

BOARD CERTIFIED BEHAVIOR ANALYST PERSPECTIVES ON
EQUITY ISSUES IN SPECIAL EDUCATION

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CERTIFICATION OF APPROVAL

BOARD CERTIFIED BEHAVIOR ANALYST PERSPECTIVES ON
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DEDICATION

This dissertation would not have been possible without the contributions of a number of people. First I would like to thank my husband and partner in life. I am always astounded at his ability to support and love me through the various phases of my life. The voyage through my doctoral degree came with unexpected transitions that we have managed to navigate together. He has always been and continues to be a champion for my cause—who could ask for more?

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ABSTRACT

Board Certified Behavior Analysts are increasingly becoming a part of the public education system in the state of California. Many of them work in the special education system. This research focuses on how Board Certified Behavior Analysts perceive the equity issues they have encountered in the special education system. The equity issues that were discussed by participants were analyzed using the ethic of care, behavioral systems analysis, and therapeutic jurisprudence as conceptual frameworks.

CHAPTER I

INTRODUCTION TO THE STUDY

Background of the Study

The tracking and segregation of students with disabilities is a widespread problem in the United States and represents a culturally systemic privileging of normative academic outputs (Ashby, 2010). Capper and Frattura (2009) have identified common assumptions that promote this practice. The belief that struggling students receive better or more intense treatments in segregated settings is exacerbated when it is assumed that schools and personnel cannot or should not shift their practices to accommodate a few students' exceptional needs. In a system that relies heavily on standardized testing to determine eligibility for supports, there is a common belief that the causes of a student's learning difficulties lie primarily within the students themselves, a fundamental personal deficit, rather than in the normative methods that the education system chooses to measure learning that privileges students who are temporarily able-bodied.

The education of students with disabilities is highly codified in federal and state laws. These laws are the byproducts of the civil rights movements of the 1960s and 1970s in the United States (Murdick, Garten, & Crabtree, 2007). Civil rights legislation has the purpose of protecting the equal rights of minority or oppressed groups and serves to prohibit discriminatory practices in publicly funded programs. Unfortunately, legislation that protects oppressed groups does not necessarily have

the effect of changing the assumptions and stereotypes that are deeply embedded in the cultural practices of the majority group. As such, overtly discriminatory practices may no longer exist (e.g., the exclusion of students with disabilities from the landscape of public education) due to the possibility of sanctions from governmental entities. However, covert discriminatory practices may continue unchecked because they are reflective of commonly held stereotypes indicative of cultural norms (Shapiro, 1994). Educators are not immune to stereotyping and the perpetuation of cultural biases. The Pygmalion Effect documented by Rosenthal (1968, 1995) demonstrated that educators' beliefs about student ability (even if they were the result of fabricated information) influenced student achievement for better or worse. School districts may view students with disabilities as a burden to the system (Sailor & McCart, 2014; Shapiro, 1994). These students may be taught by educators who expect little of them due to their disabling conditions, with the result being that the students have little to no access to a typical school experience and little hope of gaining skills that lead to independence in their adult lives (Obiakor, Harris, Mutua, Rotatori, Algozzine, 2012). Given the overemphasis on intelligence quotients and standardized scores in determining how students should be taught, as well as what they are capable of being taught, it is little wonder that the curriculum choices and selection of placement settings and services leading to segregation from general education can be a life sentence from which students may never fully recover, even if they test out of special education at some point in their futures (Shapiro, 1994; Peterson, 2010).

At the same time that the disability rights movement was forming in the late 1960s, the work of B. F. Skinner on the experimental analysis of behavior was beginning to be applied to the seemingly untreatable behaviors of individuals who had been institutionalized and who had little or no access to meaningful educational experiences (Martin & Pear, 2014). The successful application of learning principles and theories to teach functional behaviors to individuals with severe disabilities led to the founding of a new discipline, Applied Behavior Analysis (ABA). In 1968 Baer, Wolf, and Risley published their seminal article that operationally defined the purpose and practice of ABA. The work of Applied Behavior Analysis focused not on experimentally controlled esoteric topics, but rather focused on changing behaviors that were of social significance. The goal of behavior analytic practitioners was to apply basic principles discovered in laboratory settings to pinpointed behavior excesses or skill deficits. These interventions were designed to lead to a generality of behavior change across multiple settings. Ultimately, the purpose of ABA intervention was to promote the welfare of the treated individuals and the communities in which they lived (Baer, Wolf, & Risley, 1968, 1987).

This movement was vastly different from treatments that were derived from psychoanalytic or cognitivist theories. In a behavior analytic approach, practitioners focus on the relationship between one's behavior and the environment in which it occurs. In a traditional psychological and education view, based on standardized tests of spurious concepts such as intelligence quotients, deficits in behavioral repertoires are thought to originate from the characteristics of the individual that are not

amenable to change (Peterson, 2010). In contrast, in a behavior analytic perspective, if a student does not learn in the way that has traditionally been taught, then the instructor must change the way they teach (Cooper, Heron, & Heward, 2007; Fielding et al., 2013).

