

REFLECTIVE ESSAY

Transforming Special Education: The Role of the California Association of Private Special Education Schools (CAPSES)

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ABSTRACT

Editor's Introduction: In January 2015, members of the Editorial Board of The Journal of Transformative Leadership and Policy Studies (JTLPS) conducted an interview with Dr. Robert Reilly, CAPSES board member, to engage on issues surrounding special education in the 21st century. This reflective essay was culled from a transcribed interview and themed around six major areas: access, special education policy, services supported by CAPSES, social justice, teacher preparation, and creating an inclusive school culture for children with special needs.

CAPSES primary mission is to maximize the potential of individuals with disabilities by advocating for them in

public policy, and promoting high quality instruction, guidance, therapy and staff development. CAPSES is dedicated to preserving and enhancing the leadership role of the private sector in offering alternative quality services to individuals with disabilities. By providing the highest quality instruction, therapy and guidance and advocacy to their clients, CAPSES members strive to help special education students maximize their potential and lead independent and dignified lives. Through this interview, JTLPS sought to ascertain how CAPSES works to build this potential with special education students and their families to ensure appropriate services for them.

CAPSES on Access in Special Education

JTLPS: To begin, why was CAPSES established as an organization and how has special education evolved since CAPSES's foundation?

CAPSES: During the fall of 1970, nine special education directors from southern California came together to explore the possibility of forming a professional association with a mission to improve communication between the public and private sectors of education. Specifically, this group, that was backed by parents of children with specific learning disabilities, was interested in focusing on the need for private schools to have a voice in developing policy and providing options for children whose education needs were lacking the individual services necessary for them to achieve at each grade level and eventually successfully complete their high school program. As the

result of this effort, CAPSES was incorporated in 1973 as The California Association of Special Education Schools. CAPSES' primary mission was to promote the delivery of quality special education and related services in both the non-public and public sectors of education.

In 1976, public law 94-142, which is the Education of All Handicapped Children Act, was passed by our Federal leaders after parents, who often are the catalyst for change to occur, began to lobby the federal government for alternative educational services for these children, especially for those who could not afford private schools. This opened the door for private schools to contract with state departments of education in order to serve children that the public sector was unable to serve. This public law is currently codified as the Individuals with Disabilities Education Improvement Act (IDEA, 2004). Prior to its initial

passing, families who had children with hearing disorders, sight, or other health impairments and children with non-ambulatory disabilities, did not have anywhere to learn if they could not be served in the public schools. As a result, CAPSES mission began expanding to all areas of California providing support, direction, and appropriate interventions on behalf of all children and families that were in need of appropriate learning options and environments for vulnerable children.

CAPSES on the Current State of Special Education

JTLPS: Where is special education today? Where is it going? And what is it going to take to get there?

CAPSES: Special education is a complicated process. In order for individual states to receive federal funding for these specialized services, they must create policies that ensure a free and appropriate education for all children with disabilities (IDEA, 2004). These various state plans must be consistent with Title 20 of United States Code, Section 1400, which provides children and adults ages three through 22 with the right to be educated in “the least restrictive environment” and to “the most reasonable extent possible.” This means that children with disabilities should be educated with non-handicapped students in public school general education environments and that separate classes or separate school placement occur only when the severity of the handicap prevents learning in mainstream classes or when school districts do not have the ability to provide needed special education services.

A significant problem for special education is the struggle that continues in all states to locate and retain fully qualified special education teachers. This remains one of the most important challenges for this field and for the ultimate success of all students with disabilities (DeMik, 2008). The United States Department of Education in 2011 reported that special education teachers in America are leaving the field or migrating to general education classrooms in large numbers and in less than five years (CDE, 2011). Data reported by the California Department of Education in 2010 indicated that special education teachers are transferring to general education classrooms at a rate ten times the number than general education teachers transfer to special education placements (CDE, 2010). If this trends continues, this is a problem that cannot be solved simply by recruiting thousands of new teachers (Ingersoll, 2002).

