RJ, we're also sending a message that this is an inclusive environment."

Jemilo went on to use the materials in other professional development settings. "People want this knowledge. General education teachers want to know about special education." They want to know how to work with and teach students who have experienced trauma, who may be on the autism spectrum, who are sad or lonely or angry. "And oftentimes," says Jemilo, "they think that it just doesn't fall under their job description"—when the behaviors often aren't much different from the behaviors of students in the general population.

Rightful Presence

While Jemilo believes in the importance of including students with disabilities in general education settings, she sees RJ as helping to take inclusion one step further. "Our students with IEPs, as young as kindergarten and first grade, they know when they're not welcomed in a space. They can tell right away when they're being 'othered.' Kids get that message early on that they're different and don't belong."

The word "inclusion," she says, "implies a power dynamic. Someone is doing the including and someone is being included. We're trying to shift to an idea of 'rightful presence'" (*see story on page 47*). By operating from "rightful presence" as a first principle, says Jemilo, "No one needs to be included because we all have the right to be here."

The strategies of RJ are all designed to create a community where its members are able to listen to one another, she says. "That goes hand in hand with how we create a rightful presence." ◄

One System Collective: Developing Tools to Benefit All Students

Local Education Agencies (LEAs) will soon have a new resource to help them improve outcomes for all students, including students with disabilities: The Statewide Initiative Inventory. The inventory, a single, searchable database of the existing state-funded initiatives currently available to all LEAs, is a product of the One System Collective, a project of the California Collaborative for Educational Excellence (CCEE).

The inventory, says Mindy Fattig, senior advisor at CCEE, will allow "county offices of education, school districts, charter schools, SELPAs [Special Education Local Plan Areas] and other educational partners to connect to resources that can help them employ best practices, maximize effectiveness, reduce duplication, and promote improved outcomes for all students."

The inventory is just one of the tools the Collective has created at CCEE. The charge for the Collective, Fattig says, "is to focus on both public policy and implementation practices" in support of one system of education that serves all students.

Origins

The Collective's creation in 2017 was a natural outgrowth of the work of the Statewide Special Education Task Force, which issued its report, ***One System: Reforming Education to Serve All Students***,[1] in 2015. Initially, the Collective was called the Students with Disability Collective and focused only on helping LEAs to support students with disabilities. It created a Basic Levers tool that allowed LEAs to analyze and self-assess their special education programs. "It was a way of looking at your system to see what's working and what's not," says Vicki Barber, one of the leaders of the task force, a former El Dorado superintendent of schools, and current consultant to the Collective. "But it was exclusively for students with disabilities."

Then COVID-19 hit, "and things were put on hold," Barber says. When the Collective team reconvened in late 2021, she says, it began to think of a different approach, focusing instead on how to improve outcomes for *all* students.

There already were a number of discrete state initiatives dealing with inclusive practices, reading/literacy, social-emotional learning, and other topics. "But we needed to create one system," Barber says. "We needed to have tools for LEAs to self-identify their issues systemwide and to connect more readily with available resources."

The resources were out there; what was needed, Barber says, was "resource mapping." An executive advisory committee of educators from around the state had been formed to support the Collective, and they said, "We've got to have a product," Barber recalls. That product is the Statewide Initiative Inventory.

The Collective sent a survey to representatives of each of the existing initiatives, asking them to detail the initiative's purpose and target audience. The survey was sent only to those "universal" initiatives that are available to all LEAs without cost or restrictions on how they may be used by

1. Find the task force report at *https://www.packard.org/insights/resource/one-system-reforming-education-to-serve-all-students/*

an LEA. The 26 responses have been collected in a centralized, searchable database that will be accessed through the CCEE *website*.[2]

Like California's accountability and continuous improvement system, the Statewide Initiative Inventory is based on a three-tiered framework, the first tier being the universal initiatives in the current inventory. Future iterations of the inventory will gather second-tier targeted initiatives for LEAs with identified performance issues, and intensive, third-tier initiatives for LEAs with persistent, long-standing issues.

Mary Ann Dewan, Santa Clara County superintendent, sits on the advisory committee. As the initiative inventory was being rolled out for testing, she says she has seen LEAs access it and "benefit from understanding what evidence-based resources and training already exist. They see where they don't have to start from scratch." The inventory, Dewan says, "is bringing resources together and presenting them in ways that LEAs can use in their improvement efforts."

By consolidating existing initiatives in a single resource, the inventory also will help policymakers see the extent of current state-funded programs, avoid duplication, and identify any gaps or needs not being met.