Behavior analysts follow a professional code of ethics and have adopted guidelines regarding the right of clients to receive effective treatments (Bailey & Burch, 2005; Van Houten et al., 1988). Van Houten et al. (1988) specify the specific rights of clients who receive behavior analytic services. These individuals have a right to a safe and human treatment environment, where interventionists are responsive to the client's needs. Clients also have a right to treatment programs that incorporate functional skills and promote the individual's long-term welfare and independence. These programs should be based on objective assessment and should be consistently evaluated for effectiveness. According to Van Houten et al. (1988), clients also have the right to treatment by a behavior analyst who demonstrates competence as a scientist-practitioner who only operates within his or her scope of expertise and utilizes the most effective, research-based treatment strategies that pose little risk to the client. The overarching goals of ABA represent a highly optimistic approach to changing human behavior, where all students or clients are deemed to be able to learn and grow (Cooper, Heron, & Heward, 2007).

Statement of the Research Problem

To date, there is little to no research, qualitative or quantitative, on the lived experiences of Board Certified Behavior Analysts (BCBA) working in public

education. The purpose of this study is to add the narratives of this population to the body of research that documents the experiences that shape the views of professionals who work in the field of special education. Therefore, this study will examine the perceptions of BCBA's who work in public education on the issues of inequity and ableism in a system that is required to comply with federal and state laws.

Behavior analysis aligns strongly within a positivistic research paradigm. As such, behavior analytic research is almost exclusively quantitative, with the focus of the research centering on the effects of treatments on socially significant behavioral problems. When behavior analysts examine themselves, the focus is most often on theoretical issues concerning the principles of behavior analysis. Rarely, if ever, is the focus of behavior analytic research on the perceptions of behavior analysts themselves on the work they attempt to accomplish in public education. Behavior analysts are required to complete a number of continuing education units specifically covering ethics in order to maintain their certification, so there is precedence for this type of introspection, but typically ethical issues are viewed from the lens of how they relate to specific treatment problems. The examination of cultural issues of ableism or discriminatory practices of any kind are not widely disseminated in behavior analytic publications, perhaps because of the rejection of the use of introspection as a research method. However, as behavior analysts become a growing part of the workforce in public education and in private practice, the cultural and systemic sources of discrimination that affect individuals with disabilities will eventually become issues that behavior analysts will face, and have the strong

potential to lead to difficult ethical quandaries that go far beyond the design and implementation of effective treatments.

Significance of the Research

Behavior analysts fill a number of roles in public education, from consultants to behavioral and academic skills programmers, and they are now beginning to take roles as managers and administrators in spite of the fact that they are not credentialed by the state of California. This research could have direct benefit to practitioners, specifically Board Certified Behavior Analysts, who are considering entering public education settings. These individuals may find value in understanding the lived experiences of practitioners who have already entered the field. In addition, practitioners already in the field would also likely benefit from hearing about the global challenges that face them in their attempts to provide high quality services that align with their professional code of ethics. Understanding broader issues of ableism and equity gaps may help them to take up different advocacy tactics that influence public education systemically rather than focusing only on client-centered treatment variables.

Since this research also fills a gap in the research, it may also have benefits for other researchers. This topic of study and the use of BCBA's as participants present a new lens by which equity problems can be investigated. In addition, since BCBA's are relative newcomers to the landscape of public education, policy makers may benefit from understanding the unique perspectives of these individuals. Understanding the perspectives of BCBA's will have important implications to public

policy, as clinical services have recently been approved as a health insurance reimbursable service at a national level. Therefore, the future of behavior analysts' presence and roles in the public education system may evolve over time. Behavior analysts, families, and advocates for ABA-based interventions have also lobbied the state of California legislature heavily for the approval of state licensure, which would allow BCBA's to provide behavior analytic treatments through health insurance funding. The addition of licensure could potentially have the effect of removing the need for BCBA's to work in the public setting. What these developments in the field mean for BCBA's in the public school setting is uncertain. Certainly this could potentially increase the number of disputes over the provision of special education services in the public school setting, especially as they related to autism-specific interventions. It could also result in the switch to private practice for behavior analysts who currently work in public education.

Research Questions

The following research questions will be explored in this qualitative study:

1. What are the perceptions of Board Certified Behavior Analysts regarding possible equity issues that may affect students in public school special education settings?
2. How do potential equity issues in publicly funded special education programs intersect with Board Certified Behavior Analysts' professional code of ethics?

3. How do Board Certified Behavior Analysts perceive their ability to influence potential equity issues in public school settings?

CHAPTER II

REVIEW OF THE LITERATURE

“What the best and wisest parent wants for his own child, that must the community want for all its children” (Dewey, 1900). The aims of education are far-reaching and often difficult to define. For some, the goal of education is to impart knowledge. To others, the aim of education is not just to teach facts, but to act as a catalyst to help children develop to their fullest potential, to become self-actualizing and autonomous critical thinkers who then become contributing members of society (Smith, 2007). While it seems apparent that publicly funded education for all children should have accountability measures attached to it, exactly what those accountability measures should be is a source of considerable controversy (Vibert, 2007). While the United States government set accountability standards for proficiency in core curriculum via the passage of laws such as No Child Left Behind (2001), some maintain that such standards are impossible to meet, while others argue that not only are they impossible to meet, but they are harmful and encourage corruption and cheating (Noddings, 2013b). Given that the concepts of education and accountability are difficult to define and are subject to constantly evolving public perceptions and policies, education reforms are seemingly the norm in public education.

