Creating Actionable Change in the Least Restrictive Environment

Applying a Framework of Data Use to Inclusive Practices

By Dr. Jennifer Meller

February 2017

PCG | Education

SUMMARY

Since the passage of the Individuals with Disabilities Education Act (IDEA) over 40 years ago, students with disabilities have had the legal right to receive appropriate special education and related services, to the maximum extent possible, in inclusive settings alongside peers who are nondisabled. Research on the benefits of inclusion have consistently shown that when students with disabilities are included in general education classrooms, these students experience favorable academic, post-secondary, and social-emotional outcomes.[i] While decisions regarding how and where best to serve students with disabilities must still be determined on an individual basis, there is now a stronger call for districts to provide greater access for students with disabilities to the core curriculum and general education settings, implement evidence-based practices, improve efficiencies, and provide greater accountability on key performance indicators that support successful academic and post-school outcomes for students with disabilities.

Nowhere is this more the case than in New Jersey, which has had one of the lowest levels of inclusion in the nation.[ii] The percentage of New Jersey's students with disabilities educated in general education classrooms 80% or more of the school day is nearly twenty percentage points lower than the national average, and students are placed in separate settings at more than twice the national average.[iii]

In this paper, PCG highlights important findings from research on the benefits of an inclusive education for students with disabilities and provides guidance for school districts in New Jersey on how to use data to drive actionable change. Based on our extensive experience working with special education departments to improve the outcomes of students with disabilities, we have applied PCG's Data Use framework for school and districts to special education so that they can learn how to monitor their progress toward creating more inclusive environments and, thereby, improve their Least Restrictive Environment data compliance standing.[iv] If these data are monitored regularly and with fidelity, districts have the potential to reduce costly out-of-district placements and improve the academic and functional outcomes of students with disabilities.

What is LRE?

In basic terms, Least Restrictive Environment, or LRE, refers to the setting where a child with a disability can receive an appropriate education alongside nondisabled peers to the maximum extent possible.[v] In other words, it is the "most appropriate place for a child with a disability that most closely approximates where the child, if not disabled, would be educated."[vi] The core of the LRE provisions, a part of federal law since IDEA's inception in 1975, underscore the law's strong preference for educating students with disabilities in the regular education environment.

> Each public agency must ensure that -
>
> 1. To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are nondisabled; and
>
> 2. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or the severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
>
> - IDEA [§300.114(a]

While the law clearly favors integration, it also recognizes that for some students, more restrictive or segregated settings may be appropriate. IDEA mandates that the placement for a child with a disability should only be as restrictive as his/her needs require. Deciding to segregate students outside of the regular education classroom should only be considered if the student cannot be educated appropriately inside it with supplementary aids and services. Such placement considerations should be made on a case-by-case basis by the Individualized Education Program (IEP) team, whose task it is to evaluate

the full continuum of options available and to determine the least restrictive for each student. The New Jersey state education code mirrors the LRE principles from IDEA and calls on each school district board of education to uphold the regulatory requirements.

The U.S. Department of Education's Office of Special Education Programs (OSEP), per IDEA 2004, requires that states monitor the implementation of the LRE requirement. In addition, states must report the overall proportion of students educated in a number of educational placement, or "Educational Environment," categories from each Local Education Agency compared to state targets. These data are reported on and monitored separately for preschool and school-age students:

- **Preschool**: 1) Receiving Majority of Special Education & Related Services in Regular Early Childhood Program, and 2) Attending Separate Special Education Class, Separate School, or Residential Treatment Facility
- **School Age Percent of Time Spent in the Regular Classroom:** 1) ≥80% of School Day; 2) 40-79% of School Day; 3) <40% of School Day; 4) Separate Setting

Districts typically maintain data at a more granular level (e.g., number of students in residential treatment facilities, hospital settings, etc.) but report to the state and federal governments within these broader categories.

How Can Students Benefit from Inclusive Education?

