SUPPORTING LEARNING FOR
Students with Disabilities

Postsecondary Success

The Importance of Summer Learning

Special Education Teacher Shortages

English Learners with Disabilities
FOR TWO OPPORTUNITIES TO INCREASE THE IMPACT OF YOUR WORK
ON STATE BOARDS OF EDUCATION
SAVE THE DATES!

Legislative Conference
Madison Hotel
Washington, DC
March 26–29, 2022

Annual Conference
October 26–28, 2022
features

6 Ensuring Students with Disabilities Leave School Ready to Succeed
States can eliminate barriers that crop up in policies on assessment, graduation, and inclusion. Martha L. Thurlow, Sheryl S. Lazarus, and Kristin K. Liu

12 Debunking Myths about Students with Disabilities
State policy should confront the pervasive low expectations that the outcomes reveal. Karla Phillips-Krivickas

16 Supporting Students with Disabilities throughout the Year
These students lose even more ground than peers during summer and other interruptions in their learning—but they don’t need to. Elizabeth Barker and Angela Johnson

20 Understanding Special Education Teacher Shortages
State boards should consider how state policies may be affecting recruitment and retention. David Peyton and Kelly Acosta

26 Supporting English Learners with Disabilities
Serving children with a range of needs requires overcoming challenges in identification, staff training, and funding. Drew S. Fagan and Luis Javier Pentón Herrera

32 Reenvisioning the Future with Universal Design for Learning
Build a system that supports each student rather than a mythical average one. James D. Basham
Editor’s Note

Valerie Norville
Editorial Director

The last few years have been intensely challenging ones for many students with disabilities, their families, and their teachers. Despite the label that unites these students, the disabilities that lead to their identification are many and varied, so their supports should also vary. This is the thread that connects the articles in this issue: If educators and policymakers can figure out how to build an ecosystem where these students get the personalized supports they need to thrive, then it will truly be possible for all students.

Martha Thurlow and colleagues at the National Center on Educational Outcomes urge state boards to look toward the postsecondary success of students with disabilities and watch for red flags in state policy that work against that success. Karla Phillips-Krivickas follows with a look at the myths that bar students with disabilities from success, including the failure to set high expectations for them.

NWEA’s Elizabeth Barker and Angela Johnson share their research on the impact of interrupted learning over the summer for students with disabilities, and their findings take on added significance with the pandemic interruption in support and in-person education many experienced. They both affirm the potential for academic growth of this student population and the need for extending support beyond the school year.

Even before the onset of COVID-19, many districts struggled with shortages in special education teachers. But not all. David Peyton and Kelly Acosta compare a handful of states for which there are personnel data and find that states with fewer teacher shortages have put in place key supply-side policies. The authors suggest states improve data collection and working conditions, partner with teacher preparation programs, and differentiate pay scales.

Drew S. Fagan and Luis Javier Pentón Herrera urge state boards to consider the challenges faced by the growing population of English learners with disabilities. Without deep understanding of disabilities, the language acquisition process for students learning English as an additional language, and cross-cultural differences, educators will struggle to appropriately identify services for these students.

James Basham circles back to the organizing theme in his article about the promise of the Universal Design for Learning framework for all students—not just those with disabilities, with whom UDL is typically associated. He asks state policymakers to ban designs keyed on a mythical average student and to instead design systems that recognize that every student has special needs that require tailored support. “While some of the worst impacts of the pandemic will fade over time,” he writes, “the struggle toward human betterment will keep foundering without a truly learner-centered education system.”

In his first column for the Standard, NASBE President and CEO Paolo DeMaria urges state boards to remove obstacles to equitable education confronting students with disabilities. And our outgoing president and CEO, Robert Hull, talks with two superintendents at schools for the deaf and blind, which several state boards manage more directly than they do other schools. The superintendents at schools in Ohio and Utah urge members to continue visiting schools like theirs. “We’re specialized,” said Superintendent Joel Coleman, “but the principles that bring success to us will bring success to every student and educator and administrator in the state.”

The State Education Standard

Volume 22, Issue 1

January 2022

NASBE Staff

President and CEO: Paolo DeMaria
Editorial Director: Valerie Norville
Communications Director: Renée Rybak Lang
Associate Editor: Joseph Hedger
Art Director: Gina Addison

Officers

Chair: Janet Cannon, Utah
Chair-Elect: Christine Benson, Illinois
Past Chair: Byron Ernest, Indiana
Secretary-Treasurer: Fern Desjardins, Maine

Area Directors

Central: Pamela Pugh, Michigan
Northeastern: Woody Exley, Connecticut
Western: Ronald McNinch, Guam
Southern: Sarah Moore, Arkansas
New Member Representative: Patti Gubbels, Nebraska

Ex Officio Members

National Council of State Board of Education Executives (NCSBEE) President: John-Paul Hayworth, District of Columbia
National Council of State Education Attorneys (NCOSEA) President: Julie C. Tollefson, Colorado

Editorial Advisory Board

Cindy Davis, Utah
William Durham, Indiana
Woody Exley, Connecticut
Peggy Hill, Kansas
Martin West, Massachusetts
Lu Young, Kentucky

The State Education Standard is published periodically by the National Association of State Boards of Education, 123 N. Pitt Street #350, Alexandria, VA 22314. Published by NASBE under Creative Commons license CC BY-ND 4.0. ISSN 1540-8000. The opinions and views expressed in this journal do not necessarily represent those of NASBE.
As 2021 ended, federal policymakers completed work on several pieces of legislation with major implications for education and were continuing work on others. They passed a bipartisan infrastructure bill and approved a continuing resolution to provide more time to negotiate the fiscal year 2022 federal budget. And they continued discussions about President Biden’s sweeping Build Back Better Act.

The Infrastructure Investment and Jobs Act, P.L.117-58, provides $550 billion in new spending over the next five years, including investments that will benefit students: $200 million dedicated to eliminating lead contamination in schools, $5 billion for school districts to acquire clean-energy school buses, $500 million for schools and nonprofits to improve energy efficiency, and $65 billion for broadband connectivity and affordability. The new infrastructure law also reauthorizes and extends, until 2023, the Secure Rural Schools and Community Self-Determination Act, which provides supplemental assistance to schools in 700 counties that have federal forest land.

Because Congress failed to reach agreement on the budget for federal agencies earlier this fall, lawmakers passed a short-term funding measure to tide government operations over until December 3. Despite the additional time to negotiate a deal, Congress did not reach an agreement. So lawmakers passed a second continuing resolution that extends temporary funding—at fiscal year 2021 levels—until February 18.

In November, the House approved a $1.75 trillion version of the Build Back Better Act. The House-approved version includes nearly $500 billion for new subsidized childcare and universal preschool programs, $500 million for postsecondary completion programs, and several hundred million dollars for teacher recruitment and retention. It did not include the president’s proposed tuition-free community college program. The measure is now pending in the Senate, where White House and Democratic leaders are negotiating with moderate Senate Democrats who want additional revisions. Senate Majority Leader Schumer hopes to complete work on the bill in December, but substantive and procedural challenges may hamper speedy passage.

The U.S. Department of Education had by early December approved the American Rescue Plan Act implementation plans of 47 states and the District of Columbia. Agency officials have also initiated work related to President Biden’s executive orders on advancing educational equity, excellence, and economic opportunity for Black and Hispanic Americans. The Federal Communications Commission was still approving Emergency Connectivity Fund applications, which aim to connect students and teachers to home broadband and devices for digital learning. The FCC has also worked to complete rule making to update the Eligible Service List for its E-Rate program.

Jamie Brandon and Reg Leichty of Foresight Law + Policy wrote this federal update.

---

**Figure 1. Students Served under IDEA by Type of Disability, School Year 2019–20 (percent)**

Note: Data are for 50 states and DC. Visual impairment, traumatic brain injury, and deaf-blindness are not shown because each account for less than 0.5 percent of students served.

In the District of Columbia, families of students with disabilities have access to a unique resource, the Ombudsman for Public Education. Led by Serena Hayes, the ombudsman’s office provides direct support for families experiencing barriers to accessing public education. After a period of defunding, the ombudsman was reestablished in 2014. Hayes’s term began in 2019, and under her leadership, the office has deepened its commitment to serving students with disabilities.

Roughly half the students the ombudsman serves are students with disabilities, who experience a range of challenges. Some of the concerns families bring to the ombudsman are not directly related to the student’s disability. For example, a student with a disability might also experience bullying. The most common concerns that are directly linked to a student’s disability include reports of excessive or inappropriate discipline, failure to implement an Individualized Education Program (IEP) with fidelity, insufficient progress toward IEP goals, placement and location of service concerns, transportation, and safety.1

In response to concerns, the ombudsman offers a range of conflict resolution services. The initial, baseline response is always to address families’ questions and provide information. Thereafter, the ombudsman might use shuttle diplomacy: attend a meeting with the family and school, facilitate a meeting, or provide informal mediation. The ombudsman works with families to ensure that the school hears their values and concerns, even if families do not obtain their desired resolution. During

As students returned to in-person learning, including those with disabilities whose medical conditions put them at increased risk of illness or death from COVID, several schools and parents went to court to challenge prohibitions of mask mandates and public health orders that let students and staff opt out of mandates. Federal district courts in multiple states heard requests for injunctive relief and declaratory judgment. In most cases, plaintiffs claimed the actions violate the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1974 because they prevent these students from equal and meaningful access to public school facilities.¹

For at least two reasons, the suits do not claim that the absence of mask requirements denies students with disabilities a free, appropriate public education (FAPE). Students alleging denial of FAPE would need to first exhaust administrative remedies, thereby precluding injunctive relief. Second, the students are not claiming they have been denied services required to provide FAPE; they claim denial of equal and meaningful access to physical school facilities because, without mask mandates and quarantine requirements, they cannot attend school without increased risk of COVID exposure. They liken a mask mandate to removing peanuts from schools for children with allergies and installing ramps—that is, they are necessary, reasonable accommodations.

Courts have largely agreed and issued temporary injunctive relief, holding that opt-out provisions deny plaintiffs meaningful access and that this denial causes irreparable harm. The courts held that the public interest, including in enforcement of the ADA and Section 504, will be served by issuing an injunction and mitigating the health effects of COVID and its strain on medical facilities.

They rejected arguments asserting masks are unnecessary because other reasonable accommodations—virtual school, enhanced ventilation, and social distancing—are offered. Courts cited evidence that enhanced ventilation and social distancing are less effective without masks and that virtual schooling is not a reasonable accommodation when compared with in-person learning. These lesser accommodations denied students with disabilities “meaningful” access to educational programs, the courts said.

Courts also rejected arguments that masks should not be required because other students, including those with severe autism or communication issues, cannot wear them in school. Courts said reasonable accommodations can be made to this small group by allowing mask exemptions, plexiglass barriers, and letting staff temporarily lower their masks to facilitate communication.

Schools and policymakers continue to face pandemic-related challenges. And now one more: reasonable accommodations to ensure students with disabilities get meaningful access to education. ²

State boards can watch policies for red flags that hold students back.

Martha L. Thurlow, Sheryl S. Lazarus, and Kristin K. Liu

Ensuring Students with Disabilities Leave School Ready to Succeed

For almost three decades, federal education policy has attempted to ensure that all students, including students with disabilities, leave school ready for post-secondary education and employment. Yet despite some early gains in academic performance, students with disabilities continue to lag behind their peers without disabilities.

Many factors may produce this gap: lower expectations, limitations in opportunity to learn, and the increasing diversity of the population of students with disabilities, which includes English learners with disabilities and students with significant cognitive disabilities who participate in alternate assessments based on alternate academic achievement standards (AA-AAAS). Recently, schooling disrupted due to COVID-19 has had a bigger impact on students with disabilities and English learners than many other groups of students.

