

The Rising Tide that Lifts All Boats: Investing Stimulus Dollars with an Equity Focus

April 2021



INTRODUCTION

Our country is at an unprecedented point, and our education leaders are currently facing a crossroad. The current strategies and systems of support for our students have been falling short of meeting their needs, and for decades, our most vulnerable students have fought to receive the same level of support as others. While nearly all students have experienced significant learning losses due to the coronavirus pandemic, students with disabilities have been disproportionately impacted. This is due to the challenges of providing critically important special education services and support in a remote environment.¹ Thankfully, we now have the opportunity to assess and determine if the current programs and services are yielding the intended results. The federal American Rescue Plan (ARP), passed into law by Congress in March of 2021, provides an unprecedented investment in education, giving schools and districts access to funds to address the needs of students more holistically. By understanding the details of this relief funding, schools and educators can better advocate for access to allocate and utilize funds to target and enhance the education of students who need it the most -- those with disabilities. This will enable districts to turn the fire hose of federal funds into a rising tide to benefit all students.



CONTEXT

HOW MUCH MONEY IS AVAILABLE?

The aid package includes \$130 billion for K-12 education, including \$3 billion allocated directly to states under the Individuals with Disabilities Education Act (IDEA). An additional \$121.9 billion of general funds are allocated to states through poverty and population formulas within this package. While state education agencies can retain up to 10 percent of these dollars, at least 90 percent (i.e., \$109.8 billion) will be allocated directly to districts with the specific amounts sent to each based on population and poverty.²

HOW CAN THE MONEY BE SPENT?

While states must abide by IDEA restrictions when spending the \$3 billion specifically reserved for special education, the bulk of district funding comes with much more flexibility. Districts must use at least 20 percent of the \$121.9 billion on evidence-based interventions to address learning loss. Furthermore, they must ensure that the programs and interventions respond to students' academic, social, and emotional needs and address the disproportionate impact of COVID-19 on students living in poverty, English learners, racial and ethnic minorities, and students with disabilities.³ The remaining 80 percent of funds may be spent on any activities authorized under all federal education laws, including IDEA, and may also include expenses related to professional learning for educators, access to and purchase of educational technology, and certain types of facilities improvements.⁵ For funds retained at the state level, 5 percent must be used to address learning loss, 1 percent for summer enrichment programs, and 1 percent for comprehensive after-school programs.

All state and district funds must be obligated for use by September 30, 2024.⁶ These funds are one-time allocations, and schools should keep that in mind as they consider recurring costs that may extend past the 2024 deadline. Schools could turn this limitation into an advantage using these one-time funds to make the investments needed for transformational changes to rethink, restructure, or re-staff how services are provided. As with previous stimulus funds, states and districts must maintain effort and maintenance of equity provisions to receive these ARP funds. Specifically, states and districts, including schools that act as their own districts, must continue to fund K-12 education in 2022 and 2023, at least at the same funding levels as 2017, 2018, and 2019. Cuts to high-need district budgets also cannot be greater than total state or district-wide reductions.⁷

HOW SHOULD SCHOOLS SPEND THE FUNDS?

As states, districts, and individual schools contemplate how best to allocate stimulus dollars over the next three years, they face a unique opportunity. They can intentionally ensure that the return to in-person learning and potential extension of hybrid (remote and in-person) learning does not signal a return to the system that did not educate students with disabilities well. With this goal in mind, based on established and emerging research and a dose of creative thinking.

RECOMMENDATIONS

We propose several specific strategies that districts, schools, and educators should consider to optimize the positive impact of stimulus dollars on students, especially those with disabilities. Furthermore, while the needs will be acute into the next school year, decision-makers should be mindful of the need to pace the allocation of resources over the entire authorized period to optimize the impact of all efforts in a comprehensive way.

The recommendations fall into seven key areas of work:

1. Knock down internal barriers
2. Quickly get current on Individualized Education Programs (IEPs)
3. Assess and screen well
4. Engage families as partners
5. Address trauma and social-emotional learning (SEL)
6. Provide rich learning opportunities
7. Anticipate lingering impacts of the pandemic

KNOCK DOWN INTERNAL BARRIERS

1. Anticipate and Address Procurement Red Tape

- Work with procurement experts or create a task force to inventory and revise any policies and procedures that need to be amended to fast-track procurement decisions while ensuring accountability.