Many studies have concluded that teacher shortage in special education occurs most often with those staff assigned to classrooms of students with emotional/behavioral disorders followed by teachers serving students with severe/profound disabilities and specific learning disabilities (McLeskey, Tyler, & Flippin, 2004). For these vulnerable students this attrition creates a never ending stream of new teachers that they will need to adjust to and a learning process that most certainly can be different from teacher to teacher. This inability to adjust rapidly can result in a significant decrease in achievement levels and an increase in student dropout rates (Reilly, 2013).

JTLPS: So 40 years later how is the state better off in terms of serving the student population that CAPSES serves?

CAPSES: CAPSES efforts on behalf of families and their students with disabilities have improved the educational experience for a great number of these children. I have experienced conversations with many children attending CAPSES member schools. They talk about being happy there. They talk about wanting to go to school every day. I was a principal of a nonpublic school for 17 years and I constantly heard students say “I love this school! The food here is great! I love my teacher!” I also have listened

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to students say that they hate their nonpublic school when attendance records are found to be nearly perfect. When you hear students verbalize these words, it may be the first experience they have had where they are able to do so. I would say that CAPSES schools have provided an oasis for vulnerable children where they feel safe, valued, and experience sustained success in social and academic skill development.

Members of the California Department of Education, along with administrators, teachers and support staff also cite CAPSES annual conferences, and regional meetings in providing training in all areas of teaching and administering nonpublic schools as well as keeping everyone abreast of current trends affecting special education.

One of the greater challenges facing CAPSES and its member schools and agencies is the process which is set in place in federal law that requires several conditions before a child may attend a state certified non-public school. They need to fail at every public school special education program and begin a process of evaluations of their development of which can be exasperating for both the student and responsible family members. In order for a student to receive services under IDEA, they must be tested and evaluated to determine the specific disability that may be causing an inability to process learning. Once the student's specific disabilities are identified a fifteen day student study team comprised of a parent, teacher, school counselor, testing psychologist and other interested/invited persons create an Individual Education Program (IEP).

In essence, it is a legal document that prescribes individual academic and behavioral goals designed to create a leveled learning field for the student. The most common option is an assignment to a resource specialist classroom or to be assigned a resource specialist teacher who will provide specific support in the student's general education classroom. If this plan does not provide satisfactory results in a reasonable time, another IEP meeting is called and the student may be placed in a special day class. If they fail there, the school will often transfer them at least once if there is an appropriate school in the district with like services where continued assessments will be made to determine the need for further or additional interventions. Then, after all of these adjustments to the student's program are implemented, and if there is no apparent progress in either behavior or academic achievement or both, another IEP meeting is called where discussions focus on the option of a transfer to a state certified nonpublic school.

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The nonpublic school then is allowed to contract with the school district and begin the process of orientation and program implementation for the new student. The attitude of the new student is often, "Hello, I am your new failure. Now fix me!" And these specialized schools do

many times address their needs. They do in fact "fix" many children and have a great deal of success in providing them with fresh outlooks and hope for a successful future.

CAPSES on Policy Impacting Special Education

JTLPS: What measures are currently used to ensure that students are being properly diagnosed as needing special education? And how can this criterion be improved?

CAPSES: The California Department of Education is developing a new program that is based on the federal movement to improve the effectiveness of these evaluations.

Response to Intervention (RtI) is emerging nationally as an effective strategy to support every student. The California Department of Education (CDE) is coining the term Response to Instruction and Intervention (RtI²) to define a general education approach of high-quality instruction and early intervention, prevention, and behavioral strategies. RtI² offers a way to eliminate the achievement gap through a school wide process that provides assistance to every student, both high-achieving and struggling learners. It is a process that utilizes all resources in a school and school district in a collaborative manner to create a single, well-integrated system of instruction and interventions informed by student outcome data. RtI² is fully aligned with the research on the effectiveness of early intervention and the recommendations of the California P-16 Council. Access, culture and climate, expectations, and strategies are the council's themes.