The introduction of the Common Core State Standards (CCSS) is the most recent attempt at educational reform in the United States. The standards represent a

shift in instructional aims from merely demonstrating competency in reading and math, to national standards that better prepare students for higher education opportunities that help them compete in a growing global economy as they move into adulthood (Alliance for Excellent Education, 2013). Consequently, 21st century learners must not only master core subjects but must also demonstrate awareness of and participation in civic, health, and environmental issues facing the global community. In addition, 21st century learners must develop a command of ever-evolving technologies in order to navigate vast amounts of information, critically analyze that information, and develop creative problem solving strategies that would allow them to effectively organize and communicate their ideas in international workplace environments (The Partnership for 21st Century Skills, 2009). Thus, the Common Core State Standards represent an attempt to raise standards and accelerate learning, helping students to meet the democratic ideals of public education. They can be seen as an attempt to maximize the potential of all students at a time when American students' academic achievement has been demonstrated to be lagging behind the achievement of students around the world (Calkins, Ehrenworth, & Lehman, 2012; Darling-Hammond, 2010).

While the promise of Common Core State Standards is that students maximize their opportunities for education and career success in their adult lives, this promising outlook is often absent from the educational environments afforded to students with disabilities. The Individuals with Disabilities Education Improvement Act (IDEA) is the federal law that governs special education (Wright, 2010). According to IDEA,

students with disabilities are accorded the right to a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE).

To the maximum extent appropriate, children with disabilities, including children in public or private institution or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability is such that education in regular classes with supplementary aides and services cannot be achieved satisfactorily (IDEA, 2004).

IDEA (2004) guarantees that students with disabilities receive specialized services that are specified in an Individualized Educational Plan (IEP). The law puts parents and educators in charge of a collaborative process where all parties must mutually agree to assessments, goals, services, and educational setting specified in the student's IEP. In order for a school district to provide FAPE, an IEP must be developed that complies with all legal requirements specified in the federal law. However, it is not enough for the IEP to simply be legally compliant. It must also be designed to provide "educational benefit" (Fan, 20145, p. 1505).

While the IDEA guarantees FAPE, school districts are not obligated to maximize student outcomes; instead, the law specifies that school districts are responsible for providing a "basic floor of opportunity." For many, this is a low standard, which represents a major disconnect from the lofty ideals and outcomes that are specified for general education students. However, the courts have continued to

uphold the basic standard specified in IDEA, in spite of multiple attempts to challenge the appropriateness of public school services that have been presented in due process by parents, advocates, and attorneys (Zirkel, 2013). The U.S. Department of Education (2010) acknowledged that in the future of special education, there should be a reduction in the discrepancy between merely having access to educational opportunity and having access to quality educational programs and support services.

Historical Context of Special Education

In 1954, a landmark Supreme Court decision in *Brown v. Board of Education of Topeka* set the stage for a number of civil rights issues in the United States, including special education services for individuals with disabilities. The Supreme Court's ruling that African American students had a right to equal educational opportunities became a forerunner for parents of children with disabilities to argue that their children were either being denied educational opportunities, or were being educated in segregated settings where they did not have access to the same opportunities as their typically developing peers (Wright, 2010).

In 1965, Congress passed the Elementary and Secondary Education Act (ESEA), establishing grants for states to begin to develop resources for educating disadvantaged students. In this law, educationally disadvantaged students also included students with disabilities. The law was modified in 1966 to include development of resources for educating students with disabilities. In 1970, the ESEA was replaced by the Education of the Handicapped Act, which was another grant

program whose purpose was to establish programs for educating individuals with disabilities. In 1974, the Education of the Handicapped Act was amended to include state plans for educating students with disabilities. It also included the provision of procedural safeguards, non-discriminatory evaluations, and the placement of students with special needs with typically developing peers to the extent possible.

Two historic court cases in the 1970's also set the stage for massive changes in special education: *Pennsylvania Association for Retarded Children (PARC) v. Commonwealth of Pennsylvania* (1972) and *Mills v. Board of Education of District of Columbia* (1972). These cases dealt with the segregation and expulsion of children with disabilities from public education (Fan, 2014). The judicial decisions from these cases established that students with disabilities have a right to access public education at public expense. The impact of these cases, and others like it, created momentum in the fight for greater access to educational services for students with disabilities, and set the stage for the passage of federal special education law. A congressional inquiry into the state of special education services led to the examination of the rights of individuals with disabilities under the purview of the Fourteenth Amendment of the United States' Constitution, specifically the rights to Due Process and Equal Protection (Fan, 2014; Wright, 2010).

As a result of case law establishing the right to education via cases like *PARC* and *Mills* in 1972, as well as passage and revision of the Elementary and Secondary Education Act (1965, 1966, 1970), the Education for All Handicapped Children Act (EAHC), a sweeping civil rights statute, was passed in 1975 (Public Law 94-142).