2. Explore Temporary Waivers of State Hiring and Licensure Requirements

- Work with human resource experts to examine hiring and licensure requirements. To avoid a funding cliff when the stimulus dollars run out, leaders should think creatively about how to engage and deploy instructional, related services, and administrative personnel temporarily. Consider tapping into new sources, like online-related service providers across state lines, trained personnel working in community service agencies, and general educators providing mandated IEP services.

3. Improve Facilities and Ensure Access for All

- Address the quality of building ventilation. For example, ensure all windows can open, improve ventilation systems, and increase physical accessibility.
- Consider potential building modifications that will facilitate full and safe access benefits for the entire school community. Individuals recovering from COVID-19 may find ramps or elevators easier to navigate than stairs. Transparent partitions or space dividers, along with natural or soft lighting, may be required for students and staff who depend on lip-reading.
- Ensure building modifications are guided by [universal design principles](#), allowing facilities to be accessible to all.

4. Address the Backlog of Referrals and Annual Updates

- Address the backlog of referrals for special education and update IEPs. Create a "referral rapid response team" by coordinating contracts with multiple providers (e.g., social workers, school psychologists, speech/language therapists, and occupational therapists). This team will be deployed to quickly address the backlog of evaluations and assess the current performance of students to ensure accurate knowledge of current strengths and needs.
- Provide training to the "rapid response team" and school staff on disproportionality and equity-based evaluation to prevent the over-identification of students of color for special education. This should align with the recommendations within the Address Trauma and Social-Emotional Learning section on page 7.
- Deploy specific members of the "rapid response team" to lead IEP team meetings designed with each student's unique needs in mind, and collaborate with families to develop updated IEPs and plans to address learning loss. Special education leaders should create priority lists aligned to state-required timelines, considering any timeline waivers possible under state law to prioritize further by student need.
- Contract with a local or virtual temporary employment agency (e.g., Belay or Time ETC) to secure and train administrative assistants or compliance coordinators (e.g., special education "scribes," schedule associates, and data compilers). The goal is to improve collaboration and assist instructional personnel to better manage paperwork associated with IEPs.

5. Build Capacity to Provide Related and Compensatory Services

- Create a multidisciplinary team that includes contracted providers (e.g., social workers, school psychologists, speech/language therapists, and occupational therapists) to rapidly address the inadequate provision of related services and supports. This team should review data to ascertain a clear understanding of who needs which services. Also, they should create an inventory of local service providers and begin forging working relationships.
- Execute contracts with related services providers including potentially partnering with a local hospital or private practice that your district might not typically have the financial ability to engage. This contract will ensure districts can provide critically needed new, and potentially compensatory, services in both virtual and in-person environments.



ASSESS AND SCREEN WELL

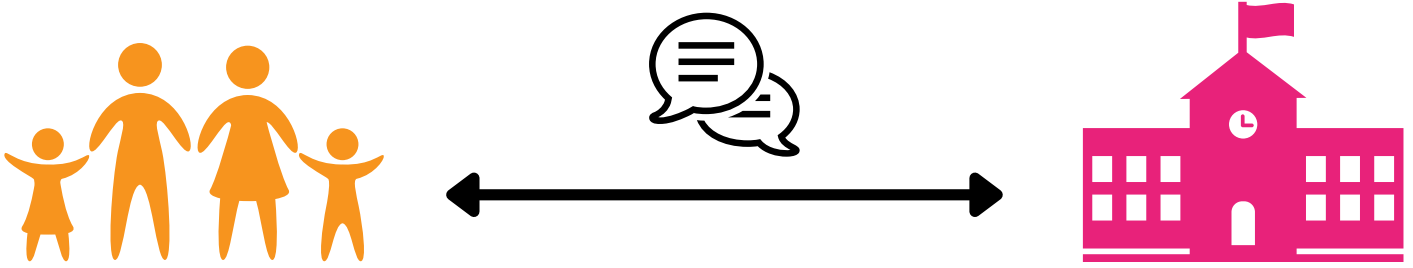
6. Secure Top-Notch, Effective Assessment Tools

- Purchase [assessment materials that are high-quality, relevant, and culturally sensitive](#). Assessments conducted as a part of the special education evaluation process provide valuable data to IEP teams as they determine eligibility for services and, if eligible, a baseline understanding of present performance levels.
- Explicitly ask evaluators responsible for addressing the backlog and potential uptick in special education evaluation requests to re-evaluate testing materials and ensure they reflect best practices. This review should ensure that the school team can complete as much testing as appropriate using materials free from cultural bias, allowing students to be identified more quickly and equitably.