– California Department of Education (2014)

This is very promising as early intervention is critical. Waiting until a child reaches middle to high school grades, and who have experienced a multitude of failures, coupled with receiving generally poor mental health services, makes it difficult to convince them that they can be successful. It can be done. It just takes huge daily struggles. Through the application of RtI, we hopefully are making sure that all students are evaluated more effectively; not only by testing, but through observation and discussion while ensuring that teachers' and administrators pay more attention to the process of individualized education pro-

grams. Early interventions in kindergarten, first, second, third, and fourth grade dramatically increases the chances of students being returned to regular education classrooms as a capable learning students.

CAPSES on Creating an Inclusive School Culture in Public Schools

JTLPS: What resources can districts institute to improve in the area of creating an inclusive school culture in public schools to ensure that students with disabilities are full participants in the academic and social environment?

CAPSES: They can begin by removing their special education classrooms out of the basement. They can remove their special education classrooms from the mobile trailer classrooms where they tend to be located away from the general education population many times. I have visited dozens of public schools around California and it is often difficult to locate the special education classrooms. In fact, at a school district that I had been visiting for some time, I went to find the special education offices where they had always been located and they were nowhere to be found. A nice fellow walked by and asked, "Can I help you?" And I replied, "Where did they put the special education department?" He replied, "Oh, you need to go all the way down the main drag over there about three blocks, turn left and they are right next to the graveyard." I could not believe it. Sure enough I drove where he directed me, and there was the special education department backed right up to the graveyard. Bad location, I would think, if a district wants to enhance the culture of an organization.

In terms of culture-building resources, if you walk into the front doors of the Zinsmeyer Academy in Long Beach or the Institute for Effective Education in San Diego, for example, you cannot help but be happy. They are beautiful. They have pictures on the walls. They have new carpeting. Zinsmeyer Academy has a licensed contractor that comes in after school and repairs any damage the students may have done. In fact, when students get angry and punch a hole in the wall, the next day they bring their buddy over to show them, "Look what I did." The hole has already been repaired. Then their buddy says, "Well I thought you said there was a hole there?" If you take care of the school environment, students will learn to increase their level of care for their school as well. I believe that a tour of any CAPSES member school will provide the visitors an experience about what an environment for vulnerable students

should look and feel like.

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The more normal and inclusive environments that these children can be provided with in public schools the greater the chances are that they will achieve success. With CAPSES serving 7,000 students out of over 600,000 attending public schools in California, the public sector is not completely failing special education children. CAPSES schools exist to ensure that there is an appropriate education experience for the most severely handicapped students who are unable to succeed in larger more comprehensive schools. CAPSES sees this as a partnership ensuring the best possible options for all children with disabilities.

CAPSES on Social Justice and Special Education

JTLPS: Why do you think there is an over representation of students of color and low-income students in special education? What can districts do to improve this over-representation?

CAPSES: Currently in the United States there far more money is spent on prisons than on colleges and universities. California, for example, spent \$9.6 billion on prisons in 2011 but just \$5.7 billion on higher education (Kolowich, 2013). Demographically, minorities are disproportionately represented in prisons, which is a major indication that we are treating the symptoms and not the problems. There has been speculation that people who build prisons, which now are often for-profit, study third grade classroom behavior reports, teacher reports and school reports to determine demographically where these prisons should be built. While this claim cannot be substantiated, what we do know is that there is a high correlation between poor academic achievement by children of color and low-income and prisons; a phenomenon referred to as the school-to-prison pipeline (Houchins & Shippen, 2012).