The purpose of the EAHC was to protect the right to educational opportunities for children with disabilities. It placed parents as equal members and active participants in determining the goals and outcomes in their child's educational plans (Fan, 2014). Prior to passage of this law, students with exceptional needs were either educated improperly or excluded altogether from education in the public school system. Most children with severe disabilities were placed in segregated settings such as state institutions, where they received basic necessities such as food and housing, but were not afforded true educational opportunities (Fan, 2014; U.S. Department of Education, 2007).

The EAHC has been reauthorized on several occasions, and is now known as the IDEA (Individuals with Disabilities Education Act), but the reauthorizations have not drastically altered the basic provision of the rights to education that are afforded to individuals with disabilities. Major outcomes of the passage of the IDEA included: child find procedures, establishment of Individualized Education Programs for students with disabilities, the right to a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE), the right to non-discriminatory assessment, establishment of Related Services (e.g. transportation, speech therapy, adapted physical education, occupational therapy, etc.), and the establishment of full parental participation in educational planning, and due process rights for parents and children if disagreements on educational plans between school districts and parents could not be resolved (Smith, 2005).

The requirement for ensuring parent participation attempts to ensure a collaborative approach to individualized educational planning. Parent participation provisions and the granting of due process rights were designed to protect students and their right to FAPE. However, relationships between school districts and parents can become highly contentious when there are disputes about the appropriateness of a student's educational goals and services. When passing and reauthorizing IDEA (1975, 1997, 2004), Congress has been clear that parents are to be full participating members of their child's IEP meeting and that they have options, including the right to due process, when there is a significant disagreement about the appropriateness of a student's IEP (Wright, 2010). The right to due process gives parents and students as well as school districts the right to have cases submitted for review in the legal system. Due to power differentials between parents and districts, parental ability to exercise due process rights in a judicial review ensures that school districts implement the law as specified (Gershwin Mueller & Carranza, 2011).

While the IDEA clearly specified the right to FAPE, it did not clearly state what "appropriateness" means. It is through judicial review of specific cases and the interpretation of the IDEA by the courts that continually hones a collective understanding of the law, specifically, what constitutes appropriateness, which then translates into ongoing changes in educational practices (Fan, 2014; Wright, 2010; Zirkel, 2013). One major court ruling that has broadly defined the issue of appropriateness is the Supreme Court's 1982 decision in *Board of Education v. Rowley*. From the *Rowley* decision, came what is now known as the "two-pronged"

standard for determining if an IEP confers FAPE. The first prong is concerned with whether a drafted IEP meets the procedural requirements of IDEA. Specifically, whether the IEP document and team decision-making complies with the required components specified by IDEA. The second prong has to do with substantive issues (Zirkel, 2013). Substantive concerns in a due process argument have to do with the quality of the proposed plan in ensuring that students receive educational benefit. Where parents and school districts often disagree is in the extent to which the district has the obligation to either maximize student potential or simply provide access to education. In his documentation of the Court's decision, Justice William Rehnquist stated that IDEA was in no way designed to maximize the potential of each child with a disability and was only meant to provide an educational plan that offered "some educational benefit" (Fan, 2014, p. 1512).

The "two-pronged" test continues to be upheld by the judicial system. However, in the time since the *Rowley* decision, there have been significant increases in the understanding of how to educate students with disabilities. In spite of volumes of peer-reviewed research on teaching methodologies and documentation of an ever-growing body of evidence-based practices for students with disabilities, the courts have continued to uphold the definition of appropriateness as offering "some" educational benefit. Due process cases that have been presented to the lower courts has shifted from merely issues of exclusion from educational opportunities to issues of the adequacy of methodologies, which draws upon the growing body of documentation on evidence-based practices. Attorneys acting on behalf of students

and families have attempted to use the accountability movement in general education (specifically, No Child Left Behind), as a way to shift the courts to a higher standard of FAPE. Unfortunately, this tactic has not altered the long-standing definition of appropriateness (Zirkel, 2013).

Demographics and Statistics Related to Special Education

As of 2011, over 6 million students aged 3-21 received special education services under part B of IDEA (Fan, 2014; Office of Special Education Programs, 2013). The United States General Accounting Office (GAO) reported in 2003 that the federal costs incurred by IDEA were approximately \$8 billion and state costs incurred were approximately \$48 billion. The GAO (2003) also reported that relative to the number of students in special education, the frequency of due process hearings was actually very low, with approximately 5 hearings held per 10,000 students. However, the frequency of due process hearings may not be the most salient feature of this issue. According to the GAO, in the 1999-2000 school year, districts spent at least \$90 million on due process expenditures. This is most likely a low estimate, as actual costs also entail time spent by district employees completing the gathering and copying of student records, staffing meetings with key stakeholders, etc. These costs are unlikely to be calculated and reported by school districts, but may add substantial cost to an already costly process.

According to Gershwin-Mueller, Singer, and Draper (2008), school districts across the United States spent about \$146 million on due process disputes. The GAO (2003) also reported that between 1999-2000 the incidence of mediation was 4 in

10,000 students, and incidence of formal complaints filed with the states was 7 in 10,000 students. The costs of due process litigation have been reported to range between \$50,000 to \$100,000 per hearing (Mueller, 2009). In addition, according to a survey of 200 school superintendents across the United States, the average cost of district legal fees per hearing was \$10,512.50, and average reimbursement costs for parent legal fees were \$19,241.38. The cost of complying with verdicts in due process hearings averaged \$15,924.14, and the average cost of settling prior to due process litigation was \$23,827.34 (Pudelski, 2013).

