

CONFIDENTIAL DRAFT (10/28/13)

To: Fellow Commission Members

I was appointed to the Commission after the first meeting, so I was not present for what I understand was a general orientation. While I have a copy of the Commission's charge and meeting schedule, I am not exactly clear how future agenda topics will be approached – e.g., how will issues under each topic be delineated? In any event, in my personal capacity, I would like to offer for consideration a sub-topic under “other issues.”

That issue is how to raise the outcomes of all students with disabilities across the spectrum of disabilities. The academic and functional performance of students with disabilities has long been recognized as extremely low. And there is widespread agreement in Maryland and nationwide that this is an urgent priority for improvement of special education.

For example, the U. S. Department of Education, Office of Special Education (OSEP) has undertaken a “Results-Driven Accountability” initiative and “is currently rethinking its accountability system in order to shift the balance from a system focused primarily on compliance to one that puts more emphasis on results.” In a recent class action lawsuit, parents charged the California Department of Education with failing to monitor and enforce IDEA (and associated state laws), including a lack of “focus on improving educational results for all children with disabilities” The Department moved to dismiss the suit, but the U.S. District Court held that the parents’ allegations, if proven true, state a sufficient cause of action.

In Maryland, the Baltimore City public schools have led the way, under the leadership of former CEO Andres Alonso, with the development and implementation district-wide of a model policy called “One Year Plus.” In short, One Year Plus raises substantially the bar for outcomes and is built on two foundations.

First, contrary to conventional perceptions, the large majority of students with disabilities have the cognitive ability to achieve state academic standards. Second, under federal and state laws, these students are legally entitled to specially designed instruction and other supportive services that will enable them, notwithstanding their disabilities, to actually achieve the standards. Both of these foundations are misunderstood by many policymakers and even dedicated educators.

The details of One Year Plus, its foundations and the many implementation challenges are set forth in a report I've written that has just been published by the Abell Foundation. (I was an architect of the policy as a member of the Baltimore school board). The report is long but a copy of the Executive Summary/Introduction is attached and will give you the basic idea. The full report can be accessed at <http://www.abell.org/pubsitems/ed-transspealed1013.pdf>.

Implementation district-wide is in its second year, and there is a long way to go. There are no evaluation results so far. But early monitoring reports and anecdotal evidence of improved outcomes are encouraging. National experts believe that, if One Year Plus is well implemented, outcomes should significantly rise. For example, Donald Deshler, Professor of Special Education, Director of Center for Research on Learning, University of Kansas, has written, “One Year Plus is right on target! Our research shows that the students under the policy CAN meet the 1 + year expectation.” Rachel Quenemoen, National Center and State Collaborative Project Director at the National Center on Educational Outcomes, has stated, “The Baltimore City schools have an important story to tell. The One Year Plus policy should be highlighted nationally as a promising path to raising expectations and academic achievement for all students with disabilities.”

The support for a One Year Plus-like approach to results-driven accountability is spreading. The Baltimore County school system has recently expressed its support for the concept. Ms. Franczkowski, as part of her own efforts to put academic outcomes in the forefront, has also indicated support for the concept. Michael H. Yudin, U.S. Department of Education Acting Assistant Secretary for Special Education and Rehabilitative Services (including OSEP), recently stated that One Year Plus is well aligned with the Department’s high priority effort to shift from procedural compliance to accountability for academic outcomes.

It is essential to understand that while One Year Plus has been initially framed to apply to students on a diploma track, the fundamental principles apply equally to students on a certificate track. The task of improving academic and functional skills for *all* students with disabilities is equally urgent.

I hope, therefore, that the issue of results-driven accountability will be placed on the Commission’s list of “Other Issues” topics. What are current practices and problems from the perspective of MSDE and LEAs? What are options for improving the delivery of IEP services and outcomes? What are the respective roles of MSDE and LEAs in ensuring results-driven accountability for better outcomes?

Perhaps staff to the Commission might do a working paper on these issues. I would be glad to assist.

Thank you for considering.