Though they are not synonymous, the terms "least restrictive environment," "inclusion," "inclusive practices," and "mainstreaming" are often used interchangeably.[vii] While LRE refers to IDEA's mandate that students be educated to the maximum extent appropriate alongside nondisabled peers, the other terms go beyond placement, referring more broadly to the philosophy of a school or district. Creating an environment in which every student, including those with and those without disabilities, can learn and flourish individually, and the way in which a school community supports all students, is at the core of inclusion.[viii]

Research has consistently shown a positive relationship between effective and inclusive instruction and better outcomes for students with disabilities, including higher academic performance, higher likelihood of employment, higher participation rates in postsecondary education, and greater integration into the community. The 10-year National Longitudinal Transition Study-2 (NLTS 2) described the characteristics, experiences, and outcomes of a nationally representative sample of more than 11,000 youth ages 13 through 16 who were receiving special education services in grade 7 or above when the study began in 2001. The study found that, while more time spent in general education classrooms was associated with lower *grades* for students with disabilities compared to their nondisabled peers, students who spent more time in general settings were closer to grade level on standardized math and language *tests* than were students with disabilities who spent more time in separate settings.[ix] Additional studies have confirmed this finding, in that students with disabilities who are in general education classrooms more than 80% of the school day and have increased exposure to the core curriculum have improved academically on state mandated tests.[x] Research also shows that including students with a range of disabilities in general education classes does not affect the achievement of their nondisabled peers.[xi]

Students with disabilities in inclusive environments also gain additional benefits that extend beyond academics. They develop friendships with nondisabled peers, learning appropriate behaviors and communication skills from them and understanding how to navigate social situations.[xii] And when in classes with nondisabled students, those with disabilities benefit from the enriched educational experience and are often held to a higher academic expectation both from their peers and their teachers.[xiii] Inclusive schools with school-wide behavioral supports help to establish high expectations throughout the community as a whole. This consistency and structure is critical for students with disabilities but is also important for all students.

For families, inclusion allows for students and their families to not only be a part of the school community but often helps them to be a part of the neighborhood as well. For students without disabilities, having disabled peers in their classroom gives them the opportunity to appreciate and to learn about those who are different. It can prepare them for an inclusive society and how to be respectful and accepting.

What Do the Data Show?

Despite the clear benefits of inclusion, implementation in districts across the country varies. A greater number of schools are adopting policies that ensure supports and services are provided to students with disabilities. This shift is practice supports comprehensive and sustainable school reform, yet it predominantly has occurred "in limited pockets of excellence."[xiv] While some New Jersey districts have promising practices related to inclusion, the state overall trails national averages.

State Performance Plan (SPP) data show the percentage of preschool students receiving the majority of their education in regular early childhood programs increased from 39.9% in 2012-13 to 42.3% in 2013-14. For preschool students attending school in a separate setting, there was only a slight decrease in the rate, from 37.8% in 2012-13 to 37.2% in 2013-14. In both years, the rate exceeded the national average.[xv]

Educational Environments, Ages 3-5[xvi]

Setting	2012-13 Published 2015		2013-14 Published 2016	
	NJ	Nation	NJ	Nation
Receiving Majority of Special Education & Related Services in Regular Early Childhood Program	39.9%	43.5%	42.3%	43.7%
Attending Separate Special Education Class, Separate School, or Residential Treatment Facility	37.8%	25.9%	37.2%	25.7%

SPP data for school-age students show that 45.8% of students in 2012-13 and even fewer (44.9%) in 2013-14, are educated for the majority of their school day in a general education setting. In both years, the state has a significantly lower rate in this category than the national average. The percentage of students being educated in separate settings stayed the same, at 7.3%, from 2012-13 to 2013-14. This rate is over twice the national average both years.

Educational Environments, Ages 6-21, Percent of Time Spent inside the Regular Classroom[xvii]

Setting	2012-13 Published 2015		2013-14 Published 2016	
	NJ	Nation	NJ	Nation
≥80% of School Day	45.8%	62.0%	44.9%	62.6%
40-79% of School Day	26.4%	19.2%	26.7%	18.6%
<40% of School Day	16.1%	13.6%	16.1%	13.4%
Separate	7.3%	3.3%	7.3%	3.2%

These rates have garnered significant attention from advocacy groups in New Jersey, who brought forward a lawsuit several years ago against the New Jersey Department of Education, claiming that districts were violating the IDEA mandate for LRE.[xviii] The case was settled in 2014 when the parties entered into a settlement agreement that requires the state to monitor and provide technical assistance for districts that require the most significant change in their LRE data and service delivery. Thirty-eight

school districts were cited in the suit because of their school-age LRE data, 45 school districts were cited because of their preschool LRE data, and 10 school districts were cited for significant disproportionate representation of students of color in the most restrictive settings. SPP data published in 2017, reflecting the 2014-15 school year, should begin to reflect the impact that these actions have started to have in the state.