And with the revised focus on all students, Basic Levers has morphed into *Levers for Systems Change*[3], a tool that allows LEAs to self-assess their entire systems, inclusive of special education. "This was a natural progression to again ensure that we are structurally establishing one system," Fattig says. The tool is up and running, "and we have received excellent feedback on its use," she says.

Additional Focus on Students with Disabilities

The Collective has created two other tools that focus on the school performance of students with disabilities: The CCEE Students with Disabilities Monitoring Tool and the CCEE Differentiated Assistance Dashboard. Both the monitoring tool and the dashboard were launched statewide through California's *Geographic Lead Agencies*,[4] nine county offices of education (COEs) in seven areas of the state.

Fattig says that the monitoring tool "for the first time gives LEAs access on one dashboard to a satellite view of their data for students with disabilities." This includes such measures as an LEA's status in differentiated assistance (level-two assistance to LEAs designed to address identified performance issues), and in significant disproportionality, along with the LEA's status for indicators in the state's Annual Performance Report (APR). The tool will be updated annually when new California Dashboard data are available and when new special education APR reports are released.

The new dashboard collects in one place all the information related to the status of LEAs in differentiated assistance. By consolidating this information, the dashboard will assist COEs in providing targeted assistance to the LEAs.

A Collective Effort

All of the work, Fattig, says, "was generated by practitioners in the field. . . working together. There was a collective recognition that we have to look at the whole system. There is still a focus on making sure that students with disabilities are supported, but we have to break down silos. It's the One System Collective."

To bolster the "one system" concept, Fattig, Barber, and CCEE Executive Director Matt Navo all emphasize that the Collective is working within the Statewide System of Support and is not a separate effort. The One System Collective evolved into its current form "not because we were asked to expand the work," Navo says, "but because we saw a need to bring System of Support agencies together to help create better alignment and coherence within and across the system as it pertains to improvement for all students, particularly those with disabilities."

As Fattig says: "An overarching goal for the One System Collective is to serve as a key partner in the System of Support." ◄

2. The One System Collective website is *https://ccee-ca.org/impact-initiatives-one-system-collective/*

3. Read more about these levers for systems change at *https://levers.ccee-ca.org/*

4. A full list and description of the Geographic Lead Agencies can be found at *https://ccee-ca.org/geographic-lead-agencies/*

Compliance and Monitoring to Support Educators

By Lorraine Garcia, Ed. D., Education Programs Consultant, Special Education Division, California Department of Education

Local Educational Agencies (LEAs) are not alone in their work to serve students with disabilities. The California Department of Education (CDE)'s Compliance and Improvement Monitoring Process (CIM) helps LEAs to identify the steps needed to ensure equity in special education services.

Improving educational results for students with disabilities is the focus of the CDE's monitoring framework. This framework uses a tiered system that differentiates the level of monitoring and technical assistance support for each LEA based on data analyses and the LEA's needs.

At the core of the monitoring framework is the CIM process. The aim is to support LEAs as they meet program requirements under Part C and Part B of the Individuals with Disabilities Education Act (IDEA).

History

In 2022, the CDE released CIM, a multi-year process taking LEAs through a series of steps with targeted or intensive support based on the status (met or not met) for Annual Performance Report[1] (APR) Indicators. LEAs that do not meet specific targets over a designated period of time can be identified as needing targeted or intensive monitoring support. These LEAs are required to participate and complete the CIM process as part of their ongoing, annual monitoring activity.

The CDE recognizes that meaningful improvement likely does not occur in a short period of time and requires a sustained focus on areas in need of improvement in order to lead to positive outcomes for students with disabilities. CIM takes LEAs through a series of steps designed to ask:

1. What is occurring in our system?
2. Why is this happening?
3. How can we address it?
4. And how can we efficiently monitor this plan for the best student outcomes?

LEAs assemble a team that is dedicated to answering these questions, and within the steps are a set of activities to guide teams through their improvement efforts.

Importance

In California, LEAs work to meet state APR indicator targets related to students with disabilities. It is the goal of the CDE to meet the statutes of the IDEA, including addressing disproportionate representation by race or ethnicity of a students with a disability. Disproportionality measures seek to ensure *proportionate* representation by race or ethnicity of a student with a disability by:

- Identification of a disability in general
- Identification of a specific race or ethnicity in a specific disability category
- Discipline
- Placement

These measures ensure that each student, regardless of identified race and ethnicity, has access to the least restrictive environment (LRE).

From the very first step, the CIM process guides teams as they address the indicators that have

1. For more information about the APR, go to *https://www.cde.ca.gov/sp/se/ds/leadatarpts.asp*

not been met. These teams are encouraged to include staff from diverse backgrounds both by race and role.