From 1991 through 1997, there was a steady increase in frequency of due process proceedings, followed by an average of 2,800 hearings yearly until 2005 (Zirkel & Scala, 2010). Unfortunately, due to differences in data collection on disputes between parents and districts, only cases that go to hearing are accounted for in the literature. It is unclear how many cases are settled prior to mediation. In addition, there appears to be a disproportionate frequency across states in the incidence of due process hearings with five states, including California, comprising 85% of all hearings throughout the United States (Zirkel & Scala, 2010). Even though the law provides a way for parents to exercise their due process rights, and they have increasingly done so, the legal system is an inefficient way of meeting student and parent needs. In addition, parents may lack the social capital needed to advocate for their child. Parents who lack social capital may be less likely to know their rights or have the resources to hire an attorney (Green, 2007).

When examining due process cases in 41 states initiated during the 2005-2006

school year, Mueller and Carranza (2011) found that the most common issues are disagreements about FAPE, including appropriate placement, and the appropriateness of the goals and services in student IEPs. Disputes most often occurred for students who were eligible for special education under the categories of specific learning disability and autistic-like behavior. Parents were most likely to initiate due process proceedings (84.5%), however, in more than half (58.6%) of the cases that went before judicial review districts were the prevailing party. Parents are likely to view the outcomes of due process as being unfair, given that the required standards for districts in offering FAPE are actually quite low. When due process rights are exercised, relationships between parents and school personnel are greatly compromised, and student outcomes from due process verdicts have not been documented to be overwhelmingly beneficial (Cope-Kasten, 2011). Indeed, some scholars advocate for the judicial review to include retrospective data on whether or not the IEP in question *actually* provided FAPE, instead of simply being “reasonably calculated” to do so (Fan, 2014).

In spite of the relatively low frequency of due process hearings reported by the GAO (2003), the threat of a potential case going to hearing has greatly affected the educational environment as “the possibility of due process hearings hangs over most inclusion school environments like a mysterious and ever-present threat” (Bartlett, Weisenstein, & Etscheidt, 2001, p. 48, as cited in Mueller, 2009). As a result of the review of information leading to reauthorization of IDEA in 1997 and 2004, members of Congress determined that due process hearings were having

deleterious effects on special education, both in parent-school relationships and in the costs associated with hearings. In 1997, Congress approved the provision for optional mediation to be added to IDEA. The reauthorization of IDEA in 2004 resulted in the provision for a required resolution meeting between parents and members of their child's IEP team when a dispute occurs (Gershwin Mueller & Carranza, 2011).

When parents come out of due process hearings as the losing party, there are negative consequences resulting from this experience, including a mistrust of the legal system, increased mistrust of school officials, and increasing levels of dissatisfaction with their child's educational services (Walker & Frith, 1984). These are not conditions that are helpful in establishing collaborative relationships between parents and schools, as the IDEA was originally intended to do. Compounding this issue is that the IDEA does not require districts to provide an educational program that maximizes student learning. Rather, districts are required to design educational program that provide a basic floor of opportunity. The intersection between district obligations and parental expectations can lead to situations that put both parties at odds with each other. Some have questioned whether the basic floor of opportunity needs to be raised. Fuchs, Fuchs, and Compton (2012) state, "It is time...for policy makers, administrators, advocates, and academics to have high expectations of special educators" (p. 271). This sentiment is a reflection of the direction in which the field of special education is evolving, from mere access to a focus on provision of evidence-based practice and maximization of student development. However, in order to accomplish this lofty goal, it is important to examine the context from which

this shift emerged.

Oppression and The Culture of Low Expectations

The term ‘oppression’ is used to describe personal and societal patterns of inequitable treatment of a particular group that empowers and allows privileged groups to maintain or increase their positions in a social hierarchy (Bell, 2007). Oppression significantly limits one’s access to advantages and possibilities that those in power already possess. Oppression operates on many levels and is a relative concept. Some individuals may experience oppression by belonging to certain oppressed groups, but not others. For example, a white student with a disability may experience various manifestations of ableism, but her ethnicity may afford her greater privileges than another student with the same disability who is African American.

Oppression may also be highly internalized not just by oppressors but also by those who experience oppression. Individuals who experience oppression may believe that they are deserving of mistreatment or that the characteristics that make them a part of an oppressed group are a source of shame or embarrassment. Indeed, according to Bell (2007), one of the benefits of belonging to an advantaged group is “the luxury to simply see oneself as an individual” (p. 9). Power is not just maintained by direct and obvious oppression, but is legitimized through negative stereotyping of oppressed groups, internalization of subordination by the oppressed; it is transmitted through cultural discourse, and through socialization to accept oppression without question in social and political systems (Bell, 2007; Hardiman, Jackson, & Griffin, 2007).

