



# San Jose Unified Snapshot: Students with Disabilities



Students with disabilities in all public schools should receive the academic and social-emotional support they need to be prepared for meaningful opportunities after graduation. Right now, the reality is that this is not happening in most places in California. In this brief, we provide an overview of how San Jose Unified School District is doing in serving students with disabilities.

# How Well is San Jose Unified School District Serving Students with Disabilities?

San Jose Unified is one of the largest school districts in the Bay Area, with 31,000 students in 42 schools.<sup>1</sup> About 11% of those students have an individualized education plan (IEP),<sup>2</sup> which outlines the customized academic, behavior, and social-emotional support that a student with a disability needs in order to have the same opportunity to master the same academic standards as students without disabilities. Students can have a wide range of disabilities – from dyslexia to autism to deafness.

While a small number of students with more severe disabilities may require a different academic track than general education students, most students with disabilities are able to meet the statewide academic goals for all students if they receive the right support from their teachers and school.

How is San Jose Unified School District (SJUSD) doing in serving students with disabilities? To find out, we ask two important questions:

- 1 Are students with disabilities achieving key academic goals, such as mastering academic standards in English and math, and graduating from high school on time?
- 2 Are parents forced to fight for the additional support that students with disabilities need, or is the district proactive?

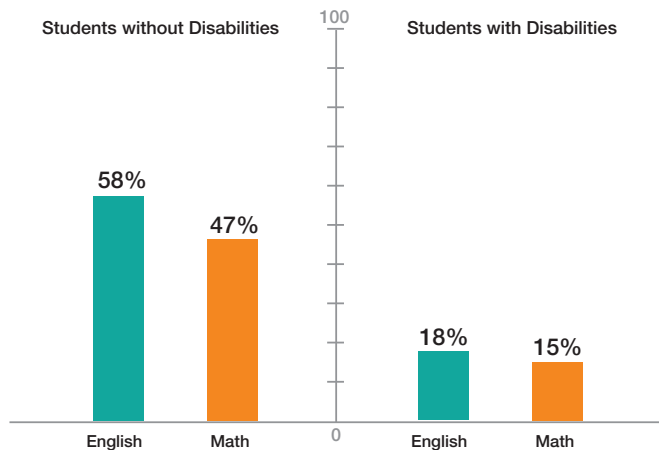
<sup>1</sup>This includes all 41 traditional public schools plus one locally-funded charter school.

<sup>2</sup>SOURCE: California Department of Education. Special Education Enrollment

# Are Students with Disabilities Meeting Academic Goals?

**Figure 1:**  
**The Majority of Students with Disabilities are Falling Behind their Peers without Disabilities in San Jose Unified**

Percent proficient in English and math, 2016-17



SOURCE: California Department of Education, California Assessment of Student Performance and Progress

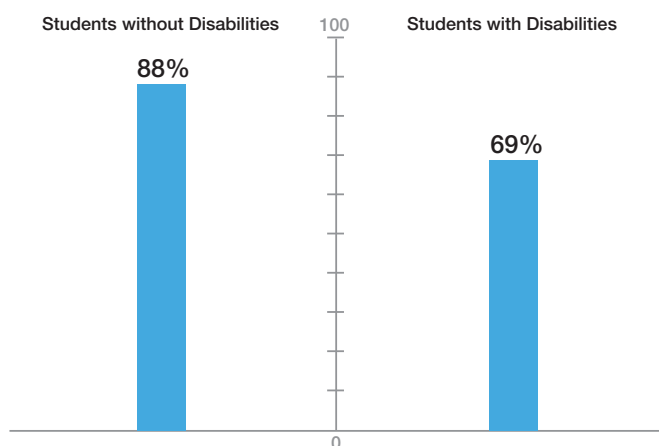
In California, 14% of students with disabilities are proficient in English and 11% are proficient in math. San Jose Unified has similar results. Of the roughly 1,600 SJUSD students with disabilities who took the state test in 2016-17, only 18% are on grade level in English and only 15% in math.<sup>3</sup>

The gap between students with and without disabilities in San Jose Unified is staggering. While half of students without disabilities are on track in each subject, that's true for less than one in five students with disabilities.

Not only are so many students with disabilities testing below grade level, many of them do not graduate with a high school diploma within four years. In 2015-16, 69% of students with disabilities in SJUSD graduated on time, compared to 88% of their peers without disabilities. This reality is a significant concern for the local community and parents of students with disabilities. Students that don't graduate from high school have a much lower chance of going on to college and getting a good job with a livable wage.<sup>4</sup>

**Figure 2:**  
**Fewer Students with Disabilities in San Jose Unified Graduate with a High School Diploma within Four Years**