If it is determined that an LEA has identified a particular race/ethnic group at a statistically higher rate when compared with other groups, then that LEA must participate in the CIM process under the category of disproportionality.

Additionally, LEAs work to improve achievement outcomes for students with disabilities, LRE, and graduation rates. When an LEA has been disproportionate for three consecutive years within the same indicators, the LEA is now significantly disproportionate and will participate in a more intensive monitoring process, which includes completing a more comprehensive plan. This plan engages the LEAs in the same step process, with additional requirements such as reserving 15 percent of its 611 and 619 IDEA grant funds to provide services to the group of students being over-identified.

The CIM process strives to be inclusive of multiple voices and experiences as well as emphasize the use of both qualitative and quantitative data to drive decision-making. Utilizing specific tools, strategies, and activities (either recommended or required, depending on status), the entire process is designed to keep equity at the forefront of decision-making.

The CDE recognizes the importance of building trust and relationships with the educators doing important work with students every day. Working collaboratively in this process will help us to move toward our shared goals. To ensure that LEAs receive the support they need, the CDE has partnered with Technical Assistance (TA) providers who specialize in supporting LEAs based on their individual problems of practice identified in the developed CIM plan. TA providers range from CDE educational program consultants, resource leads from the statewide Systems of Support, and the State Performance Plan Technical Assistance Project (SPP-TAP). These partnerships allow for a greater reach when providing multiple levels of support to improve outcomes for our students throughout the state of California.

Process

Let's walk through the CIM process, which utilizes a variety of methodologies including improvement science. Keep in mind that there are a variety of activities within the steps depending on what is identified. Some of the activities are required, while others are encouraged for greater impact.

To begin, LEAs must create a team of partners. The CIM process offers guidance to participating LEAs on how to establish teams of educational partners who will provide oversight of implementation and development. The improvements are based on the unique needs of each LEA after thorough root cause analysis with a diverse team made of both general and special administrators and educators. The teams are encouraged to include parents, teachers, and cabinet-level administrators from both general education and special education for the most comprehensive insight into the system.

Step 1: This step helps teams to discover what is happening by establishing the current reality. From the onset, creating a team of educational partners with a variety of experiences and lenses is crucial. For example, teams are encouraged to have parent voices during this time, bringing their important and unique experiences into the conversation. CIM teams, along with other TA support providers (depending on the level of support needed), collaborate on analyzing collected data so that LEAs gain a greater understanding of how their system produces its current outcomes, which in turn led to their monitoring status. During this initial step, it is crucial that not only are data outcomes assessed for areas of potential bias, but that the same is done for data collection. Addressing these potential biases in Step 1 allows for a stronger foundation during Step 2, determining the root cause.

Step 2: Now it is time to dig into the data. Continuing with equity in mind, Step 2 includes conducting a root cause analysis, using the data reviewed in Step 1, through the lens of improvement science methodologies. This evidence-based approach helps teams to uncover gaps in their system that result in monitoring statuses such as disproportionality. The awareness allows for creating testing cycles to drive improvement forward. Prioritizing and

establishing root causes in Step 2 help to identify the complex parts of an organization and guide teams through decision-making, planning, and focusing on desired outcomes.

Step 3: Teams design and create a plan that they will implement and monitor over a 27-month period. The plan will identify specific measurable goals and activities to achieve the identified goals. The CDE recommends that as teams create these activities and measure them, student outcomes remain at the forefront of actions and decision-making. Honoring the time it takes to create meaningful change, the plan is expected to take several years, during which members of the team monitor their progress and measure it against their expected outcomes in Step 4.

Step 4: This is the implementation plan phase when LEAs continue to analyze their data to ensure that the activities outlined are moving the district toward their desired goals. The CIM team meets during this time to assess whether the activities require any adjustment based on new data and is tasked with providing progress reports that assist in ongoing communication about the plan throughout the monitoring cycle.

Meaningful improvement requires a sustained focus.

Overall, the new CIM process strives to improve outcomes for students with disabilities by providing more collaboration and support to LEAs. Support is prioritized by need while offering suggested tools to any LEA—in monitoring or not—that wants to evaluate its system. By unifying the monitoring process, the goal of the CDE is to improve equitable practice for students. Interim Associate Director of Special Education Jack Brimhall shares that the "CDE is now moving beyond chasing compliance toward utilizing best practices to improve outcomes."