How Can Schools and Districts Apply the Data Use Theory of Action to LRE?

There are many types of data that can inform schools and districts of their progress toward goals. The focus of this brief is on how these organizations can use special education data to identify and understand issues related to LRE, and make changes in how and where students receive services.

Access to high quality data can lead to greater levels of systemic data use and ultimately to improved student outcomes.[xix]

PCG's Data Use Framework has three components: Data Quality, Data Capacity, and Data Culture. All three of these factors need to be place for data to inform decisions about policy, programs, practice, and student placement, ultimately increasing student achievement.[xx] Creating the conditions in which data are used "routinely and collaboratively" to inform programmatic, instructional, and organizational decisions requires of school and district administrators a "concerted and deliberate effort."[xxi] In other words, in order to create change in schools, it is important that these communities develop a thoughtful approach to data use and create a sense of shared ownership over it. This is important in all districts, but in particular those in in New Jersey that are striving to improve their LRE statistics.

Sharing and analyzing inclusive practices data with staff, students, parents, and the wider community is an important first step toward creating a data-driven organization and one that can lead to open dialogue about special education services and placement. Data can be shared with parents during conferences or other school meetings, with students at assemblies, and with staff during district-wide principal meetings, executive leadership and board meetings, and through school leadership teams.[xxii]

Involving all stakeholders can help schools and districts with creating short- and longer-term goals and a shared inclusive vision. This vision for changing how student placement decisions are made, and where services are delivered, can guide the organization toward using data to reach its strategic goals—serving students in the least restrictive environment and improving achievement results.

Data Quality

Key Concepts: Multiple measures ▪ Well organized and current data ▪ Data displays that are easy to interpret ▪ Accurate data that have been standardized and cleansed ▪ Disaggregated data

Access to high quality data can lead to better data use. Data that are well organized and current, and that can easily be interpreted and disaggregated, allow educators to draw conclusions with confidence and to act. The following are recommendations that can help schools and districts ensure data quality for special education.

RECOMMENDATIONS

- ✓ Collect multiple data points specific to special education that can be reviewed routinely and, when taken together, provide an overall snapshot of LRE status for individual schools and for the district. Examples of data points to capture include:
  - LRE data, including the total number of students with disabilities, the total number of students with disabilities included in general education classes for more than 80% of the day, 40% to 79% of the day, less than 40% of the day, and in separate settings;
  - Co-teaching data, including the number of pairs currently co-teaching together and the number of students with disabilities supported by a special education co-teacher in a general education class;
  - Consultant teacher data, including the number of special education teachers who function as a consultant teacher and the number of general education teachers supported by the special education consultant;
  - Student schedules, including the types of classes students with IEPs are taking and their participation levels in school-sponsored extracurricular, nonacademic, and community activities;
  - Number of referrals for out-of-district placements, including the referring school, and disability, gender, grade, and age of the students;
  - Attendance and retention data, including a breakdown of students by LRE category, disability, and age;
  - Types of accommodations and modifications, including where they are used and the types of students that receive them.
- ✓ Develop simple, easy to read data reports that capture the data elements listed above. The reports should be organized in a way that allows for comparisons of data over time and can be shared with school and central office leadership teams.
- ✓ To the extent possible, use the same data review and cleansing protocols that are used for annual child count and SPP data to ensure data accuracy and consistency.
- ✓ Establish a cross-departmental committee of curriculum and instruction, special education, facilities, finance, assessment, and legal offices to review high level LRE and other supplemental data reports at least quarterly. Decisions are made and actions are taken (such as developing new in-house programs) to improve the status of inclusive practices as a result of these analyses. Principals and faculty follow a similar review at the school level.
- ✓ Create monthly, quarterly, and annual snapshot reports that show LRE data by school, grade, gender, and disability.
- ✓ Use student data (academic and functional performance) for placement decisions and build capacity of case managers and teachers to understand and interpret these data points.

