

Texas Special Education Crisis

By Caroline Purtle

As a cloud creeps to the side, exposing the rays of midday, a wave of spotlight exposes young faces sitting at their desks- some idle, some attentive and some now feverishly awake- while their teacher paces softly, orchestrating her hands with a conductor's Expo marker to her daily audience in the ballad: basic math. Aligned toward the back, children gaze at the tune, while two other teachers sit close by. A student perplexed, one of the teachers approaches, and sings the ballad again, maybe a little slower, writing out the notes, until the child raises his eyebrows and belts, "oh, I get it now!"

Rusthoven is a special education teacher at [Dennis E. Cowan Elementary School](#) who specializes in the "[inclusion method](#)," an approach characterized by incorporating special and general education students, as well as teachers, in the same classrooms in order to narrow the skill differences between individuals and to socialize the groups which prevents stigma and boosts collaboration, each resulting in life-changing benefits. In the wake of the [Texas Education Agency's](#) (TEA) "cap" on special education (SPED) enrollment, teachers such as Rusthoven play an essential role for those whose futures have been squandered and neglected.

TEA's 8.5 percent cap on SPED enrollment functioned as part of the criteria included in quarterly "report cards" sent to schools that evaluate where each falls among state guidelines. Like parents posting their brilliant child's report card on the refrigerator, districts' goals are to perform exceptionally too, except they post it on their websites, and with the aim to show parents of why they should send their brilliant kids to the "best" school.

Ultimately, the 8.5 percent cap's inclusion as criteria emphasized not exceeding a school's SPED enrollment, or in other words, it would lower a report card's score if not met, so the state didn't necessarily force schools to abide by the cap-- more of a "strong suggestion" per se. When schools comply with the 8.5 percent SPED cap, and in order to not surpass the allotted maximum enrollment, many students will have their applications denied and must seek out alternative schools who either have room for them, or who are willing to enroll more than the cap.

First implemented in 2004, the cap went unnoticed by the public until the *Houston Chronicle* published their exposé "[Denied](#)" in 2016. Within these years, districts had to decide to either show humanity for SPED students by exceeding their enrollment cap and face the possibility of state sanctions due to not meeting state criteria, or to stay inside the 8.5 percent and reject those in need in fear of overcapacity. Since 2004, potentially "tens of thousands" of children have been denied their legally entitled special education services. But, since 2016, the cap garnered public awareness and outcry. Rusthoven has "not seen the [TEA's] report cards anymore," so now schools may admit as many SPED students that they have room for.

"It's really weird to look at the [TEA] reports because to us, if somebody needs SPED, then they should be in SPED," Rusthoven says. "I don't care where they come from-- pink, purple, blue or what their 'thing' is-- if they're in, they are in."

8.5 is a horrifyingly low percent for SPED admittance. To give perspective, the national average was 13 percent in 2015, according to the [National Center for Education Statistics](#).

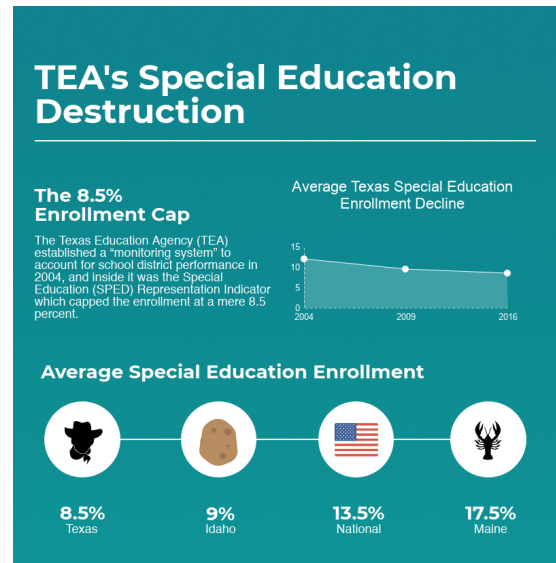
According to a story from the *Houston Chronicle*, some families have even had to move states so their children are able to have the education and services they need.

A lot is involved in admitting students into SPED. When the cap is in use, it not only puts pressure on districts' enrollments, but "trickled down," affecting inaccurate SPED qualification testing and a decline for teacher motivation to submit referrals for their general education students who showed needs for SPED.

There is a specialized test that referral students take to see if they qualify for SPED services; many teachers speculate that diagnosticians who administered the test may have manipulated the scoring due to pressure from the state. "You can go back several years ago where there was a lot of reports of [referred students] who didn't qualify,"

Rusthoven says. "Normally if you ask for [a student] to be tested for special education, you're at wits end with everything you've tried as their general education teacher, and don't want to see a kid fail and struggle anymore."