For more information about targeted monitoring, intensive monitoring, and significant disproportionality, go to *https://www.cde.ca.gov/sp/se/qa/sigdisp.asp*. ◄

Nonpublic Schools and Agencies: A Study to Ensure Quality

Some children have complex mental health or learning challenges that require them to attend schools far from their neighborhoods—and far from their homes and families. Nonpublic schools (NPSs) are where these children often land. NPSs house, educate, and provide important therapeutic services when parents, guardians, and local schools do not have the resources these children need.

Benefits and Challenges

Nonpublic schools vary significantly in size, scope, and even quality. The last study conducted of these schools by California's Legislative Analyst's Office (LAO), ***Special Education: Nonpublic School and Nonpublic Agency Study***[1] (1998), raised "questions about the uniform quality of NPS programs" (page 19 of the study). Nonpublic agencies (NPAs) present other challenges. These "private, nonsectarian establishments or individuals provide related services"—speech therapy, for example, or specialized therapies for students with autism—that an Individualized Education Program (IEP) team determines are essential for students with a disability to benefit from their schooling. According to the LAO report, however, for these agencies there is an "absence of state standards regarding accepted methodologies and appropriate levels of service" (page 15).

Complicating this aspect of special education is the fact that little data is collected on how children are placed in NPSs, how satisfied schools and families are with the child's experience, how beneficial the schools and services are overall, and what the long-term outcomes are.

Another issue that has caused concern over the years is expense. According to a ***2019 study*** of special education in California conducted by the LAO, a school district "might spend more than $100,000 annually to house a student with severe emotional disturbance in an out-of-state nonpublic school" (page 17). The same study on page 2 reports that the average cost of educating a student with a disability is $26,000 a year. The study also reports that some of the services that nonpublic agencies provide can be intensive, time-consuming, and extremely costly—with no clear guidelines, according to the study, about when they are or are not necessary.[2]

Practitioners and parents generally agree that the children served by these organizations are among the state's most vulnerable, a fact that can make concerns about cost seem heartless. Yet the struggle among many LEAs (local educational agencies: school districts, county offices of education, and some charter schools) to pay for these placements and services is real.

The good news is that something is being done to explore the quality and use of nonpublic schools and agencies in an effort to identify the strengths of these organizations and the challenges they face, as well as to provide recommendations for ensuring their effectiveness and efficiency.

Toward a Solution

The California Budget Act of 2021 earmarked $500,000 of Individuals with Disabilities Education Act (IDEA) money for a study of the nonpublic schools and agencies that serve the state's students. ***The study***[3] is specifically charged with examining "nonpublic school placements for students with exceptional needs, ages 3 to 21. . . and shall include, but not be limited to" an analysis and exploration of the following six areas:

1. How California compares to other states in serving students with complex support needs through specialized schools and contract services, such as nonpublic schools and nonpublic agencies (NPS/As).
2. The placement in NPS/A—both

1. Find the *Special Education: Nonpublic School and Nonpublic Agency Study* at ***https://lao.ca.gov/1998/special_education_0998/special_ed_nonpublic_by_air.pdf***
2. Petek, G. (2019). *Overview of Special Education in California*. Legislative Analysts's Office. ***https://lao.ca.gov/reports/2019/4110/overview-spec-ed-110619.pdf***
3. More information about this current study can be downloaded through the following link: ***https://www.cde.ca.gov/fg/fo/r18/documents/sedrfp23.docx***

in state and out of state—of California students with exceptional needs, including students' educational placement prior to NPS/A placement and whether they were involved in the foster care and juvenile justice systems.
3. The process used and the factors considered by Individualized Educational Program (IEP) teams to determine appropriate placements, including the use of legal advocates and assessments to inform placement decisions.
4. Student outcomes in NPS/A placements, including attendance and engagement, measures of behavior and social functioning, and parent or guardian satisfaction.
5. The educational certification process for NPS/As, including monitoring and oversight activities at both the state and local levels to ensure ongoing quality services and supports for students.
6. How to improve interagency coordination between the California Department of Education (CDE) and the California Department of Social Services (CDSS) in certifying and monitoring all components (residential and educational) of NPS/As at state and local levels.