7. Develop and Recalibrate Multi-tiered Systems of Support (MTSS)

- Provide instructional leaders time and stipends to ensure they conduct the appropriate calibration of MTSS systems and screeners given the changes over the last year. Simultaneously, ensure that high-quality interventions for all tiers are available to students, whether attending school in person or virtually.
- Build and deploy intervention structures to include increased 1:1 individualized instruction and data-driven small groupings.
- Provide ongoing coaching to all staff to ensure implementation fidelity and consistency in delivering screeners and interventions -- critical components of solid MTSS.
- Provide time and financial resources to instructional staff to develop MTSS processes and create and curate resources, such as those provided by the [Special Education Leader Fellowship](#) and SWIFT Education Center, to build staff capacity and participate in needed training.





ENGAGE FAMILIES AS PARTNERS

8. Invest in Family Partnerships

- Hire facilitators to develop and enhance family partnerships. Consider engaging and compensating family members or community-based organizations to serve as liaisons or facilitators and bridge more profound and culturally relevant collaboration with families. This will ensure students' learning experiences since the beginning of the pandemic inform instructional decisions.
- Anticipate that multilingual families of students with disabilities may require language interpretation or translation services to collaborate with schools meaningfully. Purchasing translation services for written and phone communication is a critical first step towards encouraging authentic and meaningful family partnerships.

9. Build Family Information Hubs

- Recognize that families of students with disabilities need additional support, and invest in the development of accessible online information hubs. Family resource hubs, like those created in [Washington, DC](#) and [Oakland, CA](#), can aid families struggling to navigate access to special education and related services during the pandemic.

10. Create a Virtual Help Desk for Families of Students with Disabilities

- Create a virtual help desk that is aligned with the family information hub for families of students with disabilities. The virtual help desk or hotline should operate with extended hours by rotating personnel who can solve problems and connect families to additional resources.
- Develop an online database to log issues, and ensure that central office personnel has a direct line to address challenges as they emerge.



ADDRESS TRAUMA AND SOCIAL-EMOTIONAL LEARNING

11. Prioritize Addressing Trauma

- Enhance MTSS systems, including Positive Behavior Interventions and Supports (PBIS), with trauma-informed practices by partnering with expert consultants or organizations, like the [Center on Positive Behavioral Interventions and Supports](#) and the [Center on Multi-Tiered Systems of Support](#), and providing ongoing training to all staff. The pandemic has been traumatic for many students, and leaders should build capacity around the impact of trauma and early detection techniques in anticipation of an uptick in behaviors stemming from trauma.
- Refine data systems and intervention inventories to ensure alignment to trauma-informed practices.⁸

12. Rethink Student Discipline

- Ensure school-wide practices and strategies are trauma-informed and support the whole child, focusing on [restorative justice](#) and [social-emotional skill-building](#) rather than punitive discipline.
- Prioritize building students' executive functioning skills and social-emotional development by investing in support and resources from organizations, such as [Collaborative and Proactive Solutions](#) and [The Zones of Regulation](#).
- Invest in training and coaching for staff on positive behavior supports, self-awareness, and implicit bias.
- Coach and build staff skills around verbal de-escalation techniques to prevent crisis behavior. Hire Board Certified Behavior Analysts (BCBAs) to collaborate with staff in developing behavior prevention plans, safety plans, and direct support to students.
- Engage community-based organizations to provide access to mental health supports for students, families, and staff.
- Examine and improve policies and practices to prevent and reduce the use of exclusionary discipline, especially the restraint, seclusion, referral to law enforcement, suspension, and expulsion of students of color and with disabilities.



PROVIDE RICH LEARNING OPPORTUNITIES

13. Find Ways to Expand Learning Time

- Identify opportunities to expand learning time, such as summer school, after-school, and extended school year programs, to provide students with the critically needed increase in time with instructional staff. Resources, such as the [Summer Learning Planning Guide](#) from the National Institute for Excellence in Teaching, include tools for planning summer programming.
- Ensure such programs are not offered in place of extended school year services, which typically address skill regression and risk of delay after the summer break for students with disabilities, and are decided on by the student's IEP team.
- Protect time for scheduling teams and general and special education staff to work in concert to ensure programming is complementary and aligned to developmentally appropriate expectations, such as those around seat time.
- Seek opportunities for tutoring to provide students access to curricular content support. Tutoring programs, such as [City Year](#), [Cadence Learning](#), [Schoolhouse.world](#), the [Minnesota Math and Reading Corps](#), [Reading Partners](#), or [Saga Education](#), should be vetted to contribute expertise and availability. This information should live in a centralized repository for easy matching between student needs and available tutors.