Data Capacity

Key Concepts: Organizational factors such as collaborative norms and team structures ▪ Technology that can integrate data from multiple sources ▪ Data accessibility ▪ Data literacy skills

Without the ability to understand and interpret the data that are available, school and district staff will not be able to make use or find meaning in them. Training staff on how to use the information and how to streamline processes will go a long way toward building their data use capacity. The following are recommendations that can help schools and districts build data capacity for special education.

RECOMMENDATIONS

- ✓ Develop dashboards that are accessible to special education staff, principals, and others so that all can routinely monitor placement levels for students.
- ✓ Conduct training sessions for special education staff on how to run reports, use dashboards, and interpret the data results.
- ✓ Integrate the district's Student Information System, IEP systems, and other relevant systems so that data are consistently reported.
- ✓ Review disproportionality measures to ensure students are not over-identified.

Data Culture

Key Concepts: Commitment of all stakeholder groups to make better use of data ▪ Clearly articulated vision for data use ▪ Beliefs about efficacy of teaching ▪ Value of data in improving teaching and learning ▪ Accountability ▪ Culture of collaboration ▪ Modeling of data use ▪ Commitment to ongoing instructional and programmatic improvements

When schools and districts make a commitment to continuous improvement, begin to act on their vision, and use data to monitor their progress, change can happen. Collaboration between departments and across schools leads to ongoing instructional and programmatic improvements, and staff and administrators feel empowered to make decisions for which they are held accountable. The following are recommendations that can help schools and districts develop a data culture for special education.

RECOMMENDATIONS

- ✓ Consult a wide range of stakeholders (parents, teachers, and students) to discuss school data and best practices. Commit to having these stakeholder groups review data regularly.
- ✓ Administer a staff survey, community survey for parents, and a student survey in order to assess range of inclusive practices available in the school/district and how to improve them.[xxiii]
- ✓ Craft a mission statement for inclusion with steps detailing how data will be used to monitor changes in data and individual student needs.
- ✓ Develop a long range goal ("By the year __, our school will…) and short range objectives (During the __ school year, our school will…) geared toward improving the school/district's LRE data.
- ✓ Review a significant number of randomly selected IEPs across schools to determine progress in LRE decision-making and implementation. Assess what the summary of IEP processes and documents tell you.
- ✓ Use instructional (formative and summative assessment) and other data to guide the creation of programs that meet a wide range of student needs.
- ✓ Use a self-assessment tool to understand practices at each school and across the district and evaluate:
    - How many students with disabilities are currently included in general education classes? How are they supported?
    - How are students with disabilities scheduled into general education classes? Based on numbers? Based on needs? When does their scheduling occur?
    - What does student achievement data for students with IEPs tell you? How are these students performing compared to their nondisabled peers?
    - How are IEP placement decisions made?
    - If your special educators are co-teaching, what methods are they using?
    - What resources are available to help meet the instructional needs of students with disabilities? Does your school/district use instructional coaches, mentors, etc.?

- To what extent are your general education teachers implementing high quality and differentiated instruction?
- Do special education and general education teachers who share instructional responsibilities for the same students have joint planning time and opportunities to share best practices?[xxiv]

Conclusion

Schools and districts that successfully create the conditions for data use through building data quality, capacity, and culture use data in four key areas: to formulate sound policy, design and evaluate educational programs, guide classroom practices, and inform student placement.[xxv] By employing this model, schools and districts can begin to create a more inclusive setting for students with disabilities. Reframing inclusion using a data framework may help move students with disabilities from the "separateness of special education" to the "belongingness of general education."[xxvi]

Public Consulting Group, Inc. (PCG) is a leading public sector consulting firm that partners with health, education, and human services agencies to improve lives. Founded in 1986 and headquartered in Boston Massachusetts, PCG has nearly 2000 professionals in more than 60 offices around the US, in Canada and in Europe. PCG's Education practice offers consulting solutions that help schools, school districts, and state education agencies/ministries of education to promote student success, improve programs and processes, and optimize financial resources.

