

BCPS EVALUATION OF SPECIAL EDUCATION  
EXECUTIVE SUMMARY  
MAY 2004  
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PREPARED FOR THE BALTIMORE COUNTY BOARD OF EDUCATION

The study was to conduct an independent evaluation of the special education program operated by the Baltimore County Public Schools (BCPS) to determine the following:

1. Is special education staffing appropriate?
2. Are the programs contracted with other providers cost effective?
3. Is the BCPS able to maintain compliance with state and federal requirements within the resources available?
4. Do programs operated within the BCPS exceed federal and state mandates and is the BCPS compliant with state and federal laws?
5. Are appropriate steps taken to assure the Least Restrictive Environment for all students including the following?
  - ③ Are environments at schools open and welcoming to students and parents?
  - ③ Has the BCPS planned for appropriate space for special education classrooms, related services and instructional services personnel?
  - ③ Are all special education program options age appropriate for the students being served?
  - ③ Is the teaching staff appropriately certificated for the students being served?
  - ③ Does the BCPS provide for maximum interaction between special education students and their non-disabled peers?
  - ③ Do special education students matriculate with their non-disabled peers?
  - ③ Does the BCPS provide for all students, including the disabled in their local neighborhood school?
6. Are the professional development activities of the BCPS appropriate?
  - ③ Are professional development activities designed for all student needs, including the students with disabilities?
  - ③ Are professional development activities open to special education personnel and, if so, to which special education personnel?
  - ③ How does the BCPS determine what professional development activities will be provided each year?
  - ③ What personnel are involved in determining professional development activities?
  - ③ Are special education and general education parents involved in determining professional development activities?
  - ③ Are federal and state funded comprehensive professional development monies spent in an appropriate manner?
7. Has the BCPS established and implemented appropriate cost containment procedures with regard to special education programs?
8. A review of the funding of the BCPS as it relates to the above issue will be made.
9. Does the BCPS have an appropriate transportation system for the provision of services to children with disabilities and are travel times appropriate?

10. What are the implications for the BCPS of the number of foster home children placed within the school system?
- ③ Is the BCPS impacted by these placements and to what degree?
  - ③ Are children placed in group homes provided for in an appropriate manner?
  - ③ Are some schools impacted in an inappropriate manner, with regard to their ability to provide compliant services to students with disabilities?
  - ③ Are these students assessed and placed in a compliant and timely manner?
11. Recommendations.

### **Study Methodology:**

Site visits were made at 20 high schools, middle schools and elementary schools, as well as the four special education sites. Approximately 40 focus groups were held, 4 parent input meetings were held and approximately 100 documents were reviewed.

### **Discussion and Recommendations:**

#### **1. Is the special education staffing appropriate?**

The BCPS is commended for providing a high level of staffing in the areas of support from school psychologists, school nurses, and counselors. The school system's special education administrative structure is currently poorly organized and leads to confusion of responsibilities across the school system for parents, staff and related agencies. Authority to carry out special education programs and services on behalf of special education students is not vested in personnel with an appropriate level of authority within the school system. The current special education administrative structure is somewhat dysfunctional as BCPS level administrators have assignments that are too heavy to be carried out with the level of support required. The BCPS needs to reorganize the Office of Special Education in order to provide adequate content and conceptual assistance to schools and areas for both general and special education. Inservice activities need to be provided based upon the needs of students and parents and related to the general education instructional program as well as special education programs and services.

Specific recommendations offered to restructure the Special Education Administration:

1. Align five special education Cluster Leaders to the five area Executive Directors of Schools to provide special education leadership support consistent with the manner in which general education is supported. Each Cluster Leader should have an appropriate title and some degree of authority commensurate with the level of responsibility being assigned.
2. Remove cluster leader responsibilities from 3 of the 4 Coordinators at the central office level and assign the 3 to the Director of Special Education to work in coordination with the Executive Directors of Elementary and Secondary Education. Responsibilities for the Coordinators should include program improvement in the areas of instruction, including systemwide coordinated inservice for general and special education, LRE

coordination including meaningful broad based coordination of a full continuum of instructional settings, and improved related services activities which are delivered in a fair and equitable manner across the school system.

Currently, there are seven Cluster Leaders, and the proposed restructuring would create eight positions; five Cluster Leaders and three Coordinators. The result of the reorganization proposed above would be the addition of one position.

3. Continue to support proactive recruitment of high quality special education personnel by the Department of Human Resources.

**2. Are the programs contracted with other providers cost effective for the BCPS and should the BCPS consider alternative delivery systems?**

In some areas of special education, contracting for services has not been cost effective for the BCPS. The BCPS has generally staffed in accordance with an identified and current student population, not considering required services caused by new or revised IEPs. Trend analysis should be completed in each area of special education services for which the BCPS has significant contracts. The BCPS should consider revising its recruitment and staffing practices to anticipate staffing needs that have been shown through the analysis to be prudent, thereby reducing the need for contracting after the school year begins and saving funds.