The high rates at which this occurs can certainly be taken as an assessment of what issues need to be faced

by our society at large. It is not a good reflection on us that little children are being arrested, often times for stealing relatively small items. What happened to bringing the child back to the store and having him apologize and help clean the store's floors? These children are brought into court and their feet cannot even touch the floor while they sit on the bench waiting for their punishment. Unfortunately, if the speculation is true then the prison-builders are looking at it as indeed, "there is another one!" "He will be one of our prisoners because he has already been arrested for theft."

Then when they are in the court system, they are around other children who have similar challenges, and they become their mentors. Moreover, upper class families with children of color are sending fewer of them to public schools because they don't trust the process and because they have the money to do so, they enroll them in private schools. The problem that this creates is a worse outcome for poverty level children because these students need to be with other successful students that they can relate to ethnically. If they only engage with struggling or failing children their chances for succeeding diminish correspondingly.

From my perspective, the answer to reducing both the number of children in the court system and the number of children academically succeeding is the early reasonable, sensible evaluation of children that California is developing with the RtI approach in order to determine if there is a specific learning disability or mental health issue in need of intervention and/or treatment. It is important not to over react when children are being children, especially when it applies to children of color which I believe happens too often and is reason these children do find themselves in special education.

The following thoughts from a minority mother on having a child of color in special education help to clarify this discussion. Her thoughts are amazing. It is lengthy but it worth going through. It says many things that I am certainly not surprised about pertaining to children of color being found eligible for special education services when they are, in fact, not.

It is frightening to think that schools cannot be held responsible for having minorities enter a school, only to have many of them placed in special education without any accountability

on the part of the school. It seems like teachers are allowed to use special education as a way of weeding out from general education what they perceive as the "trouble[d]" children. Often a child can be the most brilliant in class, but because he cannot sit still for long periods of time he becomes a potential candidate for special education.

What is so frustrating is that when a White child may be doing exactly the same thing as a Black child, it would likely be viewed as the White child just having a bad day. The word "special" in special education should be changed to "troubled" education. Was special education not designed to be innovative with teaching methods to help students with disabilities? In today's world, most well-off minority parents do not send their children to public schools. Rather, they place their children in private schools for fear they would not receive a fair and adequate public school education. Placing a Black child in the public school system is a risk every Black parent takes, especially if the child is male and of poor economic status.

There is a high risk that the child will be placed in special education. For many parents, the majority of the time is spent being stressed about keeping a roof over their child's head, as well as feeding and clothing him or her. School seems to be the least of their concerns. Parents trust in schools tremendously to act in the best interest of their children because that is what educators are supposed to do — prepare students to be productive assets to the community, contributors to the larger society. Unfortunately, this does not seem to apply to minorities. It seems as if special education becomes the stumbling block in these students' lives.

– Lavine (2010)

CAPSES wants all children in special education to be provided a pathway, not a road block. Therefore we need to attend to the root problem not the symptoms. There are certain factors that we are just now paying atten-

tion to about Black children who are raised in a cultural environment where they may often react to stimulus in ways that White children do not. Their experience may be such that being raised in their environment they might simply be sensitive and reactive to specific sensory input and that could be causing the difference in how they behave. Rather than spending special education dollars and misidentifying their needs, they may respond positively to sessions with an occupational therapist to learn how to deal with their sensory integration issues. Again, with early appropriate interventions positive change can make the difference between short and long term treatment and possibly not needing to add special education services. One of the methods many CAPSES member schools have chosen to address these issues is to implement the process and the philosophy of "Catch them being good."

This philosophy is absolutely amazing. Learning and teaching school staff that punishment only stops behavior, positive interventions and appropriate awards changes behavior is a key factor. If there are positive interventions put in place which CAPSES schools do a superb job of implementing then permanent appropriate behavioral change can occur. This is especially effective for a special needs child because you can yell at a special needs child with sensory integration issues as loud as you want "You did the best job that I have ever seen! You are just turning into the best child in the world! You are just wonderful!" And if you yell loud enough they will respond "What did I do wrong now?" They are not hearing the words they are experiencing the voice inflection and yelling. This is more evidence that calm, reassuring positive interventions produce better outcomes.