---

[i] Bui, X., Quirk, C., Almazan, S., & Valenti, M. (2010). Inclusive Education Research & Practice. *Maryland Coalition for Inclusive Education,* 1-14. (http://www.mcie.org/usermedia/application/6/inclusion_works_final.pdf)
[ii] Brown, L. Conroy, J., and Devlin, S. (2014). "Toward Ending the Segregation of Students with Disabilities in New Jersey." Center for Outcome Analysis, University of Wisconsin.
[iii] Office of Special Education Programs, Grads360 Data, New Jersey Data Display 2016, https://osep.grads360.org/numbercommunities/pdc/documents/11917
[iv] Ronka, D., Geier, R., and Marciniak, M. (2010). A Practical Framework for Building a Data-Driven District or School: How a Focus on Data Quality, Capacity, and Culture Supports Data-Driven Action to Improve Student Outcomes, A PCG White Paper. Retrieved from http://www.publicconsultinggroup.com/education/library/index.html
[v] National Dissemination Center for Children with Disabilities. Retrieved from http://www.parentcenterhub.org/repository/placement-lre/numbercore
[vi] http://www.ped.state.nm.us/seo/lre/lre.faq.pdf
[vii] https://www.education.com/reference/article/mainstreaming-inclusion/
[viii] http://inclusiveschools.org/together-we-learn-better-inclusive-schools-benefit-all-children/
[ix] Review of Special Education in the Houston Independent School District, Thomas Hehir & Associates Boston, Massachusetts, page 25, retrieved at http://www.houstonisd.org/cms/lib2/TX01001591/Centricity/Domain/7946/HISD__Special_Education_Report_2011_Final.pdf**.**
[x] Roden, L., Borgemenke, A, & Holt, W. (2013). Improving the Academic Achievement of Students with Disabilities. National Forum of Special Education Journal, Vol. 24, No. 1.
[xixi] See A. Kalambouka, P. Farrell, A. Dyson, & I. Kaplan. (2007, December). The impact of placing pupils with special educational needs in mainstream schools on the achievement of their peers. *Educational Research, 49*(4), 365–382.
[xii] id.
[xiii] http://education.seattlepi.com/advantages-inclusion-schools-2079.html
[xiv] Ryndak, D, Taub, D, Jorgensen, C. et al. (2014) "Policy and the Impact on Placement, Involvement, and Progress in General Education: Critical Issues That Require Rectification. Research and Practice for Persons with Severe Disabilities, Vol. 39(1) 65–74.
[xv] https://osep.grads360.org/#program/ffy13-idea-part-b-profiles; https://osep.grads360.org/#program/ffy14-idea-part-b-profiles
[xvi] id.
[xvii] id.
[xviii] Plaintiffs in the suit included Disability Rights New Jersey, the Education Law Center, the Statewide Parent Advocacy Network, and the Arc of New Jersey, as cited in "Disability Rights New Jersey, et al., vs. New Jersey Department of Education et al," January 2014.
[xix] Ronka, D., Geier, R., and Marciniak, M. (2010). A Practical Framework for Building a Data-Driven District or School: How a Focus on Data Quality, Capacity, and Culture Supports Data-Driven Action to Improve Student Outcomes, A PCG White Paper. Retrieved from http://www.publicconsultinggroup.com/education/library/index.html
[xx] id.
[xxi] id.
[xxii] http://www.wellbeingatschool.org.nz/using-inclusive-practices-tools-collect-data
[xxiii] hid.
[xxiv] 10 Steps to Implementing Effective Inclusive Practices: A Guide for School Site Leaders. Louisiana Department of Education.
[xxv] Ronka, D., Geier, R., and Marciniak, M. (2010). A Practical Framework for Building a Data-Driven District or School: How a Focus on Data Quality, Capacity, and Culture Supports Data-Driven Action to Improve Student Outcomes, A PCG White Paper. Retrieved from http://www.publicconsultinggroup.com/education/library/index.html
[xxvi] id.

www.publicconsultinggroup.com