**3. Is the BCPS able to maintain compliance with state and federal requirements within the resources available?**

The BCPS has major issues of non-compliance with IDEA and COMAR in the area of LRE. The System has for the last decade followed a process by which students with disabilities are often grouped in programs within areas of the school system or Clusters and are not generally accommodated within their home schools. The BCPS must recognize the compliance issues that this practice creates and begin immediately to revise this process. Specific plans need to be developed and efforts need to be expended to increase the placement of students with disabilities in their home school settings. Inservice training programs need to be developed and conducted with IEP teams to ensure their understanding of the law and implementation of the new direction.

**4. Do programs operated within the BCPS exceed federal or state mandates and is the BCPS compliant with state and federal laws, in regard to IDEA 97?**

The special education program does not exceed federal and state laws and regulations. However, compliance issues with the federal and state law and regulations were noted in the following areas: Over-representation of African American males in special education classes; and the use of cluster programs to provide services to children with disabilities in placements outside of the home school. The use of crises rooms is a questionable practice and should be review by the BCPS to determine if this practice is sound or should be discontinued.

The BCPS is commended on the quality of the audit unit and the effectiveness of the personnel in assisting the systems in maintaining compliance. The impact of the audit unit was demonstrated through a review of schools and interviews with staff. However, it is recommended that the central office administration require the Executive Directors of Schools to use information regarding violation of federal and state laws and regulations as part of the evaluation for site level administrators. It is also recommended that the site level administrative evaluation process include a behavior plan for correcting violations of special education laws and regulations.

**5. Are appropriate steps taken to assure the Least Restrictive Environment for all students including the following:**

**5.1 Are environments at schools open and welcoming to students and parents?**

**5.2 Has the BCPS planned for appropriate space for special education classrooms, and related services and instructional services personnel space?**

**5.3 Are all special education program options age appropriate for the students being served?**

**5.4 Is the teaching staff appropriately certificated for the students being served?**

**5.5 Does the BCPS provide for maximum interaction between special education students and their non-disabled peers?**

**5.6 Do special education students matriculate with their non-disabled peers?**

**5.7 Does the BCPS provide for all students, including the disabled in their local neighborhood school?**

Although there are a number of positive efforts that are currently being implemented to provide a more robust LRE continuum of supports, services, and programs throughout BCPS, this progress is insufficient to meet the urgency to more fully implement the LRE requirements of IDEA and COMAR. Given the fact that the BCPS ranks in the bottom quartile in school systems throughout Maryland relative to LRE is a strong indication of the pressing need for change. Clearly, the BCPS is not in full compliance with IDEA and COMAR.

There are other forces that compel proactive change by the BCPS. This past year, 27 out of 163 schools did not meet AYP because of special education. For another 32 schools, special education was among the reasons for not meeting AYP. Clearly, there is a need for the BCPS to bring about aggressive changes to improve the achievement outcomes for students with disabilities. These changes must be consistent with federal and state LRE requirements.

Through a number of on- and off-site Study activities, extensive data and information has been gathered. This Report contains a summary of federal and state LRE requirements, a review of the methodology that was used to conduct study activities, and a snapshot of the current LRE programs and services within the BCPS. A summary of

LRE strengths, challenges, and overall recommendations have been made. The BCPS is urged to build on many examples of innovative LRE efforts that have been initiated by the BCPS and carry out the following:

1. Work across special education, general education, and support services to develop and implement a Comprehensive LRE Implementation Plan that is aggressive and reflects a sense of urgency for more fully implementing the LRE requirements of IDEA and COMAR.
2. Provide staffing, resources, and incentives to support the implementation of a 3-5 year Comprehensive LRE Implementation Plan. Re-examine the use of existing resources to determine the level of efficiency, effectiveness, and fairness of their distribution and use.
3. Require Executive Directors of Schools, school principals, and other school administrators to develop and implement aggressive school-based LRE strategies within the SIPs to systematically move toward the vision, goals, and timelines of the BCPS Comprehensive LRE Implementation Plan.
4. Implement strong accountability for school administrators for the implementation of school-based LRE plans/strategies.

**6. Are the professional development activities of the BCPS appropriate for the special education students being served with regard to the following?**

**6.1 Are professional development activities designed for all student needs.**

**6.2 Are professional development activities open to special education personnel and if so which special education personnel?**

**6.3 How does personnel determine what professional development activities will be provided each year?**

**6.4 What personnel are involved in determining professional development activities?**

**6.5 Are special education and general education parents involved in determining professional development activities?**

**6.6 Are federal and state funded comprehensive professional development monies spent in an appropriate manner?**

It is recommended that special education professional development activities be based upon a comprehensive needs assessment of all personnel. The comprehensive, coordinated system of professional development to address legal and professional obligations to students with disabilities should be long-range, systemwide, and based on the common core knowledge and skills essential for those serving students with disabilities. In addition, the system must include an evaluation process to establish future training needs. The implementation of NCLB also requires that the professional development needs of the staff be addressed to ensure success of all students in meeting the proficiency levels required.