Some of the demonstrations of oppression that have been observed in the special education system include ableism, racism, and classism. Ableism is the term used to describe a deeply ingrained pattern of discrimination toward individuals who have disabling conditions. It exists in cultural beliefs and practices, institutional practices, and in individual patterns of thinking and behavior toward people with disabilities (Griffin, Peters, & Smith, 2007). Ableism is a form of oppression that favors those who are temporarily able-bodied, and is the only ‘-ism’ that all people may at some time or another experience in their lifetimes, either through the permanent effects of injury or the temporary effects of illness (Baglieri, Valle, Connor, Gallagher, 2011; Griffin, Peters, & Smith, 2007).

Racism consists of socially constructed images that promote stereotyping, scapegoating, and discriminatory practices toward members of certain ethnic groups. These social, cultural, and political practices overtly and covertly reinforce the notion of white supremacy, while painting members of other ethnic or racial groups as outside of social norms (Bell, 2007). In spite of the work of activists to address widespread issues of racial prejudice, racism has now been subverted into the notion of colorblindness in which the radically different experiences of ethnic minorities are erased and each person in society is deemed to have equal opportunities to succeed if they only work hard enough. This meritocracy orientation exists in spite of well documented “segregation of schools and neighborhoods, job discrimination and pay inequity, and the enduring legacies of past discrimination [which] continue to sustain

a hierarchy or racial privilege and disadvantage in all areas of life—employment, health care, housing, media, education, and politics” (Bell, 2007, p. 120).

Classism occurs when one’s presumed human worth or the perception of abilities is dependent on the social class to which they currently belong (Bell, 2007). In the United States, income inequality and the distribution of wealth to an increasingly smaller percentage of people, has created a situation where poverty has steadily increased. The accumulation of wealth can act as a buffer for other forms of oppression. On the other hand, low socio-economic status also intersects with other forms of oppression in a deleterious manner. People who live in poverty are more likely to be disabled, and people who are or become disabled are more likely to live in poverty. People of color are also more likely to live in poverty and have fewer assets than white people (Leondar-Wright & Yeskel, 2007).

There is evidence of widespread discriminatory practices on the basis of race, ability, and class in the literature on special education. Disproportional representation of minority groups in certain “high-risk” or high-incidence disability categories is a well-documented phenomenon that is reflective of hegemonic practices by advantaged groups in the United States (Bal, Sullivan, & Harper, 2014; Skiba, Poloni-Staudinger, Simmons, Feggins-Azziz, & Chung, 2005; Sullivan, 2011; Sullivan & Bal, 2013; Zhang, Katsiyannis, Ju, & Roberts, 2014). High incidence categories include Specific Learning Disability (SLD), Intellectual Disability (ID), and Emotional Disturbance (ED), and Other Health Impairment (OHI). Disproportionality occurs when the percent of students within a certain subpopulation

(e.g. special education, disciplinary measures) is greater than their overall representation in the entire student population. Disproportionality is considered to be a measure of inequity and can be an indicator of discriminatory behavior by educators toward minority groups, especially when one considers that these high incidence disability categories rely on subjective assessment measures rather than medical diagnoses (Taylor, 2013).

In spite of the overall number of students receiving special education in the United States decreasing from 2004 to 2008, the over-representation of minority students in high incidence eligibility categories has remained the same across time (Zhang, Katsiyannis, Ju, and Roberts, 2014). Discriminatory practices, such as segregation of students of color or different abilities, cognitive and academic test bias and the over-reliance on standardized test performance, and poor educator competency in teaching diverse populations are often sources of disproportionality (Peterson, 2010; Skiba et al., 2008).

Sullivan and Bal (2013) examined the risk factors that might unduly qualify students for special education in high-risk categories. They found that African American students were more likely to qualify for special education under other health impaired (often associated with symptoms of attention deficit hyperactivity disorder, or ADHD), specific learning disability, intellectual disability, emotional disturbance, and severe language impairment. Neither African American nor Latino students were underrepresented in low-incidence eligibility categories, such as visual impairment or hearing impairment, which are not determined via subjective measures.

Minority students in general were at higher risk for being found eligible for special education and that the risk was even higher if the minority students were male.

The identification of students as having a specific learning disability relies on documentation of a discrepancy between a student's academic ability and his or her cognitive functioning (Green, 2007). Both cognitive and academic functioning are measured via standardized testing, the results of which have been shown to be biased in favor of white, middle or upper class students. In addition, poor performance on standardized testing could be the result of exposure to ineffective teaching environments, lack of exposure to vocabulary, or factors beyond the student's control, such as his or her gender, or his or her family's native language, educational attainment, or socio-economic status (Greene, 2007).

Bal, Sullivan, and Harper (2014) found that students who qualified for free and reduced lunch were between 85-92% more likely to be identified for special education and that being male doubled the likelihood of a student qualifying to receive special education services. Sullivan and Bal (2013) reported that children whose parents had achieved lower educational levels and children who came from low socio-economic status backgrounds also had a higher risk of being found eligible for special education.