Although federal policies have promoted the inclusion of students with disabilities in educational opportunities, success remains elusive. Yet much has been learned about how best to include students with disabilities in assessments and accountability, graduation requirements, and educational programming. Based on this learning, we highlight red flags to watch for in policy and suggest what state boards of education and other policymakers can do to support students with disabilities so that they leave preK-12 schooling ready for success.

Increasing Diversity of Students with Disabilities

Just as the diversity of the U.S. population has increased over the past decade,
so has the population of students with disabilities. With the special education population now at 14 percent of the U.S. student population, heterogeneity continues to be the hallmark of these students. They vary nationally and within states and districts in the distribution of students within each of the 13 federal disability categories, the severity of their disabilities, ethnicity and race, and economic background, for example. Among the recent implementation challenges for instruction and assessment are two groups of students with disabilities—students who are English learners with disabilities and students with significant cognitive disabilities.

English learners who have been identified as having a disability have increased in number more than either English learners overall (see also article on page 26) or students with disabilities overall. They vary in their home language, level of English proficiency, primary disability, and academic experience in English. They also vary in number and characteristics across states and localities. For example, states’ percentages of students with disabilities who were English learners ranged from less than 1 percent to nearly 28 percent in 2018–19.

Students with significant cognitive disabilities do not fit into one disability category. Most often, they include some students with autism, intellectual disabilities, and multiple disabilities, as well as some students in other categories such as traumatic brain injury and deaf-blindness. Students with significant cognitive disabilities demonstrate substantial intellectual and adaptive challenges and require intensive individualized instruction. They are eligible to receive educational and transition services beyond their 12th year in school. The percentage of students with significant cognitive disabilities who participate in AA-AAAS also varies considerably across states (figure 1).

Federal Policies

Since 1994, federal policy required states to include all students, including those with disabilities, in standards-based assessments used for Title I accountability under the Elementary and Secondary Education Act (ESEA). With each reauthorization of ESEA and the Individuals with Disabilities Education Act (IDEA), English learners and those with significant cognitive disabilities have received increased attention. For example, ESEA 2015 included English learners’ progress in learning English in Title I accountability rather than just Title III accountability.

Both ESEA and IDEA require that all students participate in school-age assessments used for accountability (box 1). ESEA limits the participation of students with significant cognitive disabilities to 1 percent of the population of tested students. It sets 95 percent of enrollment and 95 percent of students with disabilities in each tested grade as the percentage of students that must participate in assessments for a state to meet its self-identified accountability targets. Accommodations and other accessibility supports must be provided. The laws require indicators of graduation success for these students. Through a least restrictive environment indicator, IDEA also tracks states’ success in including students with disabilities in general education classrooms.

Although states and districts define the parameters of their high school graduation requirements, ESEA sets a standard graduation indicator for Title I accountability. The adjusted cohort graduation rate (ACGR) is defined as the percentage of ninth graders who leave school four years later with a regular or advanced high school diploma. Although states may also calculate five- and six-year graduation rates, the ACGR must be used in Title I accountability calculations. ESEA also provides for a state-defined alternate diploma for students with significant cognitive disabilities who participate in the state’s AA-AAAS. Students who earn this diploma may be counted as graduating in the ACGR.

Red Flags

Most state education policies have been enacted to be consistent with federal law. Most state boards of education adopt standards that define academic and language goals for all public school students in the state. They set parameters for state-level assessments to monitor student progress toward meeting academic standards so students leave high school ready for postsecondary education and employment. State boards regularly identify criteria for English proficiency.
State boards should be wary of adopting policies that inadvertently limit opportunities for students with disabilities.

That English learners must reach to exit services to develop their language skills.

State boards should be wary of adopting policies that inadvertently limit opportunities for students with disabilities and thereby reduce the likelihood they will leave school ready for post-secondary education and employment. Several indicators for assessment, graduation, and inclusion policies may be red flags. We highlight five.

1. **Pervasive low expectations for students with disabilities.** It is easy to claim high expectations for all students without realizing that policies developed to support some students may actually reflect low expectations for them. Low expectations were most blatant in the early 1990s, when assessment practices revealed low expectations during instruction. At that time, students with disabilities were excluded from state tests because it was assumed testing was too difficult and stressful for them, or students with disabilities were placed in tests designed for a lower grade level than the one in which they were enrolled. Pervasive lower expectations existed despite evidence that the performance of students with disabilities overall covered the same range of scores as did those of students without disabilities.8

Similarly, when states were first developing AA-AAAS, they tended to create tests with little relationship to academics, based on the incorrect assumption that students with significant cognitive disabilities could not learn academic content. Also, English learners often were excluded from academic instruction and assessments.9

2. **Different requirements for assessment participation.** Although less obvious than in the past, low expectations remain embedded

---

**Figure 1. AA-AAAS Participation Rates by State for Grade 8 Reading, Based on Total Tested Grade 8 Students in 2017–18 (percent)**


Note: Three states did not submit data to the U.S. Department of Education on participation in the 2017-18 Reading AA-AAAS.
has been much progress in developing assessments based on universal design for learning (UDL) principles (see article, page 32),¹¹ state policies often do not adequately support staff training on how to make appropriate accessibility and accommodations decisions for instruction and assessment.

For example, some students may need more time to complete school assignments (as well as assessments) than other students. English learners with disabilities may need accessibility features and accommodations to support their developing English skills as well as their disability.

4. Misunderstanding of how interim assessment data can support instruction. Formative, interim, and summative assessments have different purposes. Using one for a purpose for which it was not intended compromises the usefulness of results. For example, interim assessments, administered several times in a school year to measure within-year progress, cannot replace summative assessments and vice versa. If interim assessments are a required state or districtwide assessment, the state or district must provide appropriate accessibility and accommodations as well as an AA-AAAS for students with significant cognitive disabilities. Many states and districts have not heeded these requirements.¹²

5. Perpetuating myths about the dangers of inclusion of students with disabilities in general education classrooms. Although inclusion of students with disabilities has increased overall, there continue to be myths about the

---

**Box 1. AA-AAAS Participation**

Federal law requires that the AA-AAAS be used only for students with the most significant cognitive disabilities, and it indicates how many students should participate.

Before ESEA was reauthorized in 2015 as the Every Student Succeeds Act (ESSA), its precursor (known as No Child Left Behind) did not cap participation in the alternate assessment. It merely capped at 1 percent the percentage of enrolled students taking these assessments who could count as proficient for accountability purposes. To dissuade schools from using AA-AAAS where it was not intended, ESSA set a limit on participation, at no more than 1 percent of students tested in a subject area.
Be aware of the history of low expectations for students with disabilities and how that history has been perpetuated.

What State Policymakers Can Do

Policy decisions do affect what takes place in the classroom, even when they seem removed from teaching and learning. There are several things state policymakers can do to ensure their policies are enacted with care.

Examine every education policy for unintended consequences that may impact students with disabilities. Every policy should be reviewed for possible unintended consequences. In the early 1990s, there were unintended consequences arising from policies that aimed to “protect” students with disabilities. Students were “excused” from having to take state tests if they had an IEP. Consequently, teachers did not need to worry about whether these students learned the tested content, and many students as a result had less opportunity to learn grade-level content. And freed from the responsibility for thinking about test accommodations, educators tended to not think about accommodations for instruction either.

Similarly, graduation policies often excused students with disabilities from the requirements for a high school diploma. And without understanding the consequences, IEP teams sometimes held students with disabilities to different standards early in their school years so that the students fell further and further behind what they were expected to learn.

Directly address expectations for students with disabilities. Five steps could be taken to address low expectations head on. First, be aware of the history of low expectations for students with disabilities and how that history has been perpetuated. Second, seek input from parents and educators on the consequences of the expectations to which students have been held. This input likely will reveal that students with disabilities who were held to high expectations excelled while similar students for whom there were low expectations did not.

Third, examine data on assessment participation and performance. Assignment of students to the AA-AAAS can harm students who should be held to grade-level achievement standards by reinforcing low expectations. Fourth, require that persistently low-performing students with disabilities have access to the general education curriculum and that their instruction is high quality. Students who are behind their peers likely need both remediation and acceleration strategies, in addition to special education services.

Fifth, continue to monitor the progress of these students toward reaching grade-level content standards. English learners with disabilities will also need intensive instruction to increase English language skills needed to participate in and be successful with content instruction. Both must occur if English learners are to catch up.

Review the accessibility of state assessments, including accommodation policies. Critical to the success of students with disabilities is adequate access to what is being taught and what is being asked of them on an assessment. The first step in achieving this goal is the use of UDL in both instruction and assessments. For assessments, this means designing each assessment to be accessible for a wide variety of test takers. Universally designed assessments will include varied testing populations during development, pilot tests, and field testing; the precisely defined constructs to be tested; unbiased, accessible items; and items that are amenable to accommodations. States should require universal design for all state and districtwide assessments.

Understand the different purposes of interim and summative assessments. Most interim assessments are commercially produced but not all. A recent convening of experts and stakeholders highlighted the confusion and challenges around different types of assessments, particularly interim ones. Among the convening recommendations were to check whether students with disabilities are included, with needed accommodations or with an alternate interim assessment, and to ensure that interims are aligned to grade-level content standards.

Debunk myths associated with the inclusion of students with disabilities in general
Least restrictive environment provisions in IDEA make it clear that the general education classroom is the starting placement for every student with a disability. Only those students who cannot receive a satisfactory education there—with the assumption they have been provided needed supplementary aids and services to enable them to participate— should be assigned to a more restrictive setting.

Multitiered systems of support (MTSS) can support the learning of all students, including those with significant cognitive disabilities and English learners with disabilities, by providing academic and behavioral instruction and interventions through a tiered system in which all students receive core instruction (tier 1) and fewer students receive supplemental instruction or interventions (tiers 2 and 3). Ongoing screening and progress monitoring are built into the framework. In addition, incorporation of positive behavioral interventions and supports (PBIS) programs can dramatically improve the likelihood that inclusion is successful.

There is ample evidence that including students with disabilities in general education classrooms does not interfere with the progress of students without disabilities. In fact, evidence suggests that inclusive schools and classrooms benefit both. The more that state boards ensure state policies embrace the latest research and inclusion strategies, the greater the likelihood that students with disabilities will be included in general education classrooms, which is vital for setting them up for success upon graduation.

2ESEA refers to these students as “students with the most significant cognitive disabilities.” In this article, we use the shortened “students with significant cognitive disabilities.”
6IDEA requires participation of all students with disabilities in all state- or district-required assessments, even if not used for Title I accountability.
7The state-defined alternate assessment must have requirements that are consistent with the state criteria for a regular high school diploma. See Martha Thurlow et al., “Considerations for Developing State-Defined Alternate Diplomas for Students with Significant Cognitive Disabilities” (Minneapolis and Charlotte, NC: NCEO and National Technical Assistance Center on Transition, 2016).
13In general education classrooms, teachers address the needs of all students, including students with disabilities, by carefully considering student access needs when developing standards-based IEPs, universally designing instruction, and collaborating across general and special education to provide support to students. For more on inclusive education of students with significant cognitive disabilities and ways to universally design instruction so all students, including those with significant cognitive disabilities, can benefit, see TIES Center, www.tiescenter.org.
15Martha L. Thurlow and Rachel F. Quenemoen, “Revisiting Expectations for Students with Disabilities,” NCEO Brief 17 (Minneapolis: NCEO, 2019); Quenemoen and Thurlow, “Students with Disabilities in Educational Policy, Practice, and Professional Judgment.”
17Martha L. Thurlow et al., “MTSS for All: Including Students with the Most Significant Cognitive Disabilities” (Minneapolis: University of Minnesota, NCEO/TIES Center, January 2020).
Debunking Myths about Students with Disabilities

When education initiatives set out to help those who have been “historically disadvantaged or historically marginalized,” they perfectly describe students with disabilities. Yet too often, these students have been excluded from conversations about equity in education.