**7. Has the BCPS established and implemented appropriate cost containment procedures with regard to special education programs?**

The BCPS is to be commended for the outstanding documentation produced related to procedures and processes in the area of business services. The Staffing Plan developed by the BCPS is an excellent document. The school system is also to be commended for addressing the need for cost containment. However, to pursue any greater cost savings, it is recommended that the school system pursue stronger communication and coordination between fiscal services and special education. One recommendation to assist in this endeavor would be the creation of a position in the Office of Special Education that has responsibility to support the fiscal oversight of the budget. This position should be staffed at a professional level to ensure communication among equals in the linkage with the Fiscal Services Department. Regular quarterly, or at a minimum mid-year reviews should be conducted between fiscal services and special education to review budget figures and anticipate financial needs prior to the end of the year. In addition, consideration should be given to the reorganization of the presentation of financial information in the area of special education to ensure that a comprehensive perspective of positions and costs is presented that is understandable for non-fiscal personnel.

The BCPS should also review trends over the past few years to analyze staffing needs. The school system should anticipate more realistic staffing needs and allocate positions on a proactive basis to avoid costly contracting of services.

Training needs should be addressed through a comprehensive Professional Development Plan described in the report. Training areas should include professional development for IEP Teams regarding the fiscal implications of their decisions, related services criteria, and provisions for allocation of personnel assistants.

**8. A review of the funding of the BCPS as it relates to the above issues will be made.**

Data presented indicates that the BCPS is generally in the norm of other school systems within the State in relation to percentage of students served, levels of service, per pupil expenditures, and non-public school placements. It is important to note, however, that the federal government has overall concerns regarding the LRE placements, supports, and services across the State of Maryland. The BCPS ranks in the bottom quartile when compared with other school systems within Maryland in LRE statistics.

**9. Does the BCPS have an appropriate transportation system for the provision of services to children with disabilities and are travel times appropriate?**

The school system operates a large, efficient transportation system in a compliant manner. Costs of operating this system can be reduced by increased provision of educational services to special education students in home schools. There is a need to

provide inservice activities for Transportation Department personnel. It is also necessary for the School System to find a way to improve the transportation of students with IEPs for community-based instruction.

**10. What are the implications for the BCPS of the number of foster home children placed within the School System?**

**10.1 Is the BCPS impacted by these placements and to what degree?**

**10.2 Are children placed in group homes provided for in an appropriate manner?**

**10.3 Are some schools impacted in an inappropriate manner with regard to their ability to provide compliant services to students with disabilities?**

**10.4 Are these students assessed and placed in a compliant and timely manner?**

The BCPS is significantly impacted by a large number of students placed in Baltimore County Public Schools by public agencies. This impact is felt as a hardship on the students being placed, by the foster care providers, and by individual school site personnel. Some schools are highly impacted by the process as placement in foster care facilities tends to be grouped in certain sections of the school system. The effect of this impaction requires personnel at these schools to spend large amounts of time on these students, thereby reducing staff time for other students within the school.

It is recommended that the BCPS personnel work with the State Legislature to increase funding for the school system as a highly impacted school system and to pass legislation that requires school systems to send student personnel files upon request in a timely manner. In the meantime, a strong interagency agreement initiated by the BCPS is needed to remedy this critical problem.

**11. Other Findings**

The following is a listing of areas that were discovered through the course of the study, but were not specifically questioned within the scope of this study:

There appears to be wide disparity in how special education support has been distributed throughout the school system. Some schools appeared to have adequate materials and supplies, while other schools did not appear to have a reasonable amount of the supplies and materials necessary to operate the school. In addition, there were differences between schools in the number of support staff assigned. Part of this may be due to the inability to fill positions in certain schools within the school system.

Although the school environment at many schools was clean, neat and inviting, several schools within the system exhibited an environment that was not welcoming. One example of this issue was a school where the special education classrooms were in the basement and the walls had holes that had not been repaired and a window that had been broken and was then covered with plywood. The difference in maintenance of schools appeared to be related to the socio-economic status of the community.

The differences in school facilities were also observed in instructional staff. While many schools exhibited outstanding instructional personnel doing very meaningful, creative instruction, other schools had unqualified staff providing instruction that did not appear to engage students, nor did it appear to be standards-based. Although all professions will have good, better, and best practitioners, the concern was that there appeared to be a relationship between less qualified staff and the socio-economic status of the community where the school was located.

**Commendations and Recommendations:**

The report includes a comprehensive listing of commendations and recommendations related to the areas of inquiry.