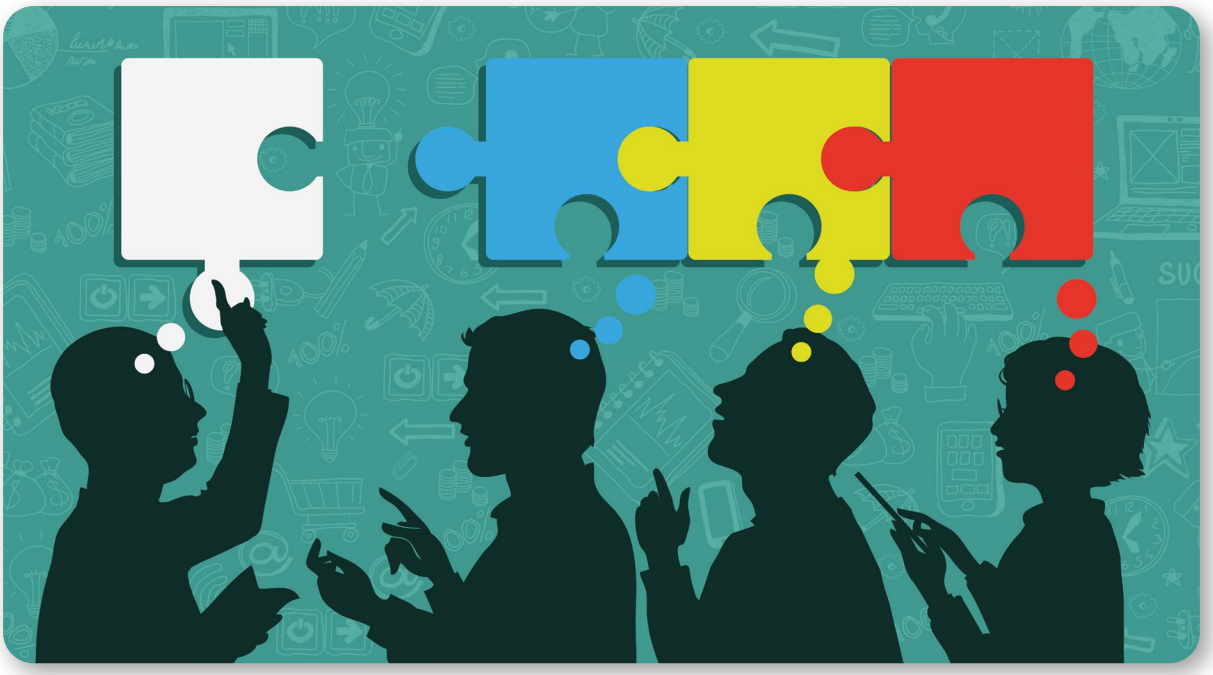
Background

IDEA requires each local educational agency (LEA) to provide a full continuum of services for its students with disabilities when the disability compromises a child's ability to learn.

"Few LEAs are able to provide that full continuum," says Sara Menlove Doutre, a researcher at WestEd and the director of this NPS/As study. When trying to support a child with complicated and unique needs, she says, LEAs can find themselves challenged, especially when the LEA is small. When one of their students requires an NPS placement, school districts often rely on "the support of SELPAs [*Special Education Local Plan Areas*[4]], *cost-pooling*,[5] and relationships with other organizations. At some point, most states and LEAs have to use a nonpublic school or agency to provide services."

On placing a student in a nonpublic school, the district pays the cost in full, including any necessary transportation, even if the school is far from the child's home. IDEA stipulates this responsibility through its mandate for a free and appropriate public education (FAPE) for students with disabilities. When an appropriate education is not available in a student's home school, the district still must provide it.

4. Information about SELPAs and their role is at *https://www.cde.ca.gov/sp/se/as/caselpas.asp*
5. The California Department of Education's definition of cost-pooling for nonpublic schools is at *https://www.cde.ca.gov/fg/aa/se/senpslciecp.asp*



Equity

Ken Berrick[6] is the founder and chief executive officer emeritus of the *Seneca Family of Agencies*, which includes a nonpublic school along with numerous other initiatives that support children "through profound difficulties."[7] In Berrick's experience, the issue of nonpublic schools and agencies "is complicated." At their best, he says, they "provide extraordinarily supportive care for students who are in need of highly individualized services. When nonpublic schools are used well and for appropriate reasons, they can be extremely helpful." (See "*They Gave Us Our Child Back*."[8])

At the same time, he says, these schools "have organically grown up to fill a hole"—that hole being the need to provide unique services for a small group of students with complex challenges. As a result, he says, "whatever has grown up has grown up without a plan."

These schools and agencies have also evolved without requirements for reporting comprehensive data. This lack of data about NPS/As and the students who attend them is a major impetus for the new study. "We haven't looked at these students as a distinct population before," says Doutre. "We need data that tells us who these kids are, what they need, and how we can better serve them."

"You hear anecdotally," she says, "that attorneys have a huge influence" on students getting placed in these schools. "If I can afford an attorney," she says hypothetically, "I may be able to get my child into a nonpublic school and have the school district pay for it because the child has an IEP. And another family may not." Doutre refers to this disparity as "the equity piece."