Consider my middle school–aged daughter: Had she been born a few decades earlier, she would not even have the right to attend her school because she has Down Syndrome. This right did not exist until 1972, when a U.S. district court overturned a Pennsylvania law that allowed schools to deny children with intellectual disabilities attendance in a public school.1

Just a few short years later, Congress opened public school doors for millions of children with disabilities through the Education for All Handicapped Children Act. This law, now known as the Individuals with Disabilities Education Act (IDEA), not only guarantees the rights of students with disabilities to attend a public school but also promises a free, appropriate public education in the least restrictive environment. Yet 46 years later, families and advocates are still fighting for its full implementation and enforcement.

According to the National Center for Education Statistics, students with disabilities comprise 14.1 percent of all public school students. While federal law defines 13 categories of disabilities, most students with disabilities—nearly 70 percent—come from only three categories considered to be generally mild in nature: specific learning disabilities (such as dyslexia), speech-language impairments, and other health impairments (see figure, page 3).

Setting High Expectations

One of the most pervasive myths about special education is that most students receiving special education services have an intellectual disability. Not true. Over 90 percent do not.2 Thus the vast majority of students qualifying for special education services can be expected to reach the same level of academic achievement as their peers without disabilities if they receive the specially designed instruction and support to which they are entitled. Even so, misconceptions regarding the intellectual abilities of special education students easily seep into state policy and conspire to lower expectations for these students.

Consequently, it is important for state boards of education to set audacious goals and to translate them into policy. The call to “raise expectations” might sound like a broken record, but many students can attest to the impact that low expectations have had on them.3 As former U.S. Secretary of Education Arne Duncan said, “No belief is more damaging in education than the misperception that children with disabilities cannot really and shouldn't be challenged to reach the same high standards as all children.”4 Students deserve more. As states align state policy and goals to work toward equitable education, they must pursue high expectations, appropriate services, and booming achievement for students with disabilities.

Benchmarking Achievement

While it has become clear that school shutdowns during the pandemic disproportionately affected students with disabilities, researchers are just beginning to quantify how much. In any case, there were alarming achievement gaps on almost every measure before the pandemic.

A 2018 meta-analysis found that students with disabilities were on average performing more than three years below their nondisabled peers.5 Scores on the National Assessment of Educational

Karla Phillips-Krivickas
Despite a generally stagnant movement in academic achievement, more students with disabilities are graduating with a regular diploma.

Progress reveal a decline in reading and math for students with disabilities over the past 20 years. As always, these rates vary widely by state. One state witnessed a 24-point decline in fourth grade reading for students with disabilities over this period; another saw a 13-point improvement. The fact that these gaps have persisted for so long is concerning, but I worry more that we have grown accustomed to them—or even worse—have begun to assume that because these students have disabilities there will always be a gap.

Graduation rates, however, have been an anomaly. Despite a generally stagnant movement in academic achievement, more students with disabilities are graduating with a regular diploma. In 2019, 68 percent of students with disabilities graduated nationwide. This rate is 17.6 percentage points lower than that of their nondisabled peers, but it shows great improvement, given that in 1996 only 27.2 percent of students with disabilities graduated with a regular high school diploma.

The many changes to graduation requirements and reporting measurements at the federal and state level make it difficult to compare states. However, state boards can examine their own state’s data to determine whether their state’s rising graduation rates for students with disabilities have been commensurate with other achievement data. High school diplomas open doors to college and careers, but students must be prepared to succeed as well.

Examining Within-Group Diversity

Too often, the conversation stays focused on the gap between students with disabilities and those without. But thinking about students with disabilities as a monolithic group ignores the diversity within this subgroup.

When Utah looked at school mobility, dropout, and graduation rates across student disability categories in 2014, researchers found that academic achievement varied greatly by category:

As a group, students with disabilities had graduation rates nearly 20 points lower than the 78 percent graduation rate for general education students. A closer look, however, revealed that students with speech or language impairment graduated at rates nearly on par with the general population, whereas students with autism, emotional disturbance, or intellectual disability had graduation rates below 50 percent, and students with multiple disabilities had the lowest graduation rate of all, at just 16 percent.

With this type of analysis, states can begin productive discussions about the appropriate policies and practices to address the unique needs of their students. When reviewing achievement data, state boards can request that their state education agencies disaggregate data by disability. Some of the categories may have too few students to be reported publicly, but even data kept at the state level will provide new insights and provoke important conversations.

Endrew Case

In its unanimous 2017 decision of Endrew F. v. Douglas County School District, the U.S. Supreme Court clarified the standard for a free and appropriate public education. It declared that students with disabilities must be provided an “appropriately ambitious” education. Chief Justice John G. Roberts wrote, “A student offered an education program providing ‘merely more than de minimis’ progress from year to year can hardly be said to have been offered an education at all.” Before Endrew, six circuit courts had used a “merely more than de minimis” standard to determine if students’ plans were adequate to confer educational benefit. The Endrew ruling changed the game.

The ruling came amid a much-changed context. In contrast with the early years of special education, 95 percent of students with disabilities in 2018 were educated in regular classrooms for at least some portion of the school day. Even more striking is that the majority (64 percent) were educated inside the regular class for 80 percent or more of the day. As with most national averages, these numbers vary greatly by state, ranging from 44 to 83 percent, and by disability. For example, 88 percent of students with speech and language impairments spent 80 percent or more of their day in general education, whereas only 17 percent of students with an intellectual disability did.

As decades of research have demonstrated, educating students with disabilities in general education, inclusive environments—with the services and support that they need—improves their outcomes. Schools need flexibility to design new strategies that meet the unique needs of their learners. Times have changed,
and schools need the space to innovate and create more inclusive learning environments. States should evaluate the flexibility provided to schools during COVID and determine which waivers can be made permanent.

Prioritizing Postsecondary

The goals and dreams of students with disabilities are the same as those for all students, and always have been. However, there is a disconnect. Students with disabilities fall behind in planning and taking the steps necessary to achieve their postsecondary goals. A Mathematica study found that “youth in special education are almost half as likely as their peers to report taking college entrance and placement tests (42 versus 70 percent).” This gap is even more concerning given that federal law requires that students’ individualized education plans facilitate attainment of postsecondary goals such as further education and employment. This transition planning must involve the students as much as possible and reflect their preferences, interests, and strengths.

Federal law requires that every state report the results of compliance audits on these plans with a mandatory goal of 100 percent. Furthermore, states must report actual postschool outcomes of students with disabilities. Both indicators are to be reported at the local level as well. Yet postschool outcomes are still poor, underscoring that legal compliance alone is insufficient.

Just as postsecondary education improves employment outcomes for the general population, it improves prospects for students with disabilities. To ensure that K-12 schools are preparing all students for a bright future, state boards should monitor postsecondary outcomes for students with disabilities. In conversations on college and career readiness, boards should ascertain whether their state has a transition policy or is relying solely on the enforcement of federal law on reporting outcomes.

There is much progress to celebrate over the past 50 years, but the United States and its schools have far to go before equity is a reality for all students. What began as an exercise in civil rights compliance decades ago must transform into a genuine commitment to prepare students of all abilities for college and careers. Deliberate, strategic leadership from state education leaders can ensure that the needs of students with disabilities are taken into account on every issue and in every policy decision.

9For an excellent blog post examining possible explanations for the divergence of graduation rates and academic achievement, see “The Special Education Graduation Conundrum” (Little Rock, AR: The Reform Alliance, February 6, 2018), https://thereformalliance.org/2018/02/06/the-special-education-graduation-conundrum/.

Karla Phillips-Krivickas is the founder of Think Inclusion and partners with leaders to ensure students with disabilities are included in all policies and programs.
Supporting Students with Disabilities throughout the Year

Elizabeth’s Story

In the months leading into my first summer break as a special education teacher, my feelings were bittersweet. My excitement for recharging my batteries on vacation was quickly overshadowed by concerns about the reality for my students. Some could qualify for continuing to receive support services during the summer months; others could not. Some would qualify but not be able to attend due to family circumstances.

Most of my students needed services that were unavailable to them during the summer months, such as speech-language pathologists, behavior specialists, or occupational therapists. Despite all the hard work my students put into their studies during the school year, the summer represented eight weeks without support. And while for some students, reading for 20 minutes a day or doing 10 to 15 minutes of math on an app can help mitigate academic loss, I struggled to come up with solutions that supported all my students. To maintain their academic progress, most required the more in-depth, one-on-one teaching or services they received during the school year. I quickly learned that summer could not give me a sense of freedom or relaxation but rather provoked anxiety about my students.

Qualifying for Programs and Services

Nationwide, over 430,000 thousand teachers like Elizabeth serve seven million students with disabilities. The Individuals with Disabilities Education Act (IDEA) mandates a free and appropriate public education (FAPE) for eligible students with a disability in one or more of 13 categories, and to the greatest extent possible, for inclusion, so that students with disabilities are educated alongside their peers without disabilities.

Under IDEA, schools are required, at no cost to families, to identify and evaluate students with disabilities who may need special education and related services to support their learning. Schools are also required to provide “appropriately ambitious” instruction and show that students are making progress.

To demonstrate students are growing academically, schools assess students periodically during the school year and report their progress. For example, if students are receiving FAPE, test scores should improve between the fall and spring of a school year. In contrast, flat within-year test score trajectories suggest students’ educational needs are not being met.

In addition to the school year, summer learning opportunities are critical to students with disabilities. Students who qualify for services under IDEA sometimes are also eligible for extended school year (ESY) programming. Such programs may include academic content as well as services like speech-language or behavioral therapy and are provided when school is out of session. ESY eligibility is determined on an individual basis. Although local education agencies vary in their procedure for determining program eligibility, ESY is often deemed necessary when interruptions in learning during the summer months hinder the progress a student made during the school year.

How this is defined depends on state and district policies. In some states and districts, students become eligible for ESY if in the most recent academic year it took them longer than expected to relearn what they lost during the previous summer.

Here’s a simple example to illustrate: In fall 2018, Sammy’s teacher noticed that Sammy had lost considerable math skills over the summer. While all students can be expected to lose some learning during the long summer break, it is taking...
The critical kindergarten year should be better leveraged to help students with disabilities make more progress in reading and math.

Sammy much longer than expected (relative to peers) to relearn the math concepts during the fall. Concerned that this loss will impact Sammy’s long-term growth and that the upcoming summer might also be a challenging time, the teacher recommends that Sammy receive ESY in summer 2019.

Essentially, the decision for ESY eligibility is based on whether the learning the student gains over the school year is significantly jeopardized if they do not get services over the summer or any extended period without services. Thus measuring summer learning (or summer learning loss) for students with disabilities is important for determining if ESY is offered to them.

Measuring Academic Achievement and Progress

Given the goal of ensuring that all children receive an equitable education and that policy maintains high expectations for them, measurement of learning and progress is an important component of IDEA. However, understanding of achievement and growth for students with disabilities is limited because data are rare. Historically, states have had different policies and practices for assessing students with disabilities and reporting their achievement scores. Many states did not report test scores separately for students with disabilities. There is no state or federal longitudinal database that tracks their academic progress over time.

Research based on student achievement at a given point in time has tended to show troubling discrepancies of one standard deviation or more between the academic outcomes for students with and without disabilities. These studies might seem to suggest that students with disabilities are not making as much academic progress as their peers. But there is an important caveat. These studies share a key limitation: Since the assessment data they used were collected at most once a year, progress could only be tracked across but not within school years.