Cohort graduation rate for students with disabilities, 2015-16

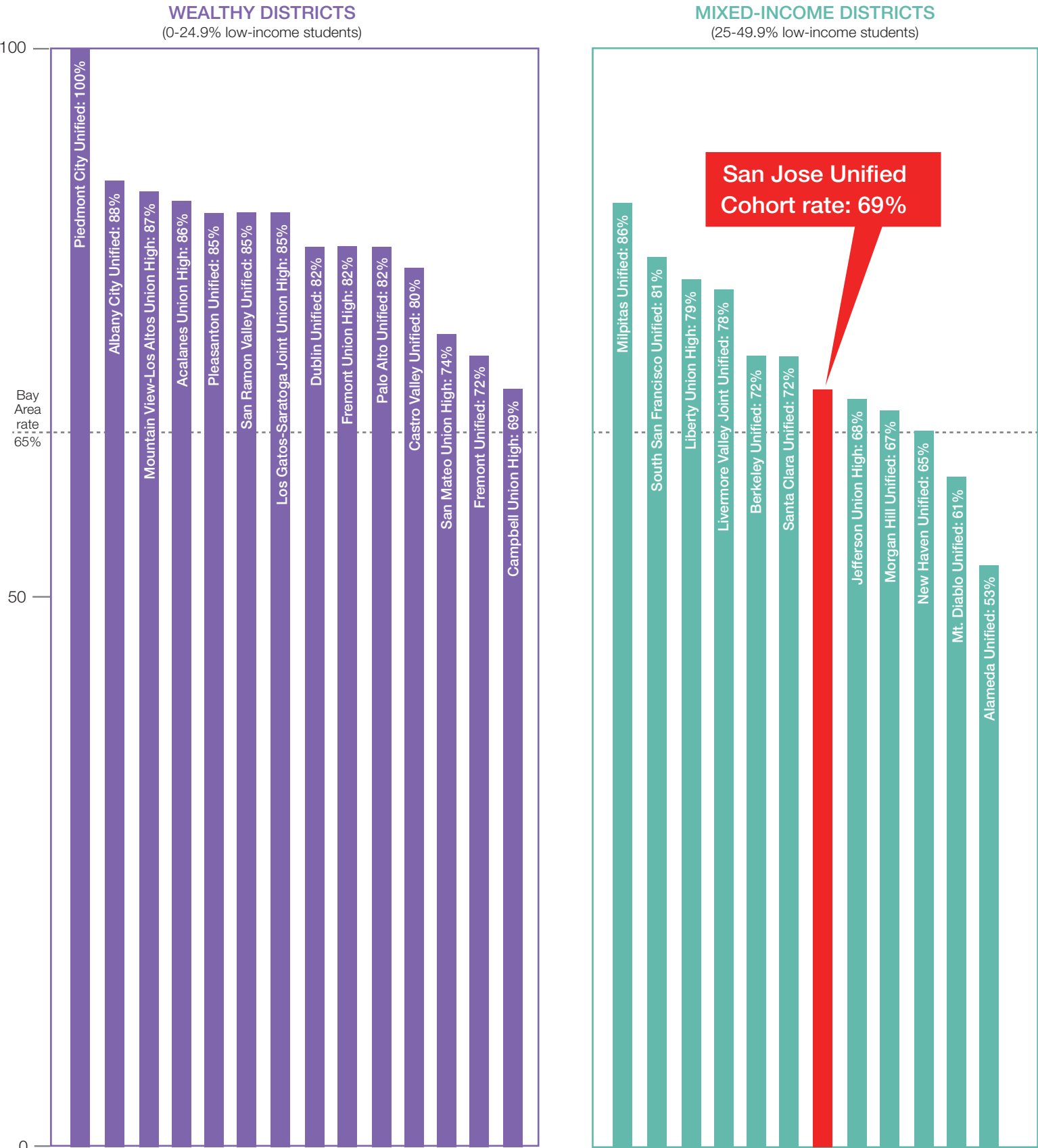


SOURCE: California Department of Education, cohort graduation rate files

<sup>3</sup>SOURCE: California Department of Education, California Assessment of Student Performance and Progress

<sup>4</sup>See the Institute of Education Sciences at the National Center for Education Statistics' "Trends in High School Dropout and Completion Rates in the United States," 2013; and the American Institute for Research's "Higher Education Pays: But a Lot More for Some Than Others," 2013; and U.S. Census Bureau's "GED Recipients Have Lower Earnings are Less Likely to Enter College," 2012.

