



**Advocates for Children of New York**  
Protecting every child's right to learn

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**Testimony to be submitted to the New York City Council  
Committee on Education**

**RE: Oversight: Special Education Instruction and Student Achievement**

**Advocates for Children of New York  
October 28, 2014**

Thank you for the opportunity to submit testimony today

My name is Maggie Moroff. I am the Special Education Policy Coordinator at Advocates for Children of New York (AFC) and the Coordinator of the ARISE Coalition. AFC is a non-profit organization that has been working to protect the rights of NYC's most vulnerable children, including students with disabilities, for over 40 years. The ARISE Coalition is a group of parents, educators, advocates, and academics who work together to push for system-wide changes to NYC's special education system. AFC and the members of ARISE have come to see raising literacy rates for students with disabilities as crucial in our quest to improve outcomes. Until our school system makes a major commitment to the hard work of building the skills, school by school, that are needed to teach struggling readers, we are not likely to see substantial gains for this population.

You are going to hear from several parents today, so I'll leave it to them to tell you what it's like from a parent's point of view when your child isn't learning to read and you're left without sufficient support from the schools. I do want to tell you, though, that our school system can change this situation. At Advocates for Children, we've seen it again and again through the families we help every year. When students of all ages have been failed by the system and still can't read, they start making significant progress once they receive specialized tutoring, using evidence-based methods, in

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after-school settings or over the summer, or are placed in non-public school settings with expertise in teaching students with disabilities to read and write. The problem is not the children; it's a school system that is not prepared to teach them effectively.

To make clear the magnitude of the crisis facing the City, let me share some statistics:

- Over 17% of students in NYC public schools have a disability.
- In 2012-2013, just over 6% of those students who participated in standardized testing scored a 3 or 4 on their ELA exams. Compare that to the 35% of students without disabilities. And the 93% of students with disabilities who failed to achieve proficiency doesn't include students with the most profound needs who participated in Alternative Assessments rather than standardized testing.
- To make it clear what this means for older students, of those students with disabilities who took the English Regents Exam, only 31.6% of them passed in the 2012-2013 school year. That's identical to the pass rate for students learning English.
- Not surprisingly, only 33.2% of the students with disabilities who began high school in 2009 have graduated with a Regents or local diploma – slightly more of them with a local diploma than a Regents diploma.

But disability should not be destiny. Federal and state laws mandate more than our schools are currently delivering. For example, the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act require that students with disabilities receive the supports and services necessary to meet their academic needs, including specially designed instruction and assistive technology. Those same federal laws also require that schools offer curriculum through a variety of formats



designed to reach all kinds of learners. Those legal mandates to provide Accessible Instructional Materials (AIM) mean that curriculum must be designed or converted to make it usable for a wide range of students – presenting it not just through print, but also through digital media, graphics, audio and visual.

Research supports the potential to improve literacy rates for students with IEPs. Numerous studies show that when students with disabilities receive intensive and systematic evidence-based interventions, their literacy skills improve. If students, including students with IEPs, are learning in literacy-rich environments that include phonics, reading connected text, and explicit, small group, intensive instruction, improvements follow. High-quality language and literacy instruction in inclusive classrooms has also been shown to speed up reading growth and narrow literacy gaps.

The ARISE Coalition, which we coordinate out of AFC, has several concrete recommendations for the City to improve literacy rates for students with disabilities. We're looking for the DOE to come up with a **long-term plan** for teaching all students, including students with disabilities, to read at or above grade level by the end of second grade. To that end, we urge the DOE as follows:

- Beginning in pre-kindergarten, students must receive evidence-based core literacy instruction designed to prepare them to become competent in the 5 pillars of reading (phonemic awareness, phonics, fluency, vocabulary, and comprehension).
- Beginning at least with kindergarten and continuing through middle school and high school, schools need to provide on-going screening for reading ability, and those students not reading on level must receive additional, evidence-based, targeted intervention with on-going progress monitoring.



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- Students requiring additional evidence-based intervention must be provided with opportunities to receive it not only during the school day, but after school and during the summer months.
  - By using augmentative communication devices, assistive technology, digitalized texts and other multi-media to promote dynamic teaching and learning, schools should make use of technology to support literacy development and content instruction for all students, regardless of their ability to use spoken language or access the curriculum through paper and pencil alone.
  - Schools must partner with parents in literacy instruction, providing strategies to use at home and engaging in on-going dialogue about the needs and progress of individual children. The DOE also has an obligation to provide information to parents on how to access needed screening and interventions for their children.

Finally, Advocates for Children supports the idea behind the reporting bill before the Council today. We would like to suggest some changes to the language and some additional items to be reported, beyond evaluation and placement. We plan to provide the Council with specific suggestions early next week and would like to offer to sit with Council staff to discuss our specific recommendations at that point.

Thank you for the opportunity to speak before you today. I am available to answer any questions you have now or in the future.