Take the National Assessment of Educational Progress, for example. Test scores for a representative sample of students show that in fourth grade students with disabilities score about one standard deviation lower than students without disabilities in reading and math. This information makes clear that schools across the country need to do a lot more and a lot better to support students with disabilities. What is unclear is when and how to do that—the most important part. Key information that would help these students is missing from the data. Scores on a test given once in fourth grade will not reveal where students were academically when they started school or how much progress they made from fall to spring, from year to year.

Data showing how much students with disabilities grow within each year are critical to education policy and practice but are missing at the local, state, and national levels. Studies have shown that students in general education typically grow in math and reading during months in school, but growth tends to slow down, stop, or turn into loss during summers when school is not in session. We have reason to believe that students with disabilities may be even more susceptible to learning loss during out-of-school time since some services essential to their learning are taken away. But there has previously been no similar within-year growth research focused on students with disabilities.

New Evidence and Implications

We therefore recently looked at this important topic using a unique dataset that followed a cohort of students from kindergarten to grade 4, testing each student in math and reading up to three times a year. In this study, students in special education services scored about 0.5 standard deviations below their peers in the fall of kindergarten, and by the end of grade 4, the disparity expanded to one standard deviation. What is especially interesting, and perhaps surprising, is that this expansion of disparities was mainly shaped by the kindergarten year and by summers between school years (table 1).

During kindergarten, students in special education grew less than their peers, but in each subsequent grade, students in special education grew at least as much as, and sometimes more than, their peers. However, students in special education lost more learning during several summers, which led to widening disparities despite their promising school-year growth.

These findings are important for a few reasons. First and foremost, the growth rates affirmed the academic potential of students with disabilities. Second, we learned that the critical kindergarten year should be better leveraged to help students with disabilities make more progress in reading and math. Earlier assessment
specialists can be especially important in supporting students with intersections of needs, such as English learners with disabilities (see article, page 26) and students with multiple disabilities.

Partnerships among research, practice, and policy are also key to improving students’ outcomes and experiences. Through the sharing of data, experience, and expertise, researchers, educators, and policymakers can work together to generate actionable findings that are relevant to practice and improve programs and services in an iterative process.

Data-based decision making is especially important in the current times. During the pandemic, most students experienced severe disruptions in instruction and services. We anticipate these disruptions to have especially large impacts on students with disabilities since many of the supports and services they need, like one-on-one instruction, are difficult to deliver or less effective when provided remotely. In the upcoming school years, schools have the monumental responsibility of helping students with disabilities recover unfinished learning and continue to make progress toward their goals. To support this effort, we offer the following research-based recommendations.

**Recommendations**

**Policy.** State boards and policymakers should advocate for assessment practices that both monitor and affirm the progress that students with disabilities are making. Teachers and

---

Table 1. Monthly Growth Rates for Students in Special Education Compared with Peers

<table>
<thead>
<tr>
<th>PERIOD</th>
<th>MATH</th>
<th>READING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kindergarten</td>
<td>Grew Less</td>
<td>Grew Less</td>
</tr>
<tr>
<td>Summer after K</td>
<td>Lost More</td>
<td>Lost More</td>
</tr>
<tr>
<td>During Grade 1</td>
<td>Grew More</td>
<td>No Difference</td>
</tr>
<tr>
<td>Summer after Grade 1</td>
<td>Lost More</td>
<td>Lost More</td>
</tr>
<tr>
<td>During Grade 2</td>
<td>No Difference</td>
<td>No Difference</td>
</tr>
<tr>
<td>Summer after Grade 2</td>
<td>No Difference</td>
<td>No Difference</td>
</tr>
<tr>
<td>During Grade 3</td>
<td>No Difference</td>
<td>No Difference</td>
</tr>
<tr>
<td>Summer after Grade 3</td>
<td>Lost More</td>
<td>Lost More</td>
</tr>
<tr>
<td>During Grade 4</td>
<td>No Difference</td>
<td>Grew More</td>
</tr>
</tbody>
</table>

Source: Growth rate estimates from Angela Johnson and Elizabeth Barker, “Understanding Differential Growth during School Years and Summers for Students in Special Education,” EdWorkingPaper 21-409 (Providence, RI: Annenberg Institute at Brown University, 2021). Differences that were not statistically significant are listed as “No Difference” regardless of their sign or magnitude.
While supply and demand for fully qualified special education teachers has ebbed and flowed for nearly 30 years, demand has consistently outpaced supply nationally. These shortages imperil the opportunity for students with disabilities to receive an appropriate, individualized educational program, as guaranteed by the Individuals with Disabilities Education Act (IDEA). However, not every state is experiencing the same shortages.

Teacher shortages are often viewed as a national issue and through a national lens. But individual states’ challenges in addressing special education teacher shortages differ in degree and kind, and states thus enact varied solutions to address them. A state’s geography, resources, and political climate are just a few elements that can drive differentiated approaches to shortages or constrain implementation of thoughtful solutions.

By and large, state policymakers are well positioned to assess the extent of shortages, navigate the vagaries of regional differences, and carry out effective policies. As state boards of education and other state policy leaders consider their approaches to shortages of special education teachers, it will be instructive to consider how their policies differ from those of other states.

Defining Shortage

Teacher preparation programs have recently been seeing declining numbers of graduates, signaling inevitable teacher shortages. Understanding special education teacher shortages is more complicated, however. According to the Schools and Staffing Survey administered by the federal Office of Special Education Programs (OSEP), shortages have historically been considered as the proportion of fully certified special education teachers within the total pool of special education teachers, known as a quality shortage. That is, although there are individuals staffing special education teaching positions in states with quality shortages, those teachers either have not met state-level requirements for certification or are serving only in a temporary capacity. Regardless, having teachers who are not fully certified undermines the intent and spirit of IDEA, with remote and underserved communities bearing the brunt of the quality shortages.

Thus state leaders might want to consider the key policy differences in states with lower rates of uncertified special education teachers. And what might be learned from these policies and applied to future policy proposals to address shortages? My colleagues and I set out to investigate these very questions.

What Policies Tend to Matter?

Our research examined what differentiates states with high and low shortages of fully certified special education teachers. Using a conceptual framework that aligns factors influencing supply and demand in the teacher labor market with state policies related to recruitment and retention, we compared states that reported complete, consistent personnel data to OSEP over a 10-year period (figure 1). We identified fourteen states with reliable data: seven with low and seven with high shortages of special education teachers. States with low shortages were consistently 3 percent below the national average; high-shortage states were above.

In the states with high levels of special education teacher shortages, we saw higher student-to-teacher ratios, an
for every teacher in the state who was not fully certified. Low-shortage states also invested more in teacher compensation (figure 2) and had higher per-pupil expenditures, taking into consideration a state’s cost of living and compensating differentials—that is, the additional amount of income a given worker must be offered in order to motivate them to accept jobs viewed as undesirable compared with all other available positions.

In essence, states with low shortages of special education teachers had similar demand conditions as did high-shortage states, with few exceptions. However, low-shortage states addressed this demand for special education teachers with supply-side policies that allowed them to avert state-level quality shortages. In the

estimation of teachers’ student caseload. When asked as part of the Schools and Staffing Survey, special education teachers stated they are more likely in high-shortage states to either leave their current position for another (for example, as an elementary teacher or a special education position elsewhere) or leave the profession altogether. Presumably, these intentions eventually create vacancies that are more likely to be filled by less qualified individuals.

States with low special education teacher shortages tended to have greater capacity to recruit and retain them and thus to offset statewide quality shortages. For example, they had access to a more robust pipeline of potential special education teacher candidates, producing on average 11 special education graduates for every teacher in the state who was not fully certified. Low-shortage states also invested more in teacher compensation (figure 2) and had higher per-pupil expenditures, taking into consideration a state’s cost of living and compensating differentials—that is, the additional amount of income a given worker must be offered in order to motivate them to accept jobs viewed as undesirable compared with all other available positions.

In essence, states with low shortages of special education teachers had similar demand conditions as did high-shortage states, with few exceptions. However, low-shortage states addressed this demand for special education teachers with supply-side policies that allowed them to avert state-level quality shortages. In the

Figure 1 Uncertified Special Education Teachers in Low- and High-Shortage States, 2006–15 (percent)

Note: As reported by the federal Office of Special Education Programs in their annual report to Congress. Median percentages of high- and low-shortage states are compared with the national average, and annual ranges are provided for each group.
case of more acute shortages at the district level, a local school administrator may experience a paucity of any candidates for a posted position, even though there may actually be more candidates statewide to fill special education positions than vacancies. We suspect that this is a challenge both low- and high-shortage states face in some of their districts and regions.

What Steps Can State Boards Take?

A common solution proffered in discussions of special education teacher shortages is to simply pay more and wait for the market to adjust. While this solution may hold in the private sector and where funding is bountiful, neither condition describes the realities of K-12 public education. For state policymakers, this solution may be neither politically nor fiscally practical. A more utilitarian approach is to consider degrees of change that are targeted, less contentious, and data driven. To this point, we outline four strategies that deserve consideration from state boards of education, placing them in ascending order of difficulty: improved data collection, improved working conditions, partnerships with teacher preparation programs, and differentiated pay scales.

Data collection. State data collection and reporting has been a pervasive challenge across the country. More nuanced, timely data reporting can help states and school districts identify and target short- and long-term strategies to meet local demand that are more cost effective and more likely to improve student outcomes. A comprehensive analysis of statewide and local data in Wisconsin, for example, enabled the state to identify available, qualified teachers within the statewide pool and identify districts with pervasive staffing problems who were unable to retain special education teachers due to a lack of administrative support and poor working conditions. This analysis led to targeted recommendations that the state and its districts could adopt to address shortages.

To help states and local districts collect and analyze relevant data, the Collaboration for Effective Educator Development, Accountability, and Reform (CEEDAR) Center, in partnership with the Center on Great Teachers and Leaders at American Institute of Research, a
In exit surveys, special educators cited poor school culture and climate as their top reason for leaving. Their principals, however, indicated that they believed the teachers had left due to paperwork burdens.

The Mississippi team initially targeted their retention efforts on development of a robust induction and mentoring program for first- and second-year special educators, which is just under way. The program will include mentor training and monthly check-ins with mentors, administrator professional development focused on inclusive practices and professional development for first- and second-year special educators on high-leverage practices, a professional learning community for third-year special educators, and ongoing monitoring of data on program effectiveness.

**Working conditions.** A robust research base has established that working conditions matter. Special education teachers who have unfavorable working conditions are less likely to remain in their position and continue teaching, disproportionately affecting high-poverty schools and exasperating acute shortages.

Clarity and consistency of roles and responsibilities are working conditions that matter. Too often, a special education teacher is pulled in multiple directions, with little time to provide instruction. Estimates suggest that special education teachers spend as little as 40 percent of their day actually teaching, with paperwork, meetings, and consulting consuming the remainder of their instructional day. Moreover, roles and responsibilities can change from year to year, limiting their instructional effectiveness.

To carry out these roles, teachers need accepting school cultures, well-informed leadership, and collaborative colleagues. The lack of these forms of support is related to special education teachers’ burnout, intent to leave, and attrition. Conversely, leaders who are schooled in effective practices for students with disabilities, think systematically about collaboration between general and special education teachers, seek out differentiated professional development, and provide tailored curriculum stand a better chance at retaining teachers.

State board leaders can take two meaningful steps with regard to working conditions. First, they can seek baseline data about working conditions across the state but specifically in the hardest to staff areas. Next, they can press for targeted funding and incentives to develop the leadership in these districts and schools necessary to improve working conditions. Most administrators do not know how to support special education effectively or understand what conditions enable teachers to carry out the job effectively. Addressing this gap is essential to staving off attrition, and it is fiscally responsible. The cost to provide such supports is considerably less than that for hiring and training a new teacher.

