

**Testimony of Rhonda Frederick, President, Developmental Disability Alliance of WNY to the New NY Education Reform Commission**

**Buffalo Hearing, July 18, 2012**

Good Afternoon

My Name is Rhonda Fredrick and I am the President of the Developmental Disability Alliance of Western New York.

DDAWNY is a collaborative group of member voluntary agencies that provide services and supports, including educational services to people with developmental disabilities in the Western and Finger Lakes regions of Western New York.

A number of our member agencies provide special education for school age students from three to twenty-one, as well as early intervention services for children birth to three. In addition, our agencies provide vocational & employment services, including career development and assistance in finding competitive work in integrated settings.

DDAWNY is pleased to provide comment to the New NY Education Reform Commission and in particular approaches to improving special education programs and outcomes while at the same time bending the cost curve that drive these programs and outcomes.

The Commission seeks solution-oriented input on the Structure of New York's Public Education System, Student Achievement and Family Engagement and Teacher and Principal Quality and District Leadership.

I applaud the Governor for recognizing that in order to compete in a highly competitive global economy, New York needs to take a close look at our current educational structure and come up with a blueprint for our students' future success.

As the Governor has indicated, an effective educational system will ensure that our students are properly educated and trained to enter the workforce.

Unfortunately, the current educational system all too often fails to deliver this result for students with disabilities, particularly developmental disabilities, including autism.

According to New York State Developmental Disabilities Planning Council (DDPC), for the 2009-2010 School Year, only 1 in 4 students with disabilities graduated from high school in 4 years.

The DDPC noted that in 2004 the graduation rate was 74% for all students, however the graduation rate for students with disabilities was less than 44%.

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The New York Education Department Information and Reporting Service reports that for the 2009-2010 school year, there were 183,578 high school completers and 36,216 non-completers, of which 17,293 completers and 9,528 non completers were students with disabilities. While this data suggests a little over 16% of all students identified failed to complete high school in 2009-10 over 35% of students with disabilities failed to complete high school that year. (Unfortunately there is no reliable way to make the distinction between students with disabilities and those with developmental disabilities)

Of these students with disabilities:

- 9,300 (54%) received a diploma, 5,566 received an IEP diploma, and 1,924(1%) entered a GED program;
- 12,807 (56%) went on to some kind of post-secondary program, 445 (1%) to the military 3,592 (16%) to employment

Earlier this year, the State Education Office of Adult Career and Continuing Education Services - Vocational Rehabilitation (ACCES-VR), indicated that individuals with disabilities in New York State have an employment rate of 33.8 percent, compared with 76.3 percent for individuals without disabilities.

The American Community Survey (ACS) found similar results looking at the employment rate of individuals with disabilities in New York State in 2007. The ACS found that of the 1,402,603 individuals ages 16-64 "living in the community" about 463,867 (or 33.1%) were employed.

In short New York's current system fails to properly educate students with disabilities and fails to adequately train these students to enter the work force.

I would like to offer some concrete suggestions an ways to improve New York's current education system focused on the need to coordinate multiple assessments of eligibility for services among the various state agencies who serve individuals with disabilities, particularly developmental disabilities; the need to develop career pathways and alternative tools to assess the competency of these students with disabilities along these career pathways and the need to provide professional educators with the training and sensitivity to effectively allow individuals w/ developmental and other related disabilities to learn and to succeed in life.

The Commission seeks to look at the Structure of New Yorks Public Education System. With regard to students with disabilities, DDAWNY believes the current education system fails to encourage the type of collaborations with other state agencies, the not for profit community and other providers of supports and services for students suffering from physical, mental and emotional conditions,

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which all affect a student's ability to learn, to graduate and to live and work in our community.

For example, with respect to eligibility, under current state policy, eligibility for State Education Department (SED) Special Education Services or for that matter ACCES-Vocational Rehabilitation services does not automatically qualify a student to receive services through the Office of People with Developmental Disabilities or Office of Mental Health or other state agencies charged with assisting individuals with disabilities lead full and productive lives. Parents and students with disabilities are often unaware of these differing requirements and many school-based transition plans fail to include the type of person centered planning processes and outreach to appropriate non-education resources necessary to adequately prepare students with disabilities for post secondary education or employment

According to the National Council on Disability in order to help students with disabilities transition into productive adults, the most successful strategies include:

- Competence in:
  - Functional academic skills (e.g., reading, math, writing, and problem solving);
  - Community living skills (e.g. money management, community access);
  - Personal-social skills (e.g., getting along with others);
  - Vocational skills (e.g., career awareness, job search); and
  - Self-determination skills (e.g., self-advocacy, goal setting);
- Participation in vocational education classes during the last two years of high school, especially classes that offer occupationally-specific instruction;
- Participation in paid work experience in the community during the last two years of high school
- Participation in transition planning;
- Graduation from high school; and
- Absence of continuing instructional needs in functional academic, vocational, and personal-social areas after leaving school. (Benz, Lindstrom, & Yovanoff, 2000).