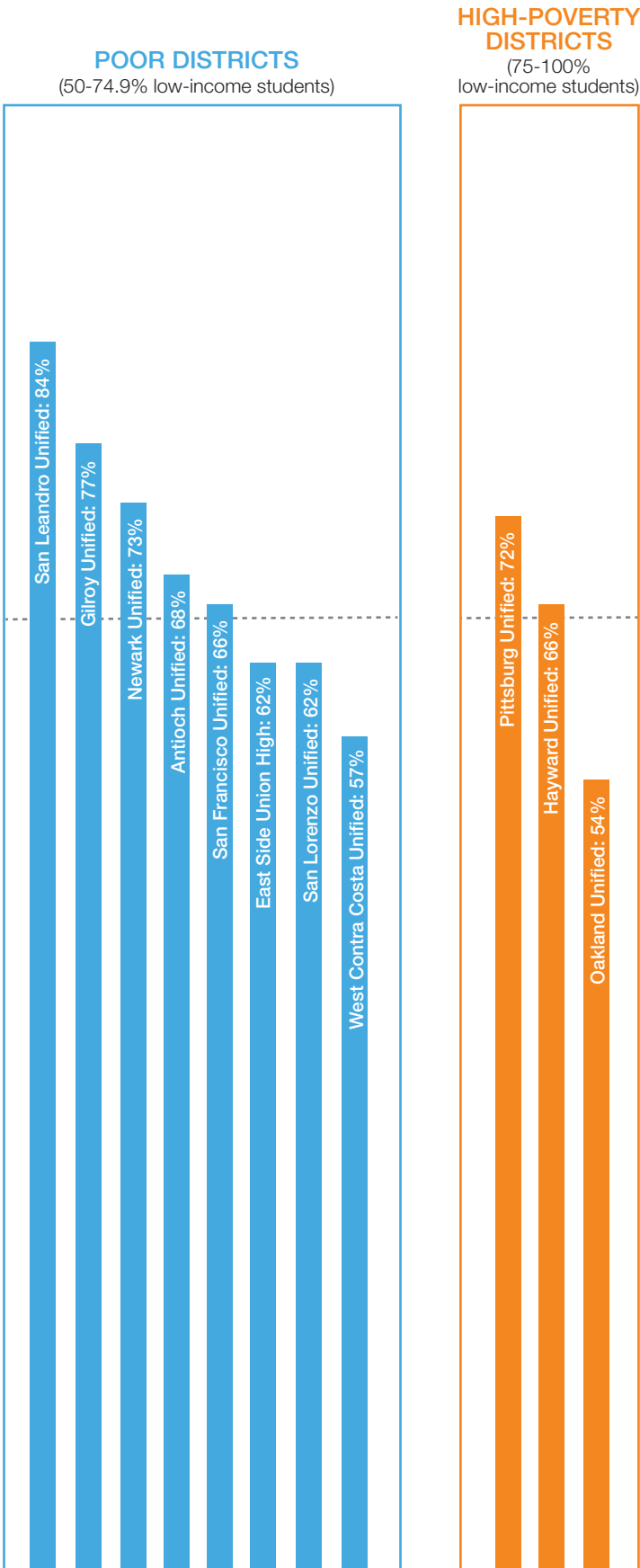
**Figure 3:**  
**San Jose Unified Trails Behind the Majority of Bay Area School Districts in Graduating**  
 Cohort graduation rate for students with disabilities by income level, 2015-16\*



\*Income level is broken down by socioeconomic status. The socioeconomically disadvantaged (SED) categorization includes students for whom (1) neither of the student's parents has received a high school diploma, (2) the student is eligible for the free or reduced-price lunch program or (3) the student is homeless, migrant or foster youth. All districts and schools fall into one of four SED-based quartiles: Wealthy districts (0 - 24.9% students are SED), mixed-income districts (25 - 49.9% SED), poor districts (50 - 74.9% SED), and high-poverty districts (75 - 100% SED).



# Students with Disabilities



While the vast majority of public schools struggle to adequately serve students with disabilities, San Jose Unified trails many Bay Area school districts in graduating students with disabilities on time. Even when compared to other mixed-income districts, it ranks seven out of 12. San Jose Unified’s graduation rate for students with disabilities is actually lower than several districts in the Bay Area that serve more low-income students.

Students with disabilities aren’t prepared to graduate on time if they haven’t been supported to meet grade-level expectations in earlier years. Consistent with most districts across the Bay Area, SJUSD has low proficiency rates for students with disabilities. For students with disabilities, in English and math, San Jose ranks 10 out of the total 28 Bay Area mixed-income districts (see Figure 4 on page 6).

*Fewer than two in every 10 students with disabilities read and do math at grade level in San Jose Unified.*



SOURCE: California Department of Education, cohort graduation rate files

Figure 4:

## San Jose Unified Ranks 10 out of 28 for Students with Disabilities in English and Math Compared to Other Bay Area Districts Serving Mixed-Income Communities\*

Percent proficient in English and math, 2016-17

RANK	MIXED-INCOME DISTRICTS		% PROFICIENT
1	Moreland	English	27%
		Math	22%
2	Evergreen Elementary	English	23%
		Math	23%
3	Alameda Unified	English	21%
		Math	21%
4	Brentwood Union Elementary	English	22%
		Math	18%
4	Knightsen Elementary	English	25%
		Math	15%
6	Mountain View Whisman	English	20%
		Math	18%
7	Milpitas Unified	English	18%
		Math	18%
7	South San Francisco Unified	English	18%
		Math	18%
9	Sequoia Union High	English	24%
		Math	11%
10	San Jose Unified	English	18%
		Math	15%
10	Sunnyvale	English	16%
		Math	17%
12	Berkeley Unified	English	16%
		Math	16%
12	Byron Union Elementary	English	18%
		Math	14%
14	San Bruno Park Elementary	English	18%
		Math	13%
15	Morgan Hill Unified	English	18%
		Math	12%
16	Berryessa Union Elementary	English	13%
		Math	16%
16	Campbell Union	English	15%
		Math	14%
16	Livermore Valley Joint Unified	English	17%
		Math	12%
16	Martinez Unified	English	15%
		Math	14%
20	Liberty Union High	English	21%
		Math	4%
21	Mt. Diablo Unified	English	14%
		Math	10%
21	Santa Clara Unified	English	14%
		Math	10%
23	Cabrillo Unified	English	15%
		Math	8%
23	Oak Grove Elementary	English	12%
		Math	11%
25	San Mateo-Foster City	English	9%
		Math	11%
26	Jefferson Union High	English	13%
		Math	5%
27	Oakley Union Elementary	English	7%
		Math	7%
28	New Haven Unified	English	6%
		Math	6%