**Teacher preparation programs.** State education leaders can also incentivize opportunities for districts and schools to partner with teacher preparation programs to leverage student teaching placement and implementation of evidence-based practices for students with disabilities. Student teaching placements are powerful predictors of not only special education workforce entry but also retention beyond three years. Not all placements yield the same outcomes. Special education teacher candidates who are placed with experienced teachers licensed in special education are more likely to take a special education teaching position.
and to have greater impact on student reading outcomes, all else being equal.¹²

The next step is to better align the skills teachers gain in preparation programs with those required in the field. For example, special education teachers who apply evidence-based reading practices in the classroom that are aligned with practices they learned in preparation yield better reading outcomes for students with disabilities. This synergy also promotes alignment of the roles that special education teachers prepare for and are hired for, increasing the likelihood that teachers will remain at the school.

**Pay scales.** Increasingly, researchers have found that there are not necessarily too few credentialed special education teachers but rather not enough willing to work in unfavorable conditions for the compensation being offered.¹³ Differentiated pay structures have been suggested time and again for hard-to-staff positions and more challenging roles. However, the pay differential needs to be substantial. Estimates from our studies and others suggest that the differential to recruit and retain special education teachers must exceed $2,500 to have an effect.¹⁴

At the state level, increasing teachers’ salaries is a hard sell in many political environments. However, the experience with recent teacher work stoppages and the prolonged bout with the pandemic have indicated that public opinion and political will might well be changing—and that willingness to make investments in public education may be more malleable than in the past.

There is no easy solution to addressing special education teacher shortages. But if any of these proposals are to have their intended impact, state and district leaders will first need to identify the scope of the problem. Then they can marshal the data and resources necessary to act. Each of the strategies we present for recruiting and retaining special education teachers requires a substantial investment of time, resources, and coordination among a host of stakeholders.²

³However, OSEP does not report on annual state-level special education teaching vacancies, a hole in the data states could and should address, as we discuss below.
⁶Low-shortage states include Connecticut, Illinois, Kentucky, Michigan, New Hampshire, North Dakota, and Pennsylvania. High-shortage states are Alaska, Hawaii, Kansas, Maryland, Nevada, Utah, and West Virginia.
⁸Goff, Carl, and Yang, “Supply and Demand for Public School Teachers in Wisconsin.”
While total U.S. public school enrollment has hovered around 50 million since 2000, the percentage of students identified as English learners has grown, from 8.1 percent in 2000 to 10.1 percent in 2017. A subgroup of these students, English learners with disabilities, continues to be one of the most underserved.

English learners with disabilities accounted for 9.5 percent of all students with individualized education programs (IEPs) in 2013–14 and 11.28 percent in 2019–20 (about 830,000 students). Of those, 93 percent received services for high-incidence disabilities (such as a specific learning disability, speech/language impairment, or intellectual disability) while the remaining 7 percent received services for low-incidence disabilities (such as hearing or visual impairment or traumatic brain injury). Despite the growth in this population, teachers and administrators frequently do not understand the unique experiences, needs, and strengths of these students.

The Every Student Succeeds Act (ESSA) defines English learners as individuals not born in the United States or whose native language is a language other than English...whose difficulties in speaking, reading, writing, or understanding English may...deny [them] the ability to meet the challenging State academic standards, the ability to successfully achieve in classrooms where the language of instruction is English, or the opportunity to participate fully in society.

Beyond this general definition, English learners bring varied backgrounds to the classroom. They may have extensive to minimal prior formal schooling, for example. They have varied knowledge of the language that is spoken at home or in countries where they were born and varied exposure to English. The time spent in the United States also varies, with many having been born here.

ESSA emphasizes that state and local education agencies (SEAs/LEAs) must provide sufficiently trained staff so that English learners have equal opportunities for attaining English language proficiency and academic achievement across content areas without being unnecessarily segregated from non-ELs, thus leading to a well-rounded education. To monitor and evaluate these students’ progress toward language proficiency and mastery of grade-level content, all staff—not just specialists in English for Speakers of Other Languages (ESOL)—should have a working knowledge of these culturally and linguistically diverse students’ needs.

Identifying Students for Services

English learners with disabilities are a unique population. To properly identify these students for appropriate services and address their academic needs, educators must understand a trifecta of factors: disabilities, the language acquisition process for students learning English as an additional language, and cross-cultural differences, including knowing how U.S. expectations and norms for students compare with those of other countries.

Without being steeped in all three, educators can misconstrue the factors, leading to a disproportionate representation of English learners in special education. For example, students’ behaviors may be viewed as connected to a disability when in fact, they are a normal part of the language acquisition process or stem from differing cultural understandings, expectations, or norms.

Conversely, decision makers may discount disability as a possibility for...
But these behaviors might also be connected to a learner’s lack of educational experience or different cultural and behavioral norms. Or it might reflect where the learner is in the English language acquisition process—a silent period in which language comprehension precedes language production. School staff must take all these factors into account to address these students’ needs appropriately.

This work requires collaboration between specialists in special education and ESOL. Ideally, special education specialists will possess a working knowledge of the ESOL field, including language acquisition and cross-cultural communication, and ESOL specialists will have working knowledge of special education. Classroom teachers and administrators should have foundational knowledge of both as well.

How this collaboration translates into practice varies. Bearing in mind the parameters of the SEA or LEA, learners should be allowed to receive ESOL and special education services an English learner, particularly if the student is young or has only recently arrived in the United States. Educators may be reluctant to assess these students early in their U.S. educational experience, at least in part because of an exclusionary clause in the Individuals with Disabilities Education Act (IDEA), which states that limited English proficiency “is not a determinant factor for the determination of special education.” Consequently, some English learners who do indeed have disabilities may not be receiving the services they need.

Researchers Vicki Adelson and colleagues illustrate the difficulty an English learner’s observable behavior may pose for teachers and other decision makers who are not knowledgeable of these students’ backgrounds and needs. For example, aggressive or withdrawn behaviors could be connected to issues with self-regulation, social communication, language processing, anxiety, or depression, all of which are often connected to special education needs. But these behaviors might also be connected to a learner’s lack of educational experience or different cultural and behavioral norms. Or it might reflect where the learner is in the English language acquisition process—a silent period in which language comprehension precedes language production. School staff must take all these factors into account to address these students’ needs appropriately.

This work requires collaboration between specialists in special education and ESOL. Ideally, special education specialists will possess a working knowledge of the ESOL field, including language acquisition and cross-cultural communication, and ESOL specialists will have working knowledge of special education. Classroom teachers and administrators should have foundational knowledge of both as well.

How this collaboration translates into practice varies. Bearing in mind the parameters of the SEA or LEA, learners should be allowed to receive ESOL and special education services.
simultaneously, with specialists in each being deeply aware of what occurs with the other service. Dual certification in ESOL and special education might be a useful option, though stringent certification requirements may make this infeasible in some states. At the very least, educators can collaborate when creating IEPs and lesson plans for these learners.

Funding Challenges

Under federal law, English learners and students with disabilities are protected groups, meaning that U.S. schools must accurately identify and provide language accommodations (in the case of English learners) and special education services (in the case of students with disabilities). Federal policies protecting English learners are outlined in Titles I and III of ESSA; IDEA is the federal law granting protections to students with disabilities. Independently, these federal policies provide funding and hold schools accountable for providing appropriate support and services to students who need these services.

Yet funding remains a major challenge for states and school districts providing services to English learners with disabilities. In fiscal year 1982, Congress agreed to authorize grants to states that would cover up to 40 percent of the extra costs associated with special education services per student—known as full funding. However, IDEA state grants have never met the authorized full-funding level.9 Available data from 1988–2021 show that, on average, the national average per pupil expenditure covered by the federal government has oscillated between 7 and 18 percent. The only exception occurred in 2009, when stimulus money during the Great Recession temporarily boosted the figure to 33 percent.10

Underfunding for English learners under Title III is not as dire, but there has nonetheless been a concerning downward trend in Title III.11 A recent report shows that Title III funding has not kept up with the steady English learner growth. From 2009 to 2016—the latest available data—the Title III average per pupil expenditure decreased by 9.4 percent.12 Further, the latest Title III state biennial report shows that, in comparison to school year 2014–15, Title III funding for 2015–16 decreased for 26 SEAs, increased for 24, and in Vermont and Wyoming remained the same.13

Thus, programs granting protections for both English learners and students with disabilities are underfunded, which presents real challenges to states and school districts. When states and districts fail to receive funding to support their students with disabilities, they cut costs in any way possible to stay afloat. For some, the only feasible option is to offer only one service to English learners with disabilities—ESOL or special education. By not fully addressing these students’ needs and expecting them to be academically successful with only half the support they need, they are shortchanged.14 At the same time, special education and ESOL specialists, who are often not trained to provide support beyond their area of expertise, will also struggle.15

Professional Development Challenges

A lack of educator knowledge is the other pressing barrier to supporting English learners with disabilities. For English learners, teachers must have received training in the basic tenets of second language acquisition, the process of acculturation, effective instructional and assessment methods, and linguistically responsive pedagogy.16 To support students with disabilities, teachers must understand the developmental characteristics of exceptional learners, assessment and evaluation in special education, and adapted instructional methods. However, of the five states with the highest percentage of ELs—California, Texas, New Mexico, Nevada, and Illinois—only California and Illinois have specific certification requirements for support of English learners with disabilities.17 In California, special education teachers must take courses that include “content for teaching English learners,” and ESOL teachers are required to take courses that equip them to identify when English learners require special education services.18 For Illinois’s qualified bilingual specialist certification, teachers are required to take courses in special education, bilingual education, and second language acquisition.19

The gap presents challenges for ESOL teachers whose students need but are not receiving special education services and, conversely, for special education teachers whose English learners’ needs are not being met. This knowledge gap widens in classes where content-area teachers may have received limited or no preparation to
Professional development for

There are four options for bridging the gap between the services English learners with disabilities need and the preparation for teachers—content-area, ESOL, and special education alike: co-teaching, professional development, certification requirement changes, and dual certification options. Co-teaching, or working in synergy, to support English learners with disabilities is a promising practice, but it is more work for teachers and intensifies the funding challenges. Professional development for educators working with this student population is another option that school districts can offer, though a potential risk is that professional development alone may be a Band-Aid that equips teachers with only limited knowledge.

The third option consists of altering the requirements for all teacher certification areas. To be certified in general content areas, teacher candidates must have specific credit hours dedicated to English learners, disabilities, and, specifically, English learners with disabilities. ESOL teacher candidates must have credit hours in special education, and conversely, special education teacher candidates must have credit hours in ESOL.

The fourth option expands on the third to promote more pathways for dual certification. In our view, dual certification in ESOL and special education is the best choice for bridging the gap between the services these students need and the education teachers receive. Some school districts are already partnering with local universities to do so. In this model, special education teachers pursue ESOL certification, and ESOL teachers pursue a special education certification. These dually certified candidates would then work in tandem with content-area teachers, whose coursework in their own teacher certification programs ideally addressed this student population. Such work would lead to more robust collaborative lesson planning and co-teaching options.

Teachers do not work in a bubble; school and district leaders also need to understand the needs of English learners with disabilities in order to promote, support, and further develop the work of their schools’ and districts’ teaching force. As such, school leader/administrator certifications must move beyond general cultural diversity knowledge as it relates to educational leadership and delve into the specific cultural, second-language acquisition, academic, and disability needs of this student population.