Since so many general education kids get denied services by the state, it gives teachers the rationality, "why try?" or "maybe it's my fault as a teacher they're failing," says Rusthoven. Subsequently, the system leaves behind students needing SPED, or some students start SPED not early enough in childhood, so the inclusion method is crucial.

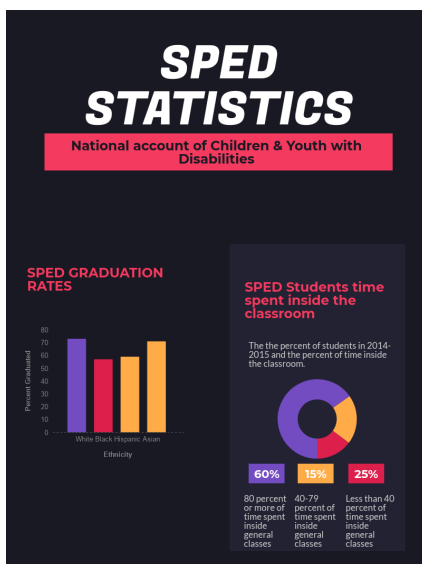


“There are other kids that were falling through the gaps that fit in with some of the needs of our [SPED] students,” Rusthoven says, “so when special and general education kids are learning together, they all benefit from the [teacher] support.” The inclusion method integrates the two student groups, so students who need greater help-- either because they are not qualified for SPED, or only need extra guidance-- in class are able to receive the extra attention both SPED and general education kids deserve. Rusthoven says that with SPED teachers working alongside the two groups, they are able employ techniques such as “using smaller numbers in math.” Cutting, or shrinking, concepts in their curriculum down to its simplest forms helps them “build” and “focus on the material.”

Many have debated “inclusion’s” meaning and interpretation for decades as essential for an equitable society, as seen in the 1954 landmark Supreme Court case *Brown v. The Board of Education*, whose decision abolished the precedent “separate but equal.” Still, many districts treat SPED as such with the “resource method,” Rusthoven says, which is the exact opposite of

the inclusion method that secludes SPED students from the rest of the school into private classrooms, sometimes into completely different buildings, where they receive little interaction with other general education students.

SPED children do not have enough exposure with the confinement in the resource method. One of the advantages when combining SPED and general education students is speech development. While using the inclusion method, a study



showed that “the language skills of children with disabilities appear to benefit tremendously from exposure to typically developing peers,” according to [SAGE Journals](#).

At Texas High School in Texarkana, SPED teacher Kim Downs works with her students abiding by the traditional resource method. She, like many others, still works to integrate the SPED students whenever she can.

“SPED is taught in private classrooms so [students] can get the attention they need,” Downs says. “I want them to have a ‘normal’ high school experience, though. I want them to be with [general education] kids; they need that support. The student council leadership class hosts holiday-themed parties for us, and the kids get to dance, sing, eat cupcakes for a class period. Just that one hour makes [the students] smile all day.” Not that holiday-themed parties are any way “normal;” nor is being sequestered in classrooms on the end of campus. Downs says the interaction with general education students makes her SPED kids feel less “alone.”

Knowing the benefits of the inclusion method seem worth it to scrap the resource method entirely. The reason most don’t switch from the resource method is simple, UT education economics professor Richard Murphy says. “It’s about the money. There’s only so much [money] schools can work with.” Making the switch is a tediously drawn out process that requires more funds; it involves much of a school’s administration and faculty working together to achieve it. After all, the inclusion method usually involves SPED and general education teachers instructing a classroom.

To successfully change to an inclusion method relies on policies and incentives to motivate districts so they are able to prioritize the needed time and money; this includes authorities that possess influential knowledge, power and money, such as mayors, superintendents, directors of special education, to name a few, according to a 2013 [study](#) at the University of Texas at El Paso. For example, many of those authorities can utilize bonds, grants, subsidies and allocate taxpayer money to help with the cost.

The inclusion method is a lot of work, and it's work that never ceases, but it is the work the students deserve. "If [SPED students] can feel comfortable asking for help, getting help, working with groups, knowing that they are different in doing different things, but knowing they're still apart of this larger group, well, we are amazed at what they do," Rusthoven says. "The idea is we want them to be able to be independent adults later on. They need to know that they have a community around them, and the only way to know you have one is building the community."

Rusthoven, with a satisfied smile, watched as her student's pencil ran across the page completing any and all equations that came next, and he, whatever his disability, faded amidst the encouragement and support of his teacher and peers.