



# Parents for Inclusive Education

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c/o New York Lawyers for the Public Interest  
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February 25, 2010

Chancellor Joel Klein  
New York City Department of Education  
52 Chambers Street  
New York, NY 10007

Laura Rodriguez  
Chief Achievement Officer for Special Education and English Language Learners  
New York City Department of Education  
52 Chambers Street  
New York, NY 10007

Re: Reforms in Special Education

Dear Chancellor Klein and Ms. Rodriguez:

I am writing on behalf of Parents for Inclusive Education (PIE) to follow up on the Department of Education's recent announcement regarding its two-year plan to reform special education. We are pleased that Garth Harries seriously considered some of the recommendations we provided him and that the DOE in turn is attempting to make changes based on his recommendations. As we read through the DOE's plans for reforms, we wanted to share a few observations and questions with you. We hope that the suggestions outlined within this letter are just the continuation of the conversation we began with Garth Harries and continued this past fall. We would welcome the opportunity to meet with you again to further discuss the issues raised within this letter.

As you know, PIE is deeply committed to seeing that inclusion is a viable option for all students with disabilities across the City. We are thrilled to currently be coordinating a contest with DOE that celebrates the inclusion of students with disabilities and hopefully raises the awareness of inclusion throughout many schools. We again express our gratitude in the DOE agreeing to partner with us on this venture.

As a group focused on inclusion, we are glad to see the DOE's commitment to inclusion, as outlined within the first guiding principle of its plan for reform. We hope that as the DOE implements this guiding principal it does so in regard to all schools

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servicing all students with disabilities. The way in which this principle is written, by stating every school "should" educate rather than every school "will" educate, can lead others to believe that some schools can choose to opt out of these reforms. In addition, we wonder how this principle will apply to new small schools that are just starting up and many schools that are located in inaccessible buildings. As we know, in recent years the DOE implemented a policy by which new small schools were not required to serve students with disabilities in their first two years of existence. Does the adoption of this guiding principal signal a retraction of this policy? Additionally, as the Department closes large comprehensive schools and replaces them with small schools, is there a plan in place to ensure that there are a variety of small schools located in barrier-free buildings so that students with physical and mobility impairments have the same opportunities for inclusion as their peers?

In regard to accountability and transparency, we urge the DOE to continue to practice and promote the transparency it has already begun, especially with parents who will be active partners in educating students with disabilities. As the DOE creates its toolkit to help schools support students with disabilities, we strongly encourage that the DOE make it available online to all. If parents are able to access the kit, they will not only be able to learn how their students are being educated and included within their community schools and classrooms, but they will also be able to work with teachers and administrators to ensure aspects of the kit are implemented correctly and effectively. Additionally, one item to consider including within the toolkit is a glossary of key terms so that all individuals involved are in agreement on how terms are being used and communicated. For example, in reviewing the first guiding principal with several members of PIE, none of the members were clear on which students with disabilities fall in to the category of "low-incidences" disabilities. Finally, as schools are held accountable for students with disabilities, it would be extremely helpful for the DOE to share with parents the different ways in which such accountability will take place. Our concern is that parents who are unable to have their students included in school program or activities are not aware of the appropriate individuals to whom they can address their concerns. This is especially true for parents of students who are in schools who's principals are not fully aware of the requirements of including all students with disabilities in all programs and activities.

We look forward to working with the DOE as it begins to implement many of the reforms outlined within its two-year plan. As stated above, we would welcome the opportunity to meet again to further discuss the ideas within this letter and obtain a better understanding of the DOE's plans. Please contact PIE through Jaclyn Okin Barney at [jaclyn@jaclynokinbarney.com](mailto:jaclyn@jaclynokinbarney.com). Thanks very much for your time and attention.

Sincerely,

  
Jaclyn Okin Barney, Esq.