Moving Forward

The growing population of English learners with disabilities will need the support of teachers, teaching assistants and paraprofessionals, administrators, and district and state leaders who understand their dual needs. Educators need foundational knowledge of the English language acquisition process, cross-cultural differences, and disabilities. States need to account for ways in which their educators can acquire this knowledge base so they can apply it in the classroom.

While knowledge of language acquisition, cross-cultural differences, and disabilities represent the foundation needed to support the learning of English learners with disabilities, they do not encompass everything these students need. Great change has occurred in our country in just a recent handful of years. The country has witnessed social unrest sparked by long-standing inequities and a pandemic that magnified those issues of access and inequality in the U.S. education system. Moving forward, school districts and leaders ought to shift their attention to the mental and emotional effects that global, social, and community events are having in their schools and take a special interest in groups that are vulnerable and in individuals in more than one such group.

As we mentioned before, the population of English learners was already increasing; the recent influx of asylum seekers at the southern border and of refugees from Afghanistan has led to an even larger increase in English learners. Given the continuing trajectory of growth in this population of students, we propose three overarching courses of action that state boards of education can take to promote excellence, equity, and meaningful access for English learners with disabilities across educational contexts: management of disparate funding streams, ensuring equitable access to services, and revamping licensure.

Delineating and managing funding. Because funding for these students comes from different federal entities, state boards should set aside a proportional amount of funding from these in
relation to the population of English learners with disabilities in their states that is to be overseen by all three corresponding state and local entities: Title I, Title III, and special education offices. In doing so, state boards will ensure that these offices at the SEA and LEA levels must confer in order to decide how to best allocate funding to address students’ needs. Further, state boards should look at short- and long-term data. The short-term data should include the current numbers of this population at local school districts. The long-term data should examine where this population might relocate, given their transitory nature in many districts around the country.

Ensuring equitable access to all services that benefit these students. These students must have full access to all services required to address their academic, language, cultural, and disability needs—ESOL and special education services, as well as mainstream classrooms. Too often, these students only receive half of the services they need due to shortages of funding or personnel. State boards must ensure that districts can satisfactorily provide both.

Revamping education personnel qualifications, including the creation of funded programs and cohorts. We propose that state boards evaluate current educator qualifications and modify the licensure requirements to support English learners with disabilities by including coursework that properly trains all education personnel—content-area teachers, ESOL teachers, special education teachers, administrators, and others. It is important that all personnel within the school district take responsibility for their part in addressing these students’ needs. Further, we encourage state boards to partner with local institutions of higher education to offer funded programs and cohorts that allow in-service education personnel to receive appropriate licensure to support this student population without taking on a financial burden themselves.

5U.S. Department of Education, Nonregulatory Guidance: English Learners and Title III of the Elementary and Secondary Education Act (ESEA), as Amended by the Every Student Succeeds Act (ESSA), September 23, 2016.
11Carnock and Silva, “English Learners with Disabilities.”
12Unidos US, “FY21 Federal Budget: Title III Support for English Learners” fact sheet (June 1, 2020).
16Else Hamayan et al., Special Education Considerations for English Language Learners: Delivering a Continuum of Services, 2nd ed. (Philadelphia: Caslon Publishing, 2013).
20Hamayan et al., Special Education Considerations for English Language Learners.
A central lesson driven home by the struggles of schools around the globe during the pandemic is that education systems are inadequate to meet society’s future needs. It is time for systems that are learner-centered and flexible enough to meet the needs of all students—from those with disabilities and diverse learning needs to those who are gifted and high performers. Such a system would produce technologically adept, information-literate, adaptable, expert learners. The framework of Universal Design for Learning (UDL) provides a stable, evidence-based foundation for this vision of the future of education.

Of course, many problems the pandemic highlighted in the education system were set in motion well before COVID-19. Two overarching reflections should ground thinking about the future of the education system: 1) there is no average student, and 2) information literacy is the bedrock for all students’ ability to thrive in the information age.¹

Overcoming the Focus on Average

First, variability is the norm rather than the exception in schools. Yet the education system is designed for the mythical average student, who attends school daily, does the assigned work at acceptable rates, asks only necessary questions, is supported by engaged parents, and generally conforms to established expectations. Students that struggle to conform to the norm are identified as requiring extra services—say students with disabilities or gifted—or decide that school is not their best option. To achieve human betterment across society, education leaders need to overcome the barriers imposed by system designs based on the statistical average.

Historically, the education system supported social and economic development by producing socially conscious students who would graduate, support the regional labor market, enroll in postsecondary institutions, serve in the armed forces, or some combination of these. Conceptually, schools established systems to attain these ends by balancing academic rigor with life and occupational skills. They put supports in place “as needed” to catch the students and families falling through the cracks. Whenever a new crack emerged, a new support would emerge. Often these supports arose without due reflection on how the design of the education system contributed to the newly formed crack.

Some of these support systems have been enshrined in law (e.g., special education, gifted, Title I) to ensure consistency in the qualification of students and practice. As society and labor markets have become more complex, the knowledge and skills students need have increased, and the cracks and divides have grown wider.

Like every human system, the education system is rife with bias and error, which manifest in decisions about which students need (or do not need) extra support and why, in how those decisions are made, and how students so identified are served. Other times bias and error have led to well-meaning programs that achieve intended outcomes while also producing unintentional side-effects, creating more cracks to be filled. To overcome ongoing obstacles in providing equitable opportunities to learn, for example, state and local education leaders adopted academic learning standards and measures in hopes of supporting high levels of achievement across diverse groups of students. However, greater standardization leads to increased focus on the average and is in tension with the need for more personalization in student learning.

So while some of the worst impacts of the pandemic will fade over time, the
The struggle toward human betterment will keep foundering without a truly learner-centered education system.

Design for the Future

Second, continuing innovation, including in information technology and its dissemination, will have societal consequences that outlast the pandemic. Education leaders have talked about the need for a technology- and information-literate society for roughly 40 years. The spread of incivility and misinformation during the pandemic has further underscored the widespread lack of information literacy. There is no quick fix for this threat to human progress.

The World Economic Forum in 2016 proclaimed a fourth industrial revolution. Like the preceding industrial revolutions, the fourth will instigate disruption in nearly all aspects of life. Interdisciplinary innovation and continued rapid technology adoption, its two driving forces, will only increase with time. The need for information- and technology-literate lifelong learners is greater than ever. To promote lifelong learning, schools must equip students with knowledge and skills that enable them to separate good information from bad and to self-regulate—that is, to direct their behaviors toward goals in support of their learning. To design an education system for the future, we will need more than the traditional academic standards and measures of learning to ensure students are ready.

The Role of UDL

For the last 15 or so years, I have researched, designed, and supported the implementation of education programs using the UDL framework. Overall, UDL has been found to have positive impacts on varied academic and social-emotional outcomes for all students but especially for students with disabilities and other diverse learning needs. For instance, the framework has been foundational to the design of effective digital, personalized, and competency-based learning environments.

UDL was initially developed in the late 1990s by educational nonprofit CAST as an offshoot of Universal Design and its quest to ensure accessibility and adequacy in buildings and products. It has become an educational design framework to ensure that all students, but especially students with disabilities, can adequately access and gain meaning from learning environments and experiences. The initial concept was simple: If the education system was designed to be accessible from the beginning, it would make education more inclusive and better for all students.

Since its founding, UDL has garnered a limited but growing following of education leaders, educators, families, researchers, software developers, educational designers, and policymakers. It was highlighted in the Every Student Succeeds Act, Higher Education Opportunity Act, and the last three National Educational Technology Plans, as well as by UNESCO. Educators are applying UDL in lesson planning, education leaders in developing learner-centered programs, software developers in learning technologies, and architects in how they think about learning spaces.

Moving beyond Accessibility

Surpassing the simplicity of the original vision, UDL now supports the design of educational experiences from early childhood through adulthood. In its current implementation, UDL focuses on all learners—still including those with disabilities but also those who are high performers, gifted, and everyone else. It helps learners engage with and understand content and express this understanding. Additionally, UDL helps each learner understand how they learn, when they need more, and how to evaluate the effectiveness of their learning. Thus it encourages lifelong learning.

Interdisciplinary research in neuroscience, human development, and education underlies UDL—that is, what is known about the human brain and how it applies to day-to-day learning experiences (whether in a classroom or elsewhere). The science shows that learners vary in how they engage and process content and in how they demonstrate understanding. This variability produces a variance in outcomes but also demonstrates each learner’s individuality. Some learners are motivated and perform better in language arts, some in STEM, while others do well in band or hands-on activities like those in a vocational class. What works for some does not work for all. Therefore, designing an education system and learning experiences aimed at the “average” means missing the needs of many learners and perhaps is designed for no one.
State and local education leaders, educators, policymakers, and other stakeholders (e.g., educational technology developers, architects) should consider designing education systems and experiences from a UDL perspective. They should begin this process by considering how students engage with, process, and demonstrate understanding of content. The UDL guidelines help these education designers think about the variables that play a role in education systems and experiences (figure 1).

Implementation of UDL is grounded in three principles. First, every learning experience should be designed to support multiple means of engagement. If a learner cannot engage with the content, they are unable to learn it. Second, the learning experience should provide for multiple means of representation. For instance, an educator’s lesson planning should represent the content in multiple ways and include strategies and tools to teach content effectively to all learners. Third, learning experiences should integrate multiple means of action and expression of understanding. For example, rather than being required to write an exam response using a pen in a blue exam booklet, students would...
UDL focuses on uncovering and overcoming barriers to learning across all systems and subsystems.

What Does UDL Mean for Schools?

UDL is not a Band-Aid for schools, good for a year or so until the next bandwagon comes along. Its implementation is also not something to be laid on the backs of educators—something for them “to do in their classrooms.” Implementation focuses on uncovering and overcoming barriers to learning across all systems and subsystems associated in states, districts, or schools that are working toward creating equitable learning environments for all students.

Over the last few years, the global UDL community has been building Learning Designed, a nonprofit global platform hosted by CAST, to bring together research and resources for UDL. Several resources there can help schools better understand and implement UDL. There are field-based microcredentials for preservice and in-service educators to demonstrate understanding and competencies in implementing the framework. Additionally, the newly added UDL School Implementation and Certification Criteria provide school teams a way to visualize, plan, and support implementation. Eventually, these criteria will provide a means for schools to be recognized for their efforts.

Roles for State Boards, Education Leaders, and Policymakers

The overarching lesson of the last year is that the post-pandemic system should not be the pre-pandemic education system. UDL provides a basis for an education system rooted in what is known about the design of learning environments and experiences for all learners.

I offer these questions for those who make state-level and district-level decisions to help them reflect on the design of those systems:

- What framework and principles guide every school employee in the development of a learner-centered education system?
- What barriers must be overcome to produce learners who can be successful in the economy of tomorrow?
- How is the education system identifying and overcoming barriers to support a learner-centered approach that minimizes bias and error?
- How is the education system preparing learners who are information and technology literate?
- How are students developing the self-regulation knowledge and skills to support lifelong learning?

1Sometimes referred to as digital or media literacy, information literacy builds students’ ability to identify, find, evaluate, and use information effectively. Students learn how to evaluate the quality, credibility, and validity of information and give proper credit. See Common Sense Education, https://www.commonsense.org/education/digital-citizenship/information-literacy.
7Molly Follette Story, James L. Mueller, and Ronald L. Mace, The Universal Design File: Designing for People of All Ages and Abilities (NC State University, Center for Universal Design, 1998), https://eric.ed.gov/?id=ED460554. UD helps ensure that all people, including those in wheelchairs, those who are blind, and those with arthritis, can access the library, shop, text and make calls, and use kitchen tools (e.g., ice cream scoops).
9Those new to UDL might find this short guide useful: Blueprint for UDL: Considering the Design of Implementation.
The NASBE Interview

Because state boards of education frequently have direct authority for and regular reporting from schools for the deaf and blind, which typically are stand-alone districts, NASBE opted to interview two superintendents about their work. Dr. Lou Maynus is superintendent for the Ohio School for the Blind and the School for the Deaf. Joel Coleman is superintendent for the Utah Schools for the Deaf and the Blind (USDB). NASBE’s Robert Hull interviewed them in November 2021.