There's a "mirror version of the same problem," says Doutre, "for those parents who don't want to have their children excluded from mainstream education, but who don't have access to advocacy to move toward full inclusion. So there can be a discriminatory effect in the other direction." In short, many parents don't have money to hire lawyers to get them what they want.

We need to highlight how nonpublic schools can work best for kids.

"The question we'll struggle with," in conducting the study, she says, is "How do you make sure there's access to advocacy that mitigates against both problems?" In other words, how do you make the system equitable?

Berrick ticks off a list of possible inappropriate uses of NPS: as an alternative to expulsion, as a way to avoid inclusion in a general education classroom, as a way to side-step costly and time-intensive behavioral support plans. On the other hand, says Berrick, "There are some districts that have virtually no nonpublic school students because their full-inclusion programs are so extraordinary that they're able to provide most services."

Getting a Full Story

Doutre is a veteran researcher on issues related to special education. For years, she says, she has been hearing "the failure stories about NPSs. Kids are dying. Kids are getting locked up. People are hearing so many different stories," she says, "but it's all anecdotal. And we're not hearing about those programs where [the NPS] is integrated, where the public schools and the private schools are working well together in partnership. We need to highlight how NPSs can work best for kids. Then we can recommend an infrastructure and guidelines that make the best use of what does work."

Doutre expects the most challenging aspect of this study to be about placement decisions, which she calls the "black box of decision making. We know very, very little" about how exactly placements happen. "But even if we can interview 100 IEP teams, that is a small fraction of the students who attend nonpublic schools. And it's really hard to generalize from that."

The task of generalization itself can seem antithetical to special education programs, which are developed from a first principle:

6 Learn more about the scope of Berrick's work at *https://www.acoe.org/Page/197*

7. The complete vision and mission of the Seneca Family of Agencies can be found at *https://senecafoa.org/*

8. Read "They Gave Us Our Child Back" at *https://www.paloaltoonline.com/news/2020/01/10/they-gave-us-our-child-back-how-nonpublic-schools-serve-the-education-systems-neediest-students*

individualization. But through the study Doutre says she is hoping to navigate that "tension between the individualized nature," of the IEP and the need to articulate and recommend effective guardrails and protocols for placement and services.

She speculates that one recommendation from the study might be to legislate more money for NPS/As. "But before we do that," she says, "we need to understand more. We need data telling us about who these kids are, and what they need, and how we can better serve them."

Roles

"We also need to better understand the role of the state and the role of the LEA in placing the child," says Doutre. One unique aspect of NPSs in California, she says, is the oversight role the state has assumed.

In most states, nonpublic schools are subject to the same basic regulations as any other school—approvals from the fire marshal and from the local department of health, for example—and the LEA is responsible for ensuring appropriate placement. In its oversight responsibilities, California goes further.

The CDE visits these schools and decides if they're appropriate for placement. In total, *CDE*[9] certifies more than a thousand nonpublic schools and agencies that provide special education services to students with disabilities. The study will examine how placements are being coordinated across agencies and explore who should be responsible for ensuring NPS quality and effectiveness. "Should CDE take that on?" says Doutre. "Or should the LEAs take that on?"

Schools Out of State

More than 100 California students are placed in nonpublic schools in other states. This pattern of placement is yet another issue the study will explore. "If the goal is to re-integrate students into their homes and their communities," says Doutre, "how does it help these kids to be in Kansas or Illinois?" The study will explore "what is missing from the services in California that leads school districts to send students out of state. Is it just less expensive to fly a child somewhere and fly them

9. CDE. (2023). Special Education—CalEdFacts. *https://www.cde.ca.gov/sp/se/sr/cefspeced.asp*

Statewide Interest in Nonpublic Schools and Agencies

Representatives from nonpublic schools and agencies (NPS/As) are closely following California's study of their organizations and are eagerly anticipating the study's findings. *The California Alliance of Child and Family Services* represents 20 NPSs in the state and has recently formed a NPS workgroup, says Paige Clarke, policy advocate for the alliance. "We had Sara Doutre [director of the NPS/As study] come and talk to the workgroup. We wanted to make sure that providers were engaging deeply so that the study reflects the vast array of nonpublic school programs that are out there."

One of the challenges that Clarke has seen in the general understanding of nonpublic schools has to do with their diversity. People, she says, can "paint them all with the same brush. Even among our 20 NPS members, they are all very different, serving different populations, operating at different sizes, collaborating with other programs to widely differing degrees." The NPSs that are part of the alliance "want to make sure that that diversity is reflected in the study," says Clarke. These schools, she says, are "deeply interested in improving services and working closely with LEAs."