14. Create Robust and Differentiated Learning Opportunities

- Allocate human resources and train staff to ensure implementation of best practices for high-quality instruction:
 - **Create Smaller Group Sizes:** Small group, adult-led instruction is one of the most effective interventions.⁹ Through additional hiring or training of consulting teachers, leaders should build instruction around small heterogeneous groupings (less than 10 students) where possible. Strategies and supports, such as flipped classrooms or parallel co-teaching, can use small-group learning environments without the need to bring on additional staff.
 - **Accelerate Learning:** To provide exposure to rigorous content while scaffolding foundational skills, districts should develop accelerated learning structures. As strong curriculum knowledge will be essential to using an accelerated learning model, schools should offer stipends to general education and special education teachers to help map grade-level content and the underlying skills that should be strengthened in tandem.



- **Provide Coaching:** Schools need to build more comprehensive and frequent coaching structures to ensure educators are implementing new practices with fidelity and high-quality instruction is in motion for all students, especially students with disabilities. School leaders should allocate stipends to develop a designated instructional inquiry team that defines its vision for effective instruction for all students and uses multiple sources of teacher and learner data, disaggregated by subgroup, to make decisions. Schools should use implementation science principles to implement their selected coaching plan. Some coaching models, such as success coaching, are structured so that students meet with a designated educator to build school-based relationships, set short- and long-term goals, and reflect on progress made and support needed. Other coaching programs offer teacher-to-teacher support, with peers aligning instructional strategies and troubleshooting classroom challenges.
- **Adopt Evidence-Based Practices:** Expand implementation of evidence-based practices and programs shown to achieve equity and positive outcomes that may have historically been underfunded or limited to specific populations. The [What Works Clearinghouse](#) includes lists of evidence-based practices in a variety of subject areas, an effectiveness rating, and links to comprehensive reports on each intervention.

15. Recruit, Hire, and Onboard Instructional Personnel Well

- Cultivate high-quality educators by investing in ongoing training and coaching around evidence-based instructional practices, differentiated instruction, and accommodations/modifications.
- Identify and incentivize alternative pathways to special education certification for general educators to solidify a larger team of special educators for the long term.

16. Adopt Universal Design for Learning

- Build school-wide capacity around Universal Design for Learning (UDL) by investing in comprehensive professional learning for staff (e.g., micro-credentials available through online programs provided by organizations, such as [CAST](#) and [Digital Promise](#)) on the implementation of UDL principles for both student learning and staff professional learning.

17. Extend Eligibility to Help Kids Get Caught Up

- Extend eligibility for special education, focusing on transition services, by funding an additional year of eligibility for at least the next two academic years for students with disabilities who will age out of IDEA. Funds should also be used to expand community partnerships and increase and strengthen work-based experiences.
- Build robust transition programming for students in upper elementary and middle school grades.
- Survey the students who will age out of services, and work with families to understand their needs and preferences for their child. This information can be used to plan where additional services will need to be added.



ANTICIPATE LINGERING IMPACTS OF THE PANDEMIC

18. Make Tech Part of the Solution

- Hire technology consultants to take an inventory of existing assistive technology included in current student IEPs and for students who may now qualify, and research and invest in additional tools and resources that are portable for home use given the exponential increase in virtual and hybrid learning.
- Provide special educators and general educators with ongoing training and support on accessibility standards and selecting and using various assistive technologies. Families should have access to trained “on call” staff to support the utilization of assistive technology at home.

19. Invest in Essential Tech Training

- Accelerate learning and leverage digital skills developed during virtual learning by researching, purchasing, and providing ongoing training and coaching around educational technology.
- Invest in vetted educational technology, such as those [certified by Digital Promise](#), or streamline existing edtech infrastructure (e.g., single sign-on and [interoperability projects](#)) to help reduce the amount of time spent by special education staff on administrative tasks, often cited as a reason for teacher burnout.