In addition to the risk factors of gender and poverty, the effect of speaking a language other than English has been shown to increase the risk of being identified for special education. Sullivan (2011) found that English Language Learners (ELLs) were overrepresented in special education as a whole and in the categories of

intellectual disability, specific learning disability, and severe language impairment specifically. Sullivan and Bal (2013) found that Latino students were more likely to be eligible under severe language impairment. According to Sullivan (2011), ELLs were more likely to receive pullout special education services than White students who also qualified for special education in the same eligibility category. Pullout special education services are deemed to be more restrictive than those that allow students to continue to access general education curriculum. Sullivan (2011) also found that districts with higher numbers of ELLs were less likely to have overrepresentation of ELLs in special education and that districts with more teachers who were certified to teach ESL were less likely to implement pullout special education services. Sullivan and Bal (2013) reported that students were less likely to be eligible for special education under the category of intellectual disability in schools where large percentages of students had low proficiency in English, likely because their academic and social performance did not stand out from the performance of their peers.

Unfortunately, no matter what the underlying cause of poor performance in the educational system is, pulling the student out of general education and into special education often results in exposure to watered-down curriculum that is paced too slowly to ever allow the student to remediate their skills and re-enter the general education classroom (Greene, 2007; Peterson, 2010). The phenomenon of special education being a dead end road was what Peterson (2010) meant when he discussed the culture of low expectations that seems to permeate special education. He defines

“low expectations” in the context of special education as, “an attitude that children with disabilities are impaired by physical and/or mental conditions that are permanent and unchangeable, thus precluding, or substantially limiting their potential for learning and development” (Peterson, 2010, p. 380). He goes on to state how low expectations are perpetuated by ableism in the dominant culture when he writes, “these attitudes are accompanied by discriminatory behaviors and educational practices which communicate and reinforce these values among members of society generally...and within the educational community specifically” (Peterson, 2010, p. 380).

Discriminatory attitudes and practices have been described as a constellation of oppressive behaviors directed toward people with disabilities (Baglieri, Valle, Connor, and Gallagher, 2011). Discriminatory perspectives include defining disability as an immutable deficit found within an individual that must be cured in order to enhance the value or worth of that individual. When disabilities are defined as something that must be cured, it follows that the aims of education as a fundamental change of an individual through use of interventions and treatments is also an oppressive practice. The provision of educational interventions in segregated settings away from peers allows for the exclusion of those with disabilities from normative experiences. Finally, seeing disability as a tangible condition rather than a set of socially constructed ideas about the diversity of people’s abilities is deeply embedded in societal perspectives on people with disabilities (Baglieri, Valle, Connor, and Gallagher, 2011). The educational system is a system of power with the

ability to “govern what participants say and do, where they can be, and with whom they can interact” (Gabel, Cohen, Kotel, & Pearson, 2013, p. 74). These discriminatory practices continue to exist, though they are in direct opposition to the ideals embodied in the first paragraph of the IDEA:

Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities. (IDEA, 2004 as cited in Peterson, 2010, p. 375).

In spite of the call by Congress through enactment of the IDEA to educate students to the extent possible in general education settings and to reverse years of segregation of people with disabilities, students in special education continue to have little meaningful access to typical school environments. Thus, parents and school districts are often at odds with what a Least Restrictive Environment (LRE) may entail (Ryndek et al., 2014). Many parents and advocates argue for the use of full inclusion of special education students in general education settings. While the IDEA supports educating students with disabilities to the extent possible in general education, it does not preclude the use of segregated settings for some students with more severe needs (Ryndek, et al., 2014). The concepts of integration and inclusion involve more than just “sharing space” on a school campus (Gabel, et al., 2013, p. 77).

The vocabulary that is commonly accepted when discussing special education services illuminate deeply embedded ableist practices and perspectives, such as being “‘placed’ in special education, where students may be ‘self-contained’ ‘segregated’ ‘excluded’ or ‘included’” (Gabel, et al., 2013, p. 76). This terminology can be considered to be a product of underlying social norms that exclude individuals with disabilities. Thus, ableism in school settings is a pervasive problem, where the overvaluing of normalcy contributes to the practice of segregation of those individuals who deviate from culturally accepted norms (Ashby, 2010).

Peterson (2010) describes three main ways in which ableism continues to plague special education: overemphasis on the ability of standardized tests to define ability and predict achievement; lack of commitment to educate students in the Least Restrictive Educational Environment (LRE); and poor access to general education peers and settings. Ableism is also apparent when examining the values inherent in special education interventions, including the privileging of normalcy. When normalcy is privileged, the goals of interventions are to remove evidence of disability to the extent that traditional academic outputs such as speaking and writing are valued over other methods of demonstrating knowledge (Ashby, 2010). As such, if students are unable to produce work that adheres to accepted norms, the underlying assumption is that they cannot and will not be able to learn core subjects. Instead of presenting academic concepts in ways that students could access them, the focus of educational plans then often shift to the teaching of functional skills to the exclusion of academics (Jackson, 2014). The persistence of a culture of low expectations in

special education is a highly complex issue. Instead of simply being a problem that is specific to the educational system, it may be viewed as a symptom of underlying issues of racism, classism, and ableism in the United States as a whole.