CAPSES on Teacher Preparation Programs

JTLPS: What role does the university have in teacher preparation for quality special education?

CAPSES: Most school districts in America are facing chronic shortages and ongoing vacancies during the school year because qualified credentialed candidates cannot be found (Reilly, 2013). Currently, California is experiencing a teacher shortage of approximately 95,000, which includes special education teachers (California Teachers Association, 2015). A major reason for this in special education is that there is a disconnect between what is going on in the safe classrooms in university teacher preparation programs and the reality of the many surpris-

es that lie in store when the novice teachers venture out into their first special education classrooms. They arrive at their new school, and the first thing that may happen is one of these children that become upset throws a chair at them or maybe bites them.

The response of the teacher is, "they never told me about this in teacher preparation school, I am out of here." In fact, during my third or fourth year as a principal I hired a teacher who came in looking tough and ready to go and by the end of her first week I couldn't find her. I then discovered a note she had left on my door, "I am out of here, thanks for trying me out!" This result happened despite an orientation process and an assigned mentor to assist her. This is a very tough business and is the reason that 50% of all special education teachers leave the field or move

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to general education within the first five years of working (CDE, 2011).

This shortage signifies that more impactful and supportive teacher induction programs need to occur. This is the process that happens when teachers graduate from their teacher preparation and training and move into their new school where an orientation process takes place. The novice teacher is provided a mentor to help guide and support them, as well as a teaching plan going forward. In that plan they should know, for example, that when they see a child moving around in their seat, an occupational therapist may be available to administer a sensory integration assessment to determine if perhaps their seat is too hard. "If so, we are going to put a little cushion under you and that might make a difference."

Also, making changes in the environment can help tremendously. Certain lighting can over stimulate children with sensory integration issues. Adjusting the light in the classroom, as well as the colors of the room might be changes that could assist the learning process for students who may be more prone to react to specific sensory input and that could be the difference. Spending large amounts of money to put them in special education when they may just need some time with an occupational thera-

pist, or a mentor to learn how to deal with his or her integration of different senses that are bothering them could turn out to be a better path in the long run. They should also know and expect that on some days nothing will go right no matter what they do! If university teacher preparation programs integrated more of these kinds practical applications to their teaching curriculum I believe novice teacher attrition could be decreased significantly. It would be an additional cost to the universities but would decrease the huge costs to school districts of losing teachers and retraining new ones. These reduced school district administrative costs might then be better spent on improving teacher preparation programs and classroom environments.

Education leaders Arne Duncan, United States Secretary of Education and Tom Torlakson, California Superintendent of Public Instruction, have stated that teacher attrition in the United States is one of the most challenging problems facing education today. They both give specific attention to special education and the over six-and-a-half million students currently receiving services under IDEA (IDEA, 2010). Children in special education are often left with teachers that are not qualified to work in the field, creating an unstable environment for children who are in need of the most stability in order to achieve their optimum potential. Consequently, policy leaders and university teacher preparation administrators are challenged to create more effective programs that enhance the chances that special education teachers will remain on their jobs longer than they currently are.

I believe that ongoing collaboration between university teacher preparation programs, school district superintendents and principals, and responsible stakeholders in charge of student progress and adaptation should be established and made part of the public policy apparatus that guides this most important issue. California is currently almost one hundred thousand teachers short of providing an appropriate education for general and special education teachers. This is a pattern of failure that cannot be sustained over time and will need all the energy and attention leaders in this field are able to muster.

About the Author

Robert Reilly, Ed.D. LMFT is an educator and a licensed clinician. He has published articles, essays and public relations scripts for various nonprofit organizations. He is currently the owner of a consulting firm that provides support for organizations that work with vulnerable children and offers private therapy and life coaching for families and individual clients. You can visit him on LinkedIn.com.

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