To learn more about the Alliance, go to *https://www.cacfs.org/.*

back than it is to place them in a California setting? Or are there not enough or varied placement options in California?"

Conducting the Study

The NPS/NPAs study has begun. Surveys are being sent "to every NPS and to every LEA and SELPA that has placed a student in an NPS," says Doutre. "Then we will be asking them to distribute survey links to their families."

Doutre hopes to connect with "all different types of families. That's going to be our entry point to get information." From there, the study will conduct focus groups and school visits through the spring of 2024, with the goal of getting "as broad an engagement as possible."

The study is generating some fear, admits Doutre. "School districts rely on these NPSs. And if they become less available" because of unfavorable findings, or if they become prohibitively expensive or because the study leads to increased requirements that make the schools impossibly expensive to operate, some school districts will find themselves in a bind.

"Everyone recognizes that we can't serve kids with complicated issues without NPSs and agencies," says Doutre. "They are a necessary component of our continuum of placement."

Coordinated Systems

Doutre sees *community schools*[10] as one possible bright spot the study might be able to highlight as a way to improve services for the students with complex support needs. "The answer may be in public-private relationships between community schools, nonpublic schools, and agencies that can provide the needed services in a more wrap-around way when they work together," says Doutre.

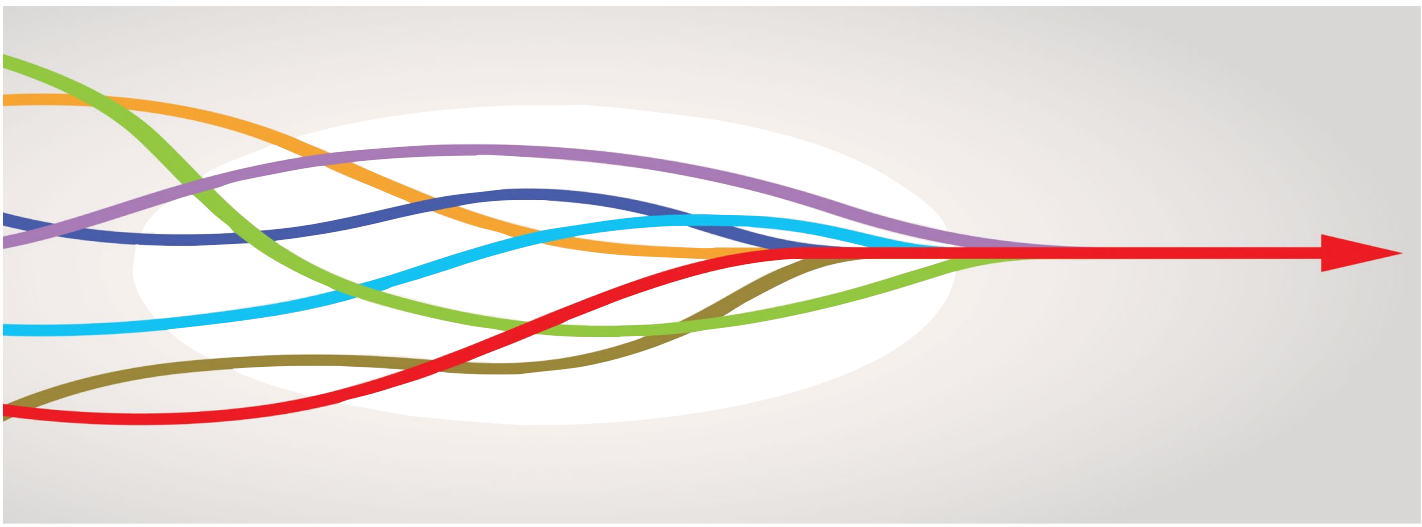
Berrick has for years advocated for a state-wide coordinated system of care as the best answer to serving the state's most vulnerable students. "The current multi-system nature of public education in the state," he says, precludes effective services. "You must have crossover with integrated behavioral health systems that can deeply support children." But, says Doutre, "it's hard to know how nonpublic schools fit in when we don't have the data."

Coordination among agencies, such as between California Health and Human Services and NPSs, "is working so well in some places," says Doutre, "and not as well in others. We hope to point out the problems but then also highlight some models that are working well for kids."

Doutre says she hopes the study will help all invested educational partners know what placement in a nonpublic school or services from a nonpublic agency should look like, where more work needs to be done, where the state's oversight focus should be," and especially, she says, around the decision-making process that IEP teams use to place students.