Educational Decision-Making for Students with Special Needs

Equity-based decision-making takes into account that certain groups, because of historical disadvantages, must have an increased number or type of learning opportunities or special services (Krause, Traini, Mickey, Dukes, & Ackley, 2001). Educational leaders are often called upon to balance the needs of an individual or sub-population against the needs of the general population of students. Shapiro and Stefkovich (2001) present the “ethic of justice” (p. 11) as a paradigm that values the incremental nature of the law and a hope for progress through changes in the law. Educational leaders who practice the ethic of justice are “committed to certain fundamental principles, such as tolerance and respect for the fair treatment of all individuals” (Shapiro & Stefkovich, 2001, p. 11). An individual who is strongly motivated by the ethic of justice, may frame moral or ethical dilemmas based on the issues of “fairness, equity, and justice” (Shapiro & Stefkovich, 2001, p. 12). As such, ethical challenges in this framework could concern how to balance “the rights of individuals versus the greater good of the community” (Shapiro & Stefkovich, 2001, p. 12).

In meeting the needs of students, educational leaders must reconcile several factors, including personal and professional codes of ethics, the ethics valued by the communities in which they are situated, and professional standards (Shapiro &

Stefkovich, 2001). Decisions that meet a student's best interest incorporate the student's rights, helping the student accept responsibility for their own actions, and respecting students as individuals (Shapiro & Stefkovich, 2001). Balancing codes of ethics, community and workplace expectations, and a respect for students is a dynamic process. Therefore, equity-based decision-making can be expected to be a moral and ethical challenge with no easy answers or seemingly predictable outcomes.

Equity-based actions on the part of special education leaders and IEP teams can be accomplished, but requires shifts in ableist ideologies that may influence how a student is perceived. Capper and Frattura (2009) call for a shift away from segregated educational settings for historically disadvantaged students, including students with disabilities. In order to challenge the long-standing practice of segregation, educational leaders must also be leaders who promote social justice. Capper and Frattura (2009) present six strategies to promote leadership behaviors that promote social justice. These include understanding problems of inequity, developing a vision for inclusive practices, taking personal responsibility to challenge inequity, problem solving to meet student needs that does not resort to segregationist practices, making equity goals a priority, and responding to resistance. Capper and Frattura (2009) state:

If educational leaders do not have inclusive social justice and equity as their primary purpose and fundamental goal as a leader, then they will interpret any federal or state policy mandate or local school reform initiative in ways that result in further segregation and the perpetuation of low achievement among

traditionally marginalized students. If, however, inclusive social justice and equity are the primary goals of leaders, then regardless of federal and state policy and local school reform initiatives, these leaders will leverage these mandates and initiatives in ways that support their inclusive social justice agenda (p. 41).

In the case of special education, the judicial branch of the government informs which practices must occur in order to meet the minimum requirements of the law in providing a Free and Appropriate Public Education (FAPE). A challenge for district administrators is to meet the needs of an individual student, which often occur at great expense, while at the same time focusing on the demands of school-wide academic achievement (Frick, Faircloth, & Little, 2012). However, educational leaders must understand and follow the procedural requirements of the Individuals with Disabilities Education Act (IDEA) in order to avoid legal action. Pazez and Cole (2012) caution, “Significant liability exists for administrators and instructional personnel who fall short of performing their duties and responsibilities with respect to students with disabilities. Parents, advocates, lawyers, and even government agencies may seek and successfully hold administrators and the districts they represent accountable for their failures” (p. 244). Compliance-based decision-making is therefore focused on keeping districts out of due process. Unfortunately, mere compliance to procedural requirements in the IDEA does not encompass the substantive issues at the heart of many disputes over whether districts designed an educational plan that would confer educational benefit. The law is clear that districts

are not held responsible for maximizing student achievement, however, this has been criticized as setting an unusually low bar for student progress (Peterson, 2010). A culture of low expectations found within special education settings is a well-documented phenomenon (Peterson, 2010). When value is not placed on student achievement and educational benefit is relegated to and measured as “some progress” on a set of teacher-created goals rather than a curriculum framework, there may be a serious disconnect between the adequate completion of paperwork that fulfills the procedural requirements of IDEA but ignores whether or not the educational plan is meaningful or whether it teaches skills that allow students to have greater freedom and access to their schools, homes, and communities.

Factors that Influence Decision-Making in Special Education Teams

There are several philosophical and practical factors that may emerge when decisions are made about the provision of special education services. The philosophy of care (Noddings, 2013a) takes into account the relationship between those who care and those who are cared for. Certainly, the education system is one in which caring is a vital part of the relationship between educators and students. According to Noddings (2013a), natural caring occurs when individuals engage in behaviors that meet the needs of those they care for, not out of duty or obligation, but because they value and cherish the well-being of others. Ethical caring is the type of caring that occurs when one experiences disruptions to the inclination for natural caring and yet responds in a caring manner because it is the moral or ethical way to respond (Noddings, 2012). Individuals engage in caring when they actively listen or observe

others for the purpose of understanding what the cared-for individual is experiencing. This level of understanding allows a carer to experience similar emotions without projecting their own feelings onto the cared-for.

The ethics of care should be distinguished from issues of justice and equality, as caring is viewed by Noddings (2012) as a function of basic human interrelatedness. It is not concerned with the morality or virtue of caring. Noddings (2012) asserts,

Natural caring is the work that occurs regularly in congenial homes, schools, and workplaces. In these situations, people address and respond to one another in ways characteristic of caring, and they do so