Basic transition planning requires that schools:

- Counsel every student, along with his or her family, to think about goals for life after high school and to develop a plan to get there;
- Design the high school experience to ensure that the student gains the skills and competencies needed to achieve his or her desired post-school goals; and

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- Identify and link students and families to any needed post-school services, supports and programs before the student exits the school system

DDAWNY believes successful transition planning requires a much more collaborative approach and participation by the various state and local agencies, particularly OPWDD, OMH & ACCES-VR in this transition planning process.

DDAWNY also believes a more coordinated and transparent eligibility process among the agencies will break down silos and permit true collaborative planning and improve education and employment outcomes for students with disabilities.

The Commission also seeks comment on student achievement. DDAWNY is encouraged that the State is taking steps to move away from a one-size-fits-all approach to graduation requirements and beginning a discussion about creating multiple pathways to a diploma. We believe this discussion is critical to moving New York forward in its effort to better prepare our students for life and post-secondary opportunities.

The proposed regulatory changes can provide some students with the flexibility needed to keep them engaged, but they do not go far enough to establish meaningful alternatives.

The proposal to extend the safety net for students with disabilities rightfully recognizes that students have different modes of learning. However, creating a separate diploma for students with disabilities is not a solution, unless that diploma has value in the eyes of employers and the student with a disability. In addition, while the current regulatory proposal by the Regents offers some flexibility for students who have difficulties with certain exams, these students must still rely on standardized testing to meet diploma requirements.

None of the current proposals seriously considers the need for alternate forms of assessment for students who, for whatever reason, cannot adequately demonstrate their knowledge and skills on standardized tests but can show proficiency through other forms of assessment. It is important that the State identifies alternate forms of assessment, such as portfolio or performance-based assessment, and allows these alternative forms of assessment to be used on a more widespread basis.

Finally, DDAWNY strongly believes that providing classroom professionals and district leadership with appropriate training, particularly training on the unique and sometimes misunderstood learning dynamics of students with disabilities is essential to improve their classroom performance, increase graduation rates for these students and permit their transition to the working world.

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Many students with a disability have some level of cognitive impairment, but the specific diagnosis of this impairment can often be ambiguous or undetermined. The ability levels of these students can vary widely, from functional academics to basic life skills. However, most of these students are still quite capable of learning at their own level when provided the appropriate supports and materials.

While developing age-appropriate adaptive skills is a challenge for students with disabilities, their ability to learn can help provide them with some level of independence in a number of life skills areas. Appropriate educational programming for these students should include self-care and self-advocacy components, as these skills are absolutely essential for their inclusion in the community.

Deficits in motor development can impact independence in these self-care areas and can also force limitations on mobility and access to the environment. These deficits may be a result of poor muscle tone or an unavoidable aspect of the specific condition. Physical therapy in conjunction with orthopedic supports may be necessary to ensure independent travel.

Sensory impairments may also be present in students with disabilities, and knowing the specifics of their hearing and/or visual impairment is absolutely essential to the development of an appropriate instructional program.

Perhaps most importantly, students with disabilities oft-times have deficits in the area of communication, making it difficult for them to communicate their wants, needs, and pains to those around them. This limitation can be devastating to the emotional and intellectual development of the child, but can be addressed through the use of assistive technology and augmentative communication systems.

Determining an appropriate educational program for a student with disabilities can be a daunting task due to the variety of pervasive supports needed by these students. All teachers, not just special education teachers can benefit from understanding the support needs of these students and how to bring out the best in these students.

DDAWNY believes the planning process should be a multidisciplinary process, including parents, teachers, physical therapists, assistive technology teachers, and any number of additional support staff. Of course, at the center of the planning process should be the student, and the strengths and desires of the student should guide the entire process. Specific steps to success need to be identified, and timelines set for each educational objective. In addition,

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resources and supports needed for the student to achieve his goals should be defined and addressed.

One area of support that can be particularly effective for all involved is peer tutoring. Peer tutoring has been proven to have positive results for students with disabilities in a number of separate research studies. However, care must be taken that the tutoring is not a one-way relationship, but is reciprocal. The student with disabilities should also be able to provide something to the tutoring process, even if it is a simple social behavior. Some training on both sides will be necessary to make this a fruitful support system.

In looking at Teacher Quality, DDAWNY believes additional focus on providing teachers with training on best practices to address the unique learning needs of students with disabilities must be an important component of the Commission's final recommendations

On behalf of DDAWNY, I would like to thank the Commission for its time and assure you DDAWNY is prepared to help the Commission as it develops its recommendations for the Governor.