The study is scheduled to be completed in September 2024. ◀

10. More information about California's efforts to create community schools through the California Community Schools Partnership Program is at *https://www.cde.ca.gov/ci/gs/hs/ccspp.asp*



Beyond Inclusion

By David Toston, Chair of the California Advisory on Special Education

In the pursuit of creating educational environments that foster learning and personal growth for all students, special educators have long championed the principles of inclusion. In education, those principles include the rights of students with disabilities to be educated alongside their non-disabled peers in the Least Restrictive Environment (LRE). In spite of our serious intentions and passionate efforts, we have for the most part, missed the most basic aspect of human needs—Belonging.

After decades of advocacy and efforts toward inclusion, we are realizing that for students with disabilities there is a deeper issue. Have you ever experienced a situation where you were included and yet felt you didn't belong? This strikes at the heart of what we strive to achieve for students with disabilities—true belonging.

Imagine walking into a room filled with faces you do not recognize, engaging in conversations laden with jargon or topics foreign to you. Despite the warm welcomes, you can't shake the feeling of alienation. You're included, yes, but you feel like a puzzle piece forced into the wrong slot.

This feeling is something that many individuals experience in various settings, and parallels can be drawn to the experiences of students with disabilities in inclusive classrooms. The intention behind inclusion, promoting equality and access to quality education for all students, is noble and necessary. However, physical presence in a classroom does not automatically equate to emotional and social belonging.

True belonging dismisses the notion that some students are inherently more entitled to occupy a space than others.

Inclusion is the starting line, the necessary foundation upon which we build. It ensures that students with disabilities have access to the same educational opportunities. Yet inclusion does not automatically dissolve the invisible barriers that create feelings of isolation despite being surrounded by peers.

Belonging transcends the act of inclusion. It fosters an emotional connection, a feeling that one is not just merely present but is a valued member of the school community. Belonging is characterized by mutual respect, meaningful involvement, and the recognition of everyone's intrinsic value and potential. It's an environment where differences are not just accommodated but celebrated.

Abraham Maslow, in his well-known hierarchy of human needs[1], identified "belonging" as part of the third level of need, just after physiological and safety needs.

The ***SWIFT Education Center***[2] has highlighted a ***profound concept***[3] that prompts a reevaluation of our strategies: the idea of "Rightful Presence." This principle asserts that a culture of true belonging is rooted in the recognition that every individual has a legitimate place in schools. It is this rightful presence that dismantles the traditional guest/host power dynamic inherent in many inclusion efforts.

According to SWIFT, an inclusion policy maintains the outdated dichotomy between those who are "invited" to participate (i.e., included) and those who hold the power to extend the invitation. In this dynamic, students with disabilities may be granted access to general education settings, but this access does not necessarily involve deep connections and status within the school community. The students remain guests, subject to the terms and conditions set by their hosts. Such a scenario can hardly be the bedrock for

1. Maslow, A. (1970). *Motivation and Personality*. New York: Harper & Row.
2. Learn more about the SWIFT Education Center at ***https://swiftschools.org***
3. Read the SWIFT Center's full position on Rightful Presence at ***https://swiftschools.org/what-we-do/towardrightful-presence/***

substantial change.

True belonging, on the other hand, dismisses the notion that some are inherently more entitled to occupy a space than others. It recognizes the inherent value of the disenfranchised, asserting that their presence is as rightful as that of any other student. It is a fundamental shift from viewing students with disabilities as outsiders who need to be integrated into the mainstream, to seeing them as integral members of the educational community whose contributions are expected and valued.

Both special and general educators can cultivate a culture of rightful presence by reshaping the ethos and practices of their classrooms and schools. This begins with a presumption that students with disabilities are core members of the classroom whose experiences and perspectives are vital to the richness of the learning environment.

Educators must actively challenge the guest/host dynamic. This involves questioning practices that might inadvertently uphold the idea that students with disabilities need to earn their place or that their inclusion is conditional upon adapting to pre-existing norms. It's about ensuring that all students feel they are a natural part of the school community, not because they have been allowed entry, but because it is their rightful place.

As we reflect on our practices and beliefs, it's crucial to consider how we might be perpetuating the guest/host dynamic, even unintentionally. Are we truly treating all students as if they have a rightful place in our classrooms? Do our actions and words communicate that every student's presence is valued and essential to the community?

By embracing the concept of rightful presence, we move beyond the limitations of inclusion towards a more profound sense of belonging. This transition requires a concerted effort to redefine our perceptions of normalcy and success in the classroom. It's about creating a new norm that celebrates diversity, values all contributions, and views the participation of students with disabilities as an essential part of the classroom. ◀

◀▶◀▶◀▶

For information about the California Advisory Commission on Special Education, go to *https://www.cde.ca.gov/sp/se/as/acse.asp*

Maslow's Hierarchy of Needs