TURN THE FIRE HOSE INTO A RISING TIDE

The unprecedented influx of federal dollars that will flow in response to the pandemic provides districts and schools with a unique opportunity to make significant investments that will address acute challenges and create a foundation for long-term success. However, districts need to be intentional about researching and planning the optimal approaches to address the plethora of challenges caused by the pandemic. This guide provides district and school personnel with recommendations to assist them in making practical, focused investments in the education of students with disabilities. This influx of resources can be the proverbial rising tide that lifts all boats. Investing in programs and strategies that provide direct, immediate access and benefits to students with disabilities and their families is an investment and commitment to a future public education system that is more equitable and responsive than ever before.



ACKNOWLEDGEMENTS

Simone Hall, Lauren Krempecki, Megan Ohlssen, Paul O’Neill, Lauren Morando Rhim, and Wendy Tucker contributed to this brief. We would like to acknowledge the work of organizations that informed our recommendations: American Institutes of Research, The Annenberg Institute at Brown University, Center on Reinventing Public Education, Educating All Learners Alliance, Education Resource Strategies, Education Trust, Fordham Institute, FutureEd, JerseyCan, Learning Policy Institute, National Center for Learning Disabilities, and Teach Plus. This brief was made possible through the generous support of the Bill and Melinda Gates Foundation, Oak Foundation, and the Walton Family Foundation.

©2021 The Center for Learner Equity, New York, New York.
Formerly the National Center for Special Education in Charter Schools

The Center for Learner Equity is working to ensure that public schools, both within the charter school sector and beyond it, are designed for inclusivity and equity from the start. When we improve access and outcomes for students with disabilities, all students benefit.

MISSION

We are committed to ensuring that students with disabilities, particularly those in under-resourced communities, have the quality educational opportunities and choices they need to thrive and learn. We accomplish this through research, advocacy, coalition formation, and capacity building with national, state, and local partners.

VISION

Students with disabilities will have the same opportunities for success as their peers.



REFERENCES

1. Jackson, D. & Bowdon, J. (2020). Spotlight on Students with Disabilities. American Institutes for Research. <https://www.air.org/sites/default/files/COVID-Survey-Spotlight-on-Students-with-Disabilities-FINAL-Oct-2020.pdf>.
2. U.S. Department of Education. (2021). American Rescue Plan Elementary and Secondary School Emergency Relief Fund. https://oese.ed.gov/files/2021/03/FINAL_ARP-ESSER-Methodology-and-Table.pdf (See for state-specific allocation amounts).
3. The American Rescue Plan Act of 2021, Public Law No. 117-2 (2021). <https://www.congress.gov/bill/117th-congress/house-bill/1319/text>.
4. Ibid.
5. Ibid.
6. The American Rescue Plan states that funds are to be spent by September 30, 2023. However, an amendment known as the Tydings Amendment allows for funds not spent by September 30, 2023, to remain available through September 30, 2024. See Footnote #6 of the following report from the Congressional Research Service for more information. https://www.democrats.senate.gov/imo/media/doc/Revised%20CD%20memo_ESSER_EANS_HEERF_Senate%20passed%20sub%20to%20HR1319_3-9-21.pdf.
7. For more detailed information on the Maintenance of Effort and Maintenance of Equity requirements, please see the following: U.S. Department of Education. (2021). Fact Sheet: American Rescue Plan Act of 2021 Elementary and Secondary School Emergency Relief Fund (ARP ESSER). https://oese.ed.gov/files/2021/03/FINAL_ARP-ESSER-FACT-SHEET.pdf; U.S. Department of Education. (2021). Grant Award Notification (GAN) for the American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) Fund award, as authorized in section 2001 of the American Rescue Plan Act (ARP), Attachment C: Grant Conditions. https://oese.ed.gov/files/2021/03/ARP-ESSER-Grant-Award-Assurances_FINAL2.pdf.
8. The Center for Positive Behavior Interventions and Supports. (2020). Integrating a Trauma-Informed Approach within a PBIS Framework. <https://www.pbis.org/resource/integrating-a-trauma-informed-approach-within-a-pbis-framework>
9. Wiley. "Do school-based interventions help improve reading and math in at-risk children?." ScienceDaily. ScienceDaily, 7 April 2021. www.sciencedaily.com/releases/2021/04/210407083628.htm