What should state boards know about your schools in terms of postsecondary success? How is it different from other schools?

**Maynus:** When we’re talking about students with low-incidence [disabilities]—handicapping conditions, or for deaf students, deaf culture—a large number are not employed or have a hard time getting jobs once they leave school. Oftentimes, it’s because employers do not understand how they can make it happen. We need that transition piece strengthened for our students with college and career readiness. The tie between middle and high school—we call it pre-ems or preemployment—all the way to business and industry and college needs to be strengthened. Because when we do have an employer or get in with postsecondary and get it right, our students are highly successful. It’s just about providing that bit of scaffolding and those supports.

I have a director for teaching and learning who is blind herself. She’s a great role model. And I have a director for teaching and learning who is deaf himself. They both model professionalism at the highest level. It’s about those connections for college and career readiness. It’s getting everyone on the same page.

**Coleman:** A lot of times we’re focused on access for students with disabilities, but access sometimes can be no more than being an observer of what everyone else is doing when they’re thriving. We need to have a mind-set that goes beyond access. When we do things like hire teachers who are blind for the blind and teachers who are deaf for the deaf, or administrators for that matter, they model the kind of engagement that their students can have in the real world, instead of just giving them the minimal experience of simply knowing what everybody else is doing.

It’s difficult for policymakers to facilitate innovation and success without getting into the weeds and being too prescriptive. There’s nothing harder than to not do more. [Elected officials] want to roll up their sleeves, dig in, and do everything they can to help, but sometimes all they need to do is simply remove barriers and whenever possible work with state legislators [and] at the national level to remove regulations that might box us in too much where the rubber hits the road. [They should] allow the educators who are specialists in this field and the administrators who oversee them to create an environment and a culture of thoughtful but really bold creativity. We don’t have to do things the way they’ve always been done.
Special education is just right for that kind of thinking because we personalize education for each child with an individualized education program. The Individuals with Disabilities Education Act creates a tremendous framework. But we also need to have the freedom to try things, to fail, and to try again. I don’t think that’s different from the children who are typically developing in the regular classrooms. If state boards could have that mind-set, they could create a framework and encourage a lot of innovation without trying to prescribe everything through policy. We could see some exciting approaches with students with disabilities—or with regular ed students who are also craving that personalized, competency-based approach that meets the needs of more students.

**Why has your school achieved postsecondary success?**

**Coleman:** Our state board has been very thoughtful about producing a portrait of a graduate, which I know is not unique to Utah. When NASBE talks about creating college, career, and civic success, we’re just saying, “What should successful, happy adults look like? What are the baselines for that?”

In Utah, USDB has a role in the lives of the kids who are deaf, blind, or deaf-blind from birth on. We also have a whole core of early intervention teachers that go into homes and help families learn about their children. Incorporating the families into the learning process is a critical element. I realize that’s an ideal standard that’s really difficult, but it’s something policymakers in every state should try to replicate whenever possible.

We are also fortunate to have enrichment funds that come from state trust lands. It’s about $1 million of our $42 million operational budget, but that sliver of funding is probably the most effective resource we have because we get to be very creative with it. We get to go out and say, “What are the real needs of the families?” Our code actually requires us to provide activities in a family-friendly environment. So we incorporate the whole family unit into the learning of that child so they don’t just send them to school and leave the parents without knowing what’s going on.

**How do expectations affect deaf and blind students?**

**Maynus:** There’s a children’s book [that says] you shouldn’t be expecting a fish to climb a tree. I’m very appreciative of Ohio and our approach to graduation requirements. We’ve really moved to be much more inclusive in looking at graduation skills. I recently went to a superintendent’s meeting to look at all of the different ways to reach high school graduation, and I’m just so thrilled with the options to get to graduation because it’s more personalized. It allows us to look at students and their interests and give them options, many that include workplace experience. It helps us to make sure that we’re matching the student to their unique ability and helping them thrive. I absolutely believe that we [can] have high expectations, and we help our children reach those by personalizing rather than saying, “Everybody’s going to be able to climb a tree, and if you can’t climb a tree then you’ve got a problem.”

**Coleman:** Absolutely right. We have a similar structure for graduation and different kinds of certificates and diplomas. We have an extremely high graduation rate, but we don’t focus all year on graduation. It’s one metric, and we measure it and take it seriously, but what’s exciting now is that the education system is finally acknowledging that not everybody fits into the same box. We should not only celebrate but actively pursue different strengths that kids have everywhere while stretching them in areas that they might not have natural strengths in as well.

When you get into the real world, not everybody’s evaluated on whether they’re an attorney or a doctor. You can have happy, healthy, successful people that might not have any college degrees at all or who went into technical education instead. There are as many options as there are people. When we have that same mind-set, I think it helps kids a lot.

We also expect similar things from adult learners, staff, and educators. We don’t expect every one of them to be the same, so in our administrative practices we try to draw different strengths from them, and we allow a personalized approach in their professional development and with microcredentials.
I’ve only been at USDB for about eight years, but I’ve seen our staff relax and feel like, “Oh, it’s okay to be me.” They in turn treat the children like, “You don’t have to be what I want you to be. Let’s find out what your best self is and pursue that.”

What issues around the teacher or leader pipeline affect your schools?

**Coleman:** I don’t know any institutions that have a more difficult time finding qualified people. Everybody knows there’s a shortage of special education educators, but when you have to have expertise and endorsements in blind or deaf education, it’s even more difficult.

**Maynus:** Absolutely. My biggest gap recently has been finding administrators. We have a small pipeline of teachers in state, but are there any schools where they are creating principals for the deaf or principals for the blind schools? I don’t know of any. For our blind schools, we end up hiring content experts and adding the credentials for the teacher of visionally impaired at times. At our deaf school, because we need to have fluency in ASL and that’s an extra competency that is required, there’s just layers and layers of expertise, and finding that is very difficult.

**Coleman:** Pay, though important, is not the top issue. Studies show teachers often struggle with environment and culture. At USDB, we’ve created a fun, exciting place to work, but a lot of those in other districts report that there is so much in the way of compliance and a lack of support that they’re not able to fully do the teaching part fully.

The second thing we’re having trouble with is we struggle to get them through the licensing process, which is a self-inflicted barrier in our state. The state board is working with us in good faith to improve that, but it can be difficult to tackle licensing policies. Qualifications mean different things to different people, right? Some of our teachers seeking full licensure are doing miraculous things with the students. In a pragmatic way, they’re highly qualified, but in a technical way, they aren’t yet.

**Maynus:** One message I would like for state board members to hear is that, for example, for a blind adult taking some of these qualifying assessments, the braille they have to know for one algebra problem might go five or six pages. By the time I read six pages, I’m not going to remember the content of that first page. That has nothing to do with my ability to teach.

The same thing for a deaf individual with the phonics assessment that they have to take in our state. We could debate and argue the need for that phonics portion for teaching our deaf children reading. That assessment is hurting some of our folks. They’re not able to get certified.

**Coleman:** The process itself can be traumatic for them. We talk a lot about equity when it comes to students with race and other issues, but I don’t think there’s a way we can justify giving some currently required licensing exams because they are so deeply inequitable. That’s something we ought to address immediately.

How do we improve teacher preparation in institutes of higher learning?

**Coleman:** We may think K-12 is steeped in tradition, but the higher ed system is exponentially more so. Most of them desire to operate in good faith, but when you start getting into the details, that’s when they say, “Wait, wait. We’re not comfortable.” Our state board [has started] listing competencies instead of coursework in the rules that qualify programs for licensure. The higher ed folks are challenged when it comes to thinking about competency, even more than we are.

I like the term equity. My concern is that sometimes it [is] only applied to racial issues. But it’s a good principle and ought to be applied as a lens to all of the important issues. If we apply it more broadly, perhaps we can get more movement with higher ed because they seem committed in principle to thinking that way as well. It’s up to state boards to shepherd them with this little piece of authority they have.

**Maynus:** Internships and mentoring [need to cover] a larger portion of that bachelor-degree time for our preservice teachers, getting them out there much sooner so they can find out if this is for them. Is this what they want to do? We’re told that if we’re going to lose teachers, we will lose them within the first three years.
Having that mentor for classroom management, strategies, uniqueness [is key]. We have medically fragile children, children with social-emotional needs, the frustration of delayed language. There’s so many complex needs; a longer mentorship would really support our preservice teachers.

What would you like to see changed in IDEA?

**Coleman:** The first thing that comes to mind is the definition of least restrictive environment, especially for students who are deaf. Most folks in the field think that LRE means you push them in as much as possible with their nondisabled peers. That’s not a bad general approach, but with the deaf, LRE can mean different things. If deaf students don’t have direct language access in a specialized school with both ASL and English, they are significantly disadvantaged. We just need to recognize that.

**Maynus:** LRE was the first thing that popped into my head. At the blind school, orientation and mobility is a number-one priority for our students. It took a little bit for me to swallow that. I’m about reading and writing and mathematics. I am now at the point where, “Yes, orientation and mobility is a primary human necessity.” Please include deaf and blind people in these conversations. While we’re making these decisions, we do need the people at the table who are experiencing it.

What should a state board consider when it looks at accountability for schools for the deaf and blind?

**Maynus:** I believe in a data-driven system, but we can have lots of different data. I believe in attendance data, behavior. Are my lessons engaging enough that children are happy and engaged in the classroom? And what are they engaged in? I believe in outcomes. What are we producing? Are we producing students who can thrive? Tracking that post–high school data is important. I believe in teacher observations. I believe in looking at teaching strategies that are so much around all the different data, not just the summative assessment.

I’m a big proponent of pre and post. I like to do a lot of quick formative assessments. Collecting that is more of a day-to-day look at instruction. We put MAP testing into our annual reports and recorded what children had decreased, stayed the same, and increased. We look at that pre and post, rather than a specific number. Are our children moving forward? Are we seeing progress?

**Coleman:** I have this love-hate relationship with data. Like Lou, I’m an academic, and I realize how important data are. Often [there are] only certain authorized ways to measure that, which don’t work for everyone. For the deaf, we use MAP testing also, which I think is helpful, much more than our state-approved assessments. There are also data that may not be as standardized but are almost more valuable when we’re talking about real lives. We take parent feedback data very seriously. When you get these students who are deaf or blind, or any students with disabilities for that matter, you have parents who are engaged and have sacrificed more than others will ever understand. No federal, state, or local school system can have a more important opinion on those children than their own families.

I would never say, “Let’s get away from data.” It’s not necessarily measuring the wrong things, but it’s not always measuring the right things. Ongoing, constant discussion to improve accountability systems is itself a tremendously helpful part of what we do.

**Maynus:** I do exit interviews with all the high school seniors, and that is such powerful data for me. We have some core questions. Would they encourage a sibling to come to this school? What would they like to see [done] differently? This year we’ve been looking at data through COVID and all the things that we’ve had to figure out, so if I’m going to sum it all up in one statement: We need to be creatively thinking about what the data are and what they tell us.

**Coleman:** It’s a tremendous blessing to be part of the schools for the deaf and the blind because nobody else thinks they know better than us what we should be doing. In other school districts, everybody’s an expert, right? We get a little bit of deference that way, and it also allows us the flexibility to sort of poke around with impunity and really pursue whatever works for each child in a very personalized way.
Are there myths about education for the deaf and the blind you’d like to put to rest?

Coleman: Our students would be the first ones to tell you they have been told their entire lives, “You can’t do that.” But they will also tell you, “I can do anything except hear.” Or “I can do anything except see.” The best way to help policymakers understand that is to support big, hairy, audacious goals with these students.

For example, our deaf and blind schools got together this last year and entered a race called the Seventy48 in Washington State. They had to paddle 70 miles in 48 hours right up through Puget Sound. But they didn’t just enter the race and paddle. They built the long boats themselves and then practiced all year at a couple of big lakes. We partnered with a regular school in Colorado that had done this before.

I first assumed the deaf kids would take off with it, and a couple did, but most of the final crew was our blind students. They figured out how to set up the pacing with both sound and visual flashing because they had to paddle through the night. They paddled through storms. We even had an evacuation at one point. But in the end the state board, legislators on appropriations committees, and even families said, “Okay, our children can do anything.”

We also sponsor international study abroad experiences for our juniors and seniors. They come back and say, “No offense to all of our teachers that we love, but nothing was a better experience in my 12 years of schooling than this because now I’ve seen for myself that I can literally do anything. I can go anywhere.” They become fearless. We have to let them show what they can do and not just tell them they can do it.

Maynus: I would like to dispel a myth that schools for the deaf and blind may not be necessary, that all deaf and blind children can be equally educated in traditional schools. Having worked in an extremely large district as a senior-level administrator, at the state level, and at schools for the deaf and the blind, our schools for the deaf and the blind are in many instances the best-kept secret, with many unique, specialized services all housed together. Fiscally, I can’t duplicate that across the state.

I had a dental hygienist tell me that her 17-year-old daughter who is deaf never got to meet another deaf person until she was 16, and it was so hard for her. We want children to come for a while. They can be in their districts. They can do short-term programming, summer programming. We can be a resource for our state, a continuum of services. It doesn’t have to be one or the other.

What else do state board members need to know?

Maynus: Our state board members have such vast responsibility, and their net is so big. But as much as they can learn about our students, the more they understand, the more they’re able to share with others. We have two state board representatives assigned to our schools, and that makes all the difference in the world. They come out and learn about us, and they go back and share with other board members and network for us.

Coleman: USDB is fortunate to have good support from our Utah state board and from the Utah legislature. We’ve got three major campuses, and we’re building our fourth. We’ve got smaller ones throughout the state and a robust outreach services program in the rural areas. When you get to know us, you’ll find things that you can apply to the whole education system. We should not be considered separate. We’re specialized, but the principles that bring success to us will bring success to every student and educator and administrator in the state. It’s worth tremendous effort to try to package those principles of success into policies and mind-sets that can be applied broadly, and everyone will benefit from the examples that the schools for the deaf and the blind can provide.
schools should regularly assess and monitor students with disabilities throughout the school year, formally or informally. Assessment results should be well documented in each student’s file, and teachers and staff should be given maximum support to collaboratively design and implement instructional materials and practices to support individual students.

Students in special education need support over the summer months—or any time there is a significant break in learning. The amount of learning lost during summer should signal state and federal legislators to act. In particular, a review of IDEA’s ESY policy should be a priority, as it is integral to FAPE. In addition, improving the consistency of definitions across states and districts will help make policies more inclusive. Consistency lets teachers, parents, and students rely on the same definition for eligibility and gives special education teachers the opportunity to learn and implement appropriate measures for all students in their case load. As it stands now, if a student or teacher moves to a new district or state, the inconsistency of the policy can cause confusion and delay crucial services.

In addition, states should provide resources and guidance to teachers and families of students with disabilities to support their learning and development both in and outside of school. Keeping students at the center of learning without punishment or blame is essential. Teachers must be equipped with the assessment literacy skills and knowledge of intervention practice to support their teaching and student learning.

Teachers also need to understand the consequences of long breaks within and between school years. Policymakers should take this information into consideration in their laws and regulations to better support students and teachers. Providing opportunities to learn data literacy, analysis, and interventions is one way to address this need.

System of supports. Disparities for students in special education when they enter kindergarten reveal the need to identify student needs and offer support services earlier. Collaboration among general education, specialists (e.g., special education, speech-language pathologists, occupational therapists), and families create a powerhouse of knowledge. A framework based on early collaboration will provide the foundation for greater growth and maintaining achievement outcomes. These frameworks may resemble universal design for learning, a multi-tiered system of supports, response to intervention, or a combination of approaches.

Schools. There are many variables for teachers of students with disabilities to balance and consider. School leaders and administration are an important lifeline for them. This support could include mentoring for first- and second-year teachers, setting aside time and budget for teachers to collaborate, and providing opportunities for extended learning on data, assessment, and strategies. Lastly, leaders need to ensure there is space to put students at the center. Each student is unique, important, and has a story. Teachers need school leaders to support them, so they can in turn support students.

2Categories under IDEA include autism, deaf-blindness, deafness, emotional disturbance, hearing impairments, intellectual disability, multiple disabilities, orthopedic, other health impairments, specific learning disability, speech or language impairment, traumatic brain injury, and visual impairment including blindness.
5In determining ESY eligibility, some districts also consider the student's current academic year learning rate, behavioral or physical barriers to learning, the student's ability to interact with peers without disabilities, the ability of the student's family to provide education structure in the home, and the availability of alternative resources.
6Tagenhorst, Norlin, and Gorn, Answer Book on Special Education Law.
I predicted that parents’ engagement would grow as the pandemic waned, and it has. The most vocal have hit on issues that became politically charged, like critical race theory in the classroom or the appropriateness of available literature. I see most of these headline-grabbing instances of engagement as a distraction from what most educators, families, and policymakers want to focus on: helping all students recover academically, socially, and emotionally.

This fall, my eldest daughter started second grade. After over a year of virtual school, returning to in-person learning was a welcome change. She was happy to see friends and excited about learning. I was confident everything would be okay. Then came our first parent-teacher conference. She is below grade level in reading and struggling in math. There are days when she struggles socially and emotionally. Catching her up and ensuring she has the supports she needs to thrive are my utmost concerns, and I am not alone.

NASBE has always encouraged state boards of education to engage stakeholders, including parents. How can that be done constructively?

**Offer Guides.** State boards can help parents play an active role in accelerating their children’s learning and development with evidence-based, accessible resources. The North Carolina Department of Public Instruction, for example, offers “Literacy at Home,” which provides activities aligned with state grade-level standards for pre-K through grade 5. The Illinois state board takes a whole-child approach in its video series on reading and math development and social-emotional learning (SEL). According to the American School Counselor Association and ACT, nearly all school counselors say it is moderately to very important to involve parents in developing students’ SEL skills, but 78 percent find it difficult to do. Resources such as those Illinois offers can break down barriers between educators and caregivers.

**Cut through Jargon.** Almost every time I’m with extended family, I get asked about the hot-button education issues at hand: CRT, culturally responsive teaching, accelerated learning. Many parents are hearing and using these and other terms but may not have a firm grasp of them. As state boards, you can educate the public on how these terms apply or don’t and on the supporting evidence. Cutting through jargon is hard but can help reduce misinformation and confusion, which produces unfounded fears.

**Listen to Students and Teachers.** In news stories about controversial education issues, student and teacher perspectives are often absent, even though the matters at hand affect them directly. I urge state boards to ask them how they are feeling about current events and what they are experiencing or find of highest value in the classroom. What do they want out of their education and teaching experience, what do they fear, and what do they need to be successful?

For my daughter, it turns out that a game called Prodigy, which involves magical math quests with wizards and dragons, was the ticket to her recent progress in math. I’m sure it has nothing to do with the fact she also loves a fantasy chapter book series called *Dragon Masters*, which her teachers and I discussed during our meeting!
It is an honor and privilege for me to write my first “From the President’s Pen” column as NASBE’s new president and CEO. I am thrilled to be leading such an outstanding organization and proud of its commitment to supporting the needs and underscoring the important role of state boards of education. And I could not be prouder that this edition of the State Education Standard addresses the issue of students with disabilities.

I am sure that when state boards talk about equity, they recognize that ensuring that students with disabilities acquire the knowledge and skills necessary for their future success is an essential part of the conversation. Yet in many places across the nation, the data show that the widest achievement gaps are between students with disabilities and their nondisabled peers.

Why is this? In some ways, it starts with a deep misunderstanding. Many think that these students are not as capable as their peers. The truth is that, except for the very small number of cognitively disabled students, students with disabilities can master the expectations reflected in state academic content standards. That is, they have intellectual capabilities comparable to other students and thus can learn at comparable levels if expectations are high and they are given opportunities and support. In fact, many students with disabilities do achieve that goal. So why does that not happen for more?

Federal law commands that there be equal opportunities for students with disabilities, but often state education leaders have in response focused on legal compliance rather than on what will foster actual academic achievement. Fortunately, academic outcomes are becoming a more prominent focal point for states. If state and district leaders provide educational opportunities to these students and use proven evidence-based practices, like using Universal Design for Learning (UDL), it will make a difference for more students with disabilities. And education leaders should also steer away from practices that do not work. Too many schools and districts still use pull-out programs or fail to integrate all aspects of a child’s education into a single, holistic approach.

State boards can play a key role in ensuring that district and state education officials focus appropriately on improving the learning experiences and outcomes for students with disabilities. They can review data and ask questions about the information their state has reported to the federal government about legal compliance and student outcomes, and they can identify schools and districts that are showing impressive results or improvements with these students. They can ensure that state policies do not obstruct quality educational experiences that support student learning.

Thanks to research, we know a lot about what works for these students. Thus state boards, in partnership with their respective chief state school officer and state education agency and along with the rest of the education community, can promote practices and conditions that can better serve these students so they are prepared to be successful in future education, the workforce, and in society.
“Above all, we will apply a lens of equity and excellence to everything we do so that our focus and that of our member boards remains fixed on ensuring that all students get the resources they need to succeed.”
—“Our Members, Our Mission: A Strategic Plan for the National Association of State Boards of Education” (Fall 2018)

Mission Statement

NASBE develops, supports, and empowers citizen leaders on state boards of education to strengthen public education systems so students of all backgrounds and circumstances are prepared to succeed in school, work, and life.

Core Values

We believe in equity and excellence:
We believe that students of all races, genders, and circumstances deserve the supports they need to thrive in school.

We believe all students can learn at high levels and must have the opportunity to do so through state policies that address their diverse learning needs.

We prioritize state leadership of public education: We believe that state boards of education, in partnership with chief state school officers, governors, and legislatures, are best positioned to craft, promote, and oversee state education policies.

We empower citizen leaders: We build the capacity of state board members to question, convene, and act boldly with and for students, educators, and families.

We elevate evidence in policymaking: We ground our resources, tools, and services in the strongest evidence available and help our members make informed decisions in the best interest of students.

We build community: We facilitate productive dialogue and nonpartisan exchange among members with diverse perspectives, creating lasting channels for the sharing of evidence-based strategies and solutions.

We collaborate: We promote respectful collaboration, both among our members and between our members and the broader education community.
Excellent schools have effective principals.
State policy can help get us there.

Learn the six state policy levers that can help local school districts attract excellent principals and support them on the job.

In the nation’s 14,000 school districts, developing and supporting principals is mostly left to local leaders. But to help districts cultivate a pipeline of excellent school leaders, state policymakers also have tools to create the environment for career-long support: Connecting aspiring principals to preparation programs. Overseeing leader standards. Providing mentoring and professional development.

A new report from education policy researcher Paul Manna outlines policies that can support comprehensive, aligned principal pipelines—in which all parts of the talent pipeline work together—to help ensure that every school has an effective principal who can set the stage for improving student achievement.

Download this report and many more free resources: www.wallacefoundation.org