\*Only mixed-income school districts are included in this table. Wealthy, poor, and high-poverty school districts' data are in the appendix. All Bay Area school districts were ranked using a "standard competition" rank based on their average ELA and math proficiency rates for 2016-17. Districts that were tied are ranked equally and listed in alphabetical order.

SOURCE: California Department of Education, California Assessment of Student Performance and Progress

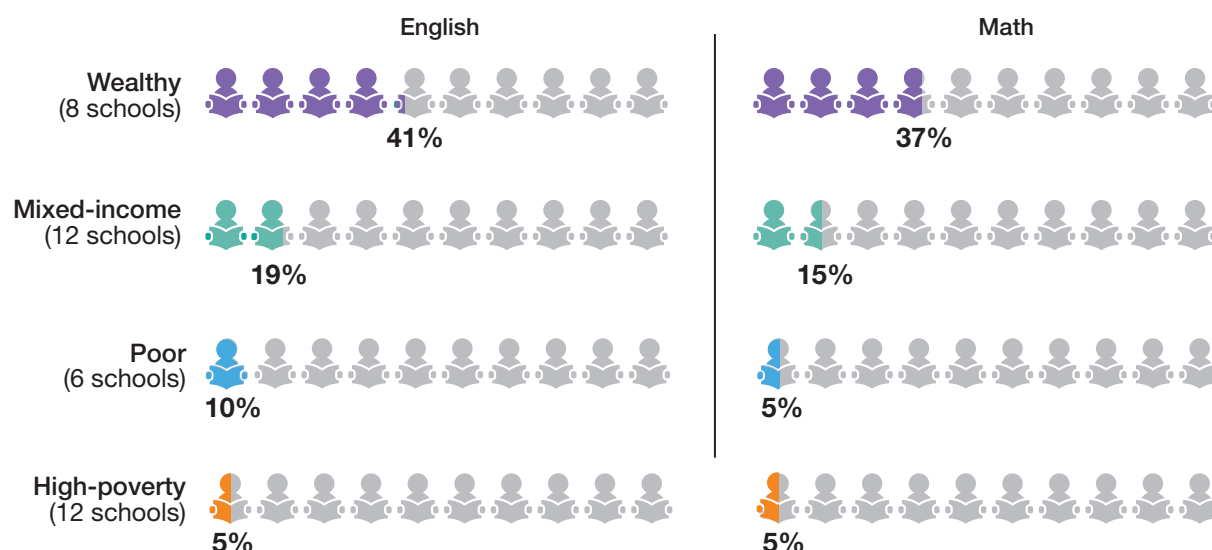
## Students with Disabilities in Poorer Schools Struggle Even More

The vast majority of students with disabilities struggle academically in San Jose Unified schools, but those that attend schools in poorer neighborhoods throughout the district face even more challenges. As seen in Figure 5, in schools where the majority of students are low-income, only 7% of students with disabilities are proficient in English and only 6% in math. Of the 700 students with disabilities in these poor and high-poverty schools, only 52 are proficient in English and 37 are proficient in math.

These results are common in our state, but they are not inevitable. Some schools close this achievement gap and prepare most of their students with disabilities for college and career. We highlight some of these effective schools in an upcoming report on what research shows is key for creating schools where students with disabilities thrive.

**Figure 5:**  
**Wealthier Schools in San Jose Unified Deliver Much Better Outcomes for Students with Disabilities Than Poorer Schools**

Percent proficient in English and math for students with disabilities by schools' socioeconomic status, 2016-17



**Key:** Each student icon represents 10% of students across the schools within each income bracket (e.g., wealthy schools). The 10 student icons in each income quartile row represent 100%.

SOURCE: California Department of Education, California Assessment of Student Performance and Progress

To learn more about schools with innovative and effective practices for students with disabilities, see our upcoming report on special education at [www.innovateschools/specialeducation](http://www.innovateschools/specialeducation).

# How Well are San Jose Charter Schools Serving Students with Disabilities?

In this brief report, we focus on San Jose Unified School District, but it's also important to know how students with disabilities are doing in public charter schools in the region. We include all 35 charter schools in the city of San Jose (located in San Jose Unified, Alum Rock Union Elementary, Eastside Union High, and Franklin McKinley Elementary school districts). Although less data is available about students with disabilities in charter schools,<sup>5</sup> the following analysis uses what is available to answer the question:

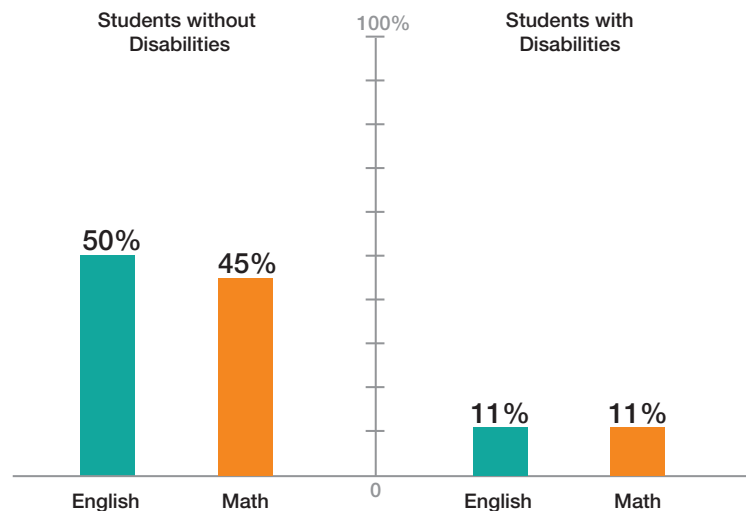
## Are students with disabilities in charter schools mastering academic standards in English and math?

There are 756 students are enrolled in charter schools in the city of San Jose. Of those students, the majority (77%) attend one of the 18 high-poverty charter schools.<sup>6</sup> Most charter schools in San Jose are serving high-poverty communities.

Figure 6:

### The Majority of Students with Disabilities in San Jose Charter Schools\* are Falling Behind Their Peers Without Disabilities

Percent proficient in English and math, 2016-17



\*San Jose charter schools are defined as all directly funded charter schools within the city of San Jose. See the methodology at the end for a detailed explanation of which schools are included.

SOURCE: California Department of Education, California Assessment of Student Performance and Progress

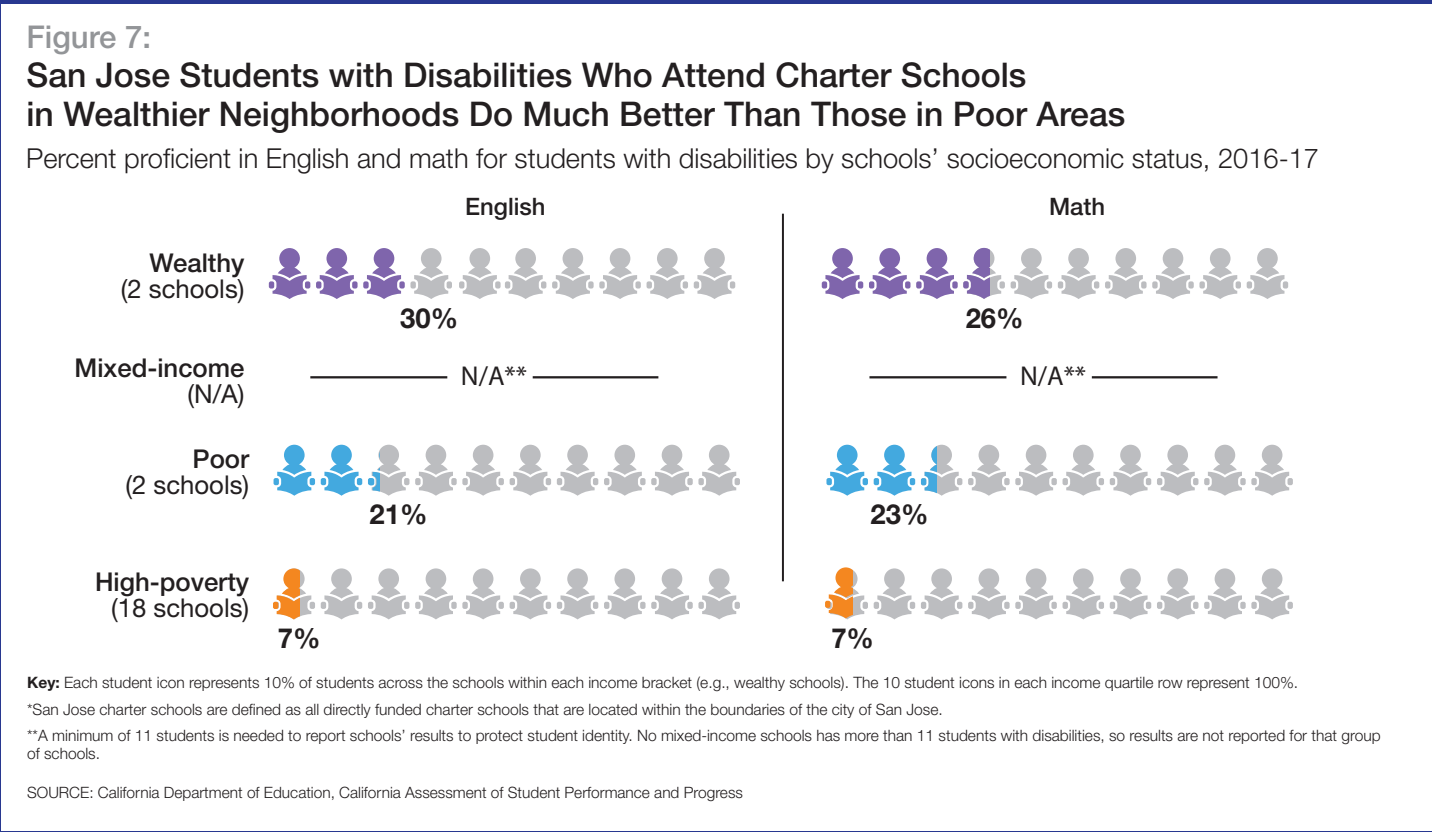
<sup>5</sup>Data not available for charter schools includes (1) the number of students with disabilities who graduate on time, and (2) the number of special education due process cases by school.

<sup>6</sup>There are 26 high-poverty charter schools total in the San Jose region, but eight were excluded because they did not have data on students with disabilities.



The results in those San Jose charter schools<sup>7</sup> match the trends throughout the state – students with disabilities that take state tests perform much lower than their peers without disabilities (see Figure 6). In San Jose charter schools, only 11% of students with disabilities are proficient in English and math, compared to roughly half of students without disabilities.

Similar to San Jose Unified's results, students with disabilities attending poor and high-poverty charter schools perform much lower than those at wealthy charter schools. While this trend is seen in both district and charter schools, poor and high-poverty charter schools slightly outperform comparable-income San Jose Unified schools. Two of these charter schools show promising results in serving students with disabilities: Cornerstone Academy Prep and Rocketship Spark Academy.<sup>8</sup> Nevertheless, like SJUSD, a number of poor and high-poverty charter schools in San Jose have particularly low results. At these schools, which serve 664 students with disabilities, roughly 70 are proficient in English and math.



<sup>7</sup>San Jose charter schools are defined as all directly-funded charter schools within the city of San Jose. These charter schools are not all authorized by San Jose Unified. A total of 35 directly-funded charter schools' data is included in the results.

<sup>8</sup>26% and 39% of Rocketship Spark Academy Prep's students with disabilities are proficient in English and math. While 22% of Cornerstone Academy Prep's students with disabilities are proficient in English and math.

# The Right to Support: Do Families Have to Fight for Services?

Federal law requires all public schools to provide students with disabilities the support they need to receive an appropriate education.<sup>9</sup> If the parents or school suspect that a student has a disability affecting their ability to succeed academically, the school must start a process to determine whether the student needs an individualized education plan (IEP).

In schools that deliver great results for students with disabilities, this process is collaborative. Teachers, school administrators, special education experts, and parents work together to determine if an IEP is needed and design it to meet the needs of the student. Sometimes students are even part of this process. Most importantly, the team knows each student's academic and behavioral strengths and challenges, teachers and school staff try various interventions to figure out what is working and what isn't working, and all stakeholders are informed and working collaboratively.

The goal of this section is to understand what the experience is currently for students and parents in San Jose Unified. While more research is needed to definitively determine what the experience is like, this analysis sheds light on some important indicators that raise concerns about how parents and students are treated while pursuing special education services in SJUSD.

In 2013, the NBC Bay Area Investigative Unit exposed several school districts - including San Jose Unified - for delaying and denying the process to identify students with disabilities and provide them services.<sup>10</sup> Some schools and districts delay identifying students for special education services to avoid paying the costs of serving students with disabilities, rather than proactively working with parents. NBC found that San Jose Unified spent \$550,000 on external lawyers for special education lawsuits from 2010 to 2013 on 78 student cases.

There are 48 California school districts similar in size to San Jose Unified, ranging from about 20,930 to 40,930 students enrolled. These districts have much fewer cases on average than SJUSD. From 2010 to 2017, they had 52 cases on average (see Figure 8). The majority of bigger school districts (some with 8,000 to 10,000 more students enrolled and more students with disabilities than San Jose Unified) had significantly fewer cases.

<sup>9</sup>See the "Individuals with Disabilities Act" on the Department of Education website: <https://sites.ed.gov/idea/>

<sup>10</sup>Read the full NBC Bay Area Investigative Unit report at: <https://www.nbcbayarea.com/news/local/Public-Schools-Delay-Deny-Special-Education-Services-231960511.html>

<sup>11</sup>See the methodology for details and districts' data.

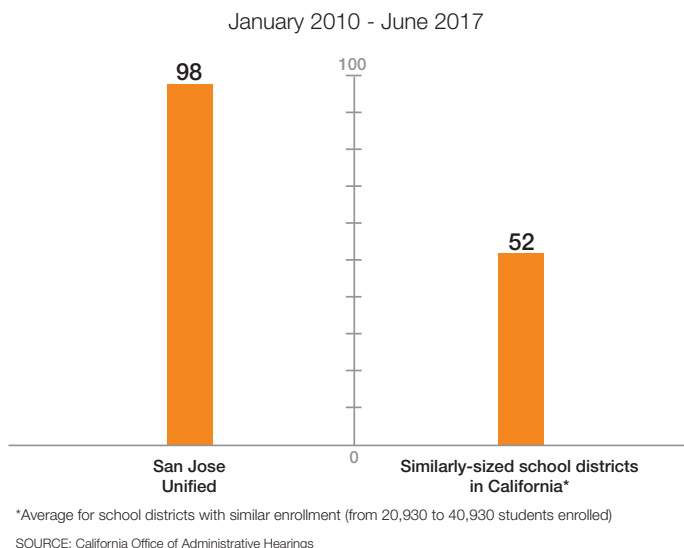
For the past several years, SJUSD has had many more special education due process cases than districts that are similar in size.

For example, Fontana Unified, which has around 38,000 students and many more students with disabilities, had only 29 cases over this seven-year time period. All but three of the larger school districts included in our analysis had fewer special education cases than San Jose Unified.

While the NBC report looked at data from 2010 to 2013, more recent data shows this pattern hasn't changed. From 2013 to 2017, the district had 20 new cases where parents had to get legal counsel to make sure their child received special education services.<sup>12</sup> And that only included cases where families requested a full hearing before an administrative

court judge ("due process hearing"). Because many families don't have the information and resources they need to pursue a full due process case on behalf of their child, very few special education-related disputes raised by parents end up with a due process hearing. Out of the total number of disagreements between parents and districts statewide, less than 1% of families even request a full due process hearing. Out of that 1%, only 3% of families actually go to the hearing.<sup>13</sup> San Jose Unified's high number of cases, coupled with the reality that few parents can or will pursue this time-consuming and expensive process, raises concerns over how many parents in the district must fight to receive services.

**Figure 8:**  
**Number of Special Education Process Hearings**



“ [These] numbers show that most families...don't have the resources, they don't know where to find a lawyer, they don't know how they could possibly hire a lawyer in order to work out these disagreements.”

– Ann McDonald Camacho,  
Parent Advocate with the  
Disability Rights Education & Defense Fund

<sup>12</sup>Source: Office of Administrative Hearings. Due Process Hearings Quarterly Reports.

<sup>13</sup>“Overview of Special Education” report by the California Legislative Analyst's Office.

# The Bottom Line: High Performing Schools for Students with Disabilities Should Be the Rule in SJUSD, Not the Exception

Students with disabilities in all public schools should receive the support they need to be prepared for meaningful opportunities in life. Families shouldn't have to struggle to get the support their children need, and districts and schools should proactively ensure that students with disabilities have the same opportunities to learn as other children.

Right now, the reality is that this is not happening in San Jose Unified, nor in most places in California. This does not have to be the case. At several wealthier schools in San Jose Unified, about half of students with disabilities are reading and doing math at grade level. At Williams Elementary in SJUSD, around 70% of students with disabilities are proficient in English and math. Few schools statewide have results higher than that.

Here in California and across the country, many schools and even entire districts are showing that it is possible to close the achievement gap for students with disabilities. While not every child may be destined to go to college, all deserve the opportunity, and all need to be prepared to find jobs and earn a living in our economy. We hope that district leaders take this report and parents' experiences as a call to action to work with parents, school leaders and the community to provide a better education for students with disabilities in San Jose.

# Methodology

## Data Sources

- 2016-17 California Assessment of Student Performance and Progress (CAASPP) English language arts/ literacy (English) and mathematics results
- California Department of Education (CDE) cohort graduation rate data files, class of 2015-16
- The CDE's Public School Directory database
- Student Enrollment in School Year 2016-17 through CDE's website
- Student Enrollment Breakdown by Racial/Ethnic Group and Economic Status for School Year 2015-16 (obtained through a data request to CDE)
- California Office of Administrative Hearings (2010-11 through 2016-17)

## Ranking Analysis

- Bay Area districts and schools were compared to others that serve similar communities through a measure labeled "socioeconomically disadvantaged." Socioeconomically disadvantaged (SED) is defined as students for whom (1) neither of the student's parents has received a high school diploma, (2) the student is eligible for the free or reduced-price lunch program, or (3) the student is homeless, migrant or foster youth.
- All districts and schools fall into one of four SED-based quartiles: "Wealthy," "Mixed-income," "Poor," "High-poverty." Districts that serve communities with low levels of socioeconomically disadvantaged families are labeled "Wealthy" and "Mixed-income," depending on the number of SED families in that district.
- Within each income quartile, districts were ranked based on their CAASPP English and mathematics results in 2016-17 and the cohort graduation rate for the class of 2015-16.

Thresholds for Socioeconomically Disadvantaged (SED) Income Quartiles for District and School Analysis			
Wealthy	Mixed-income	Poor	High-poverty
0 - 24.9% SED	25 - 49.9% SED	50 - 74.9% SED	75% - 100% SED

## Administrative Hearings Analysis

- We used OAH reports to determine the number of special education cases held by San Jose Unified from 2010 to 2017.
- This data was supplemented by data requested by the NBC Bay Area Investigative Unit in 2013. It includes data for all districts in California from 2010 to 2013. We used this data to compare San Jose Unified to similarly-sized school districts.
- We define similarly-sized school districts as districts that have from 20,930 to 40,930 students enrolled (that is within 10,000 students above and below San Jose Unified's enrollment) in school year 2016-17.
- Data for all districts included in the analysis is available in the detailed methodology.
- OAH reports only include charter schools that are designated as their own "Local Education Agency" for special education purposes and those that have been named as a party in a special education due process case. A charter in our region may be its own LEA for special education purposes, but would not be included in OAH reports if a suit was never brought against the LEA.

A more detailed methodology is available on our website: [innovateschools.org/sjusdspedbrief\\_methodology\\_pdf/](https://innovateschools.org/sjusdspedbrief_methodology_pdf/)



## APPENDIX

### Districts in the Bay Area Serving Wealthy, Poor and High-Poverty Communities

Percent proficient in English and math for students with disabilities, 2016-17

RANK	WEALTHY DISTRICTS		% PROFICIENT
1	Saratoga Union Elementary	English	53%
		Math	60%
2	Piedmont City Unified	English	59%
		Math	49%
3	Orinda Union Elementary	English	52%
		Math	49%
4	Los Altos Elementary	English	47%
		Math	46%
5	Lafayette Elementary	English	41%
		Math	42%
5	Moraga Elementary	English	45%
		Math	38%
7	Belmont-Redwood Shores Elementary	English	38%
		Math	42%
7	Palo Alto Unified	English	41%
		Math	39%
9	San Ramon Valley Unified	English	41%
		Math	35%
10	Burlingame Elementary	English	39%
		Math	36%
10	Cupertino Union	English	37%
		Math	38%
10	Los Gatos-Saratoga Joint Union High	English	47%
		Math	28%
13	Menlo Park City Elementary	English	38%
		Math	34%
14	Loma Prieta Joint Union Elementary	English	34%
		Math	37%
15	Hillsborough City Elementary	English	32%
		Math	37%
16	Las Lomas Elementary	English	38%
		Math	30%
17	Portola Valley Elementary	English	33%
		Math	34%
18	Los Gatos Union Elementary	English	35%
		Math	31%
19	Dublin Unified	English	32%
		Math	33%
20	Union Elementary	English	29%
		Math	30%
21	Pleasanton Unified	English	31%
		Math	27%
22	Fremont Union High	English	39%
		Math	17%
22	Mountain View-Los Altos Union High	English	35%
		Math	21%
24	Millbrae Elementary	English	26%
		Math	28%
25	Albany City Unified	English	26%
		Math	27%
26	Cambrian	English	26%
		Math	23%
27	Acalanes Union High	English	35%
		Math	13%
28	Walnut Creek Elementary	English	24%
		Math	23%
29	San Carlos Elementary	English	21%
		Math	22%

SOURCE: California Department of Education, California Assessment of Student Performance and Progress

RANK	WEALTHY DISTRICTS (CONT'D)		% PROFICIENT
30	San Mateo Union High	English	30%
		Math	9%
31	Castro Valley Unified	English	20%
		Math	17%
31	Fremont Unified	English	19%
		Math	18%
33	Campbell Union High	English	26%
		Math	4%
34	Pacifica	English	15%
		Math	12%

See Figure 4 on Page 6 for Mixed-Income Districts

RANK	POOR DISTRICTS		% PROFICIENT
1	San Francisco Unified	English	17%
		Math	18%
2	Redwood City Elementary	English	15%
		Math	14%
3	Orchard Elementary	English	11%
		Math	16%
4	Gilroy Unified	English	14%
		Math	12%
5	La Honda-Pescadero Unified	English	17%
		Math	6%
6	Jefferson Elementary	English	10%
		Math	9%
7	East Side Union High	English	12%
		Math	4%
7	Newark Unified	English	9%
		Math	7%
9	San Leandro Unified	English	9%
		Math	6%
10	West Contra Costa Unified	English	7%
		Math	5%
11	John Swett Unified	English	6%
		Math	3%
12	Antioch Unified	English	4%
		Math	3%
12	San Lorenzo Unified	English	4%
		Math	3%
14	Bayshore Elementary	English	3%
		Math	3%

RANK	HIGH-POVERTY DISTRICTS		% PROFICIENT
1	Franklin-McKinley Elementary	English	11%
		Math	11%
2	Mount Pleasant Elementary	English	10%
		Math	6%
3	Oakland Unified	English	7%
		Math	7%
4	Hayward Unified	English	7%
		Math	6%
5	Emery Unified	English	7%
		Math	3%
6	Alum Rock Union Elementary	English	5%
		Math	4%
6	Luther Burbank	English	2%
		Math	7%
6	Pittsburg Unified	English	5%
		Math	4%
9	Ravenswood City Elementary	English	4%
		Math	2%

SOURCE: California Department of Education, California Assessment of Student Performance and Progress



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