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New Report Shows New York City Schools Fail to Provide Adequate Special Education Services to Children with Disabilities

December 1, 2020, New York, NY -- Today, Special Support Services, LLC, released [Spread Thin: Survey Reveals Students Without Special Education Instruction](#), a report that documents how New York City public schools have failed to provide adequate educational services to children with disabilities during COVID-19. The report centers around a survey of 1,100 parents whose children require special education services. The source of much of the problems pointed to the teacher staffing shortage caused by the school reopening plan of Fall 2020.

The [report](#) found numerous ways in which parents described how their IEP services were not appropriately being delivered to their child. Parents reported inappropriate delivery with a variety of services including related service scheduling, a lack of access to 5-day instruction despite being so-called prioritized as a community, and, most prevalent, how the delivery of remote instruction was poorly arranged and the teacher shortage exacerbated this.

“No student is truly protected when our schools abandon their obligations to the most vulnerable children,” said Amber Decker, Senior Advocate at Special Support Services. “This is everyone’s problem. We must act now.” Parent Advocate Rachel Ford, the main author of the report added, “The data shows that parents sorely need the district to teach principals how to prioritize students by need level effectively. This is the only way we can achieve equity for students with disabilities for in-person learning.”

The report documents the following issues:

(Terminology: **Blended**= a mix of in-person and remote learning; **Blended Remote**= A Blended student on a remote day of learning; **Fully Remote**= only online learning.)

Large Classes and Less Staffing Creating Integrated Co-Teaching Service to be Poorly Delivered:

- Large class sizes found over the contractual limit: Highest reported Blended remote ICT had 80 students. Highest reported Fully Remote ICT class had 45 students.
- 55% Blended Remote ICT classes did not have two teachers
- 39% Fully Remote ICT classes did not have two teachers
- 22% of the Blended In person classes that had two teachers had one teacher teaching remotely

Inefficient Structuring for Students in Self-Contained Classes (all students in the class have IEPs):

- 23% of Elementary and 22% of Middle School Fully Remote self-contained classes went above the contractual limit
- In-Person Blended Self-Contained Class Cohorts were surprisingly small. Percentage of students have cohorts under 5 were: 64% of Elementary Students; 90% Middle School; 78% for High School
- Smallest Self-Contained Reported Class Sizes were 2 and 3 students.

Remote Instruction: Inconsistent and Ineffective:

- 49% of Blended Remote student had one hour or less of live instruction on remote days
- 43% of Fully Remote student had one hour or less of live instruction
- 46% of Blended Learners and 32% of Fully Remote learners had their related service therapies scheduled during live instruction
- 62% of Blended Autism Spectrum Disorder Nest and Horizon Programs do not have access to their teachers during remote self-directed instruction

Lack of Access to Paraprofessional Services and SETSS:

- 55% of parents with IEP-assigned paraprofessionals received only 0-30 minutes per day whether blended remote or fully remote
- 55% of parents said their child was not receiving all of their mandated SETSS (Special Education Teacher Support Services)

“I feel like nobody wants to take accountability for what’s really going on,” says Susan Guido, a single mother frustrated with her 16-year-old daughter’s education, “everybody’s just passing the buck.” Guido’s daughter attends a school in District 75, a specialized program for students with the most severe disabilities. Since the beginning, all of her daughter’s classmates in the class of six students go to school for five days and then all six must participate in remote instruction for 5 days leaving the classroom empty. Susan was rejected when she asked her principal for full time in-person instruction. The principal cited DOE policy. The D75 superintendent referred to her principal. Meanwhile her daughter has regressed, can not participate in remote instruction and even undresses to avoid attending virtually. Her daughter now has self-injurious behavior. Guido even received a letter noting her daughter’s absences

from remote instruction with a warning that the school may need to pursue other measures. **To date, even after the [Mayor's announcement](#) about moving to a 5 day instruction model, she still has not heard if her child's class will be offered this.**

Special Support Services advocates warn that students with disabilities are apt to fall behind faster and catch up slower. As over half of all students with disabilities learn alongside nondisabled peers, their failure to make appropriate progress will have consequences in both their classroom and school communities. Moreover, as IEP services continue to be poorly delivered, addressing compensatory service issues will become more and more expensive further burdening taxpayers. The report concludes with a 12-point set of recommendations for city and state agencies.

Some of the parents available to be interviewed are profiled below:

Kristina- Her 6 yr old is Blended and attends a D75 school. Her child attends in-person schooling for a week and then does remote schooling for the following week. Her child can not learn at all remotely. Moreover, there are **only two kids in his cohort** from his 8-student class (6 are fully remote); yet, the 2-student class may not attend school every day. In most other schools, cohorts of a class take turns attending school but in this case, there is no other cohort. Her son shows regression in behavior. He is angry and confused and requires 24 hour attention daily. **Sadly even after the mayor's announcement (11/29), she was told by her principal on 11/30 that her child will not receive 5 day full time in person instruction.**

Joann has 3 children with IEPs. Her eldest is struggling through her senior year in high school. There are **80 students in her child's blended remote classes**. She can't learn this way. Her child also has a **paraprofessional** assigned to her but this person is not allowed to meet with her 1:1 online to provide support. Moreover, even during in-person learning, she must sit at a computer at school as in-person instruction is not offered at school. Joann can not work because her children can not participate appropriately in their education. She is also a paralegal with expertise in special education, and yet despite all her advocacy efforts, the structure of the reopening plan leaves little room for her to make a difference.

Kat has a kindergarten student in the Autism Spectrum Disorder Nest program. Her child needs consistent structure, fewer transitions, and 1:1 teacher support. Her child attends school 2.5 days a week, despite the fact there are only 3 students in the 2 Nest program kindergarten classes. **Instead of combining the 2 classes so that the children can attend everyday, the school requires the children to alternate remote and in-person classes.** Her child can not participate in his remote classes without 1:1 assistance. Although she works from home, she still must hire someone to help her child attend. Even then, there's little progress in her son's academic and social skills; the kindergartener is stressed and unhappy.

Jane- Jane's child is a 7th grader **with 63 students in his blended remote class** and attends in-person school 2.5 days a week. Jane's child has integrated co-teaching services on his IEP and the class is so large that it is overwhelming and he is unable to learn. Furthermore, his **related service therapies** are scheduled on top of his classes, which contributes to falling

behind even further than his nondisabled peers. **After the Mayor's announcement, this student with autism will not have any in-person instruction.**

Elizabeth is a single parent and an essential worker who works on Long Island. Her colleagues in Long Island have children who attend school 5 days a week. Elizabeth's children have IEPs and attend NYC schools, just minutes away from the Long Island border. With the Blended model, they only get to go to school in-person 5 days a month. Despite having ICT on their IEP, her children **lack access to a special education teacher** on Blended Remote days. Her daughter asks questions to teachers and may not receive a response until 6 hours later. Yet Elizabeth frequently receives emails that her daughter has not turned in assignments. While on the job, Elizabeth gets Facetime calls to assist her daughter with math problems. **Her daughter believes that she will not graduate** from 5th grade in June. As a result of the Mayor's announcement, her 6th grader will not have any in-person instruction at all

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[Special Support Services, LLC](#), is a Brooklyn-based group of 3 advocates whose main objective is to support parents of students with disabilities through the complex special education process in New York City. Members include Rachel Ford, Amber Decker, and Jennifer Choi who are all parents of students with disabilities in New York City. To assess the special education crisis in New York City, the three advocates collaborated with parent volunteers to write, translate, and distribute the 42 question survey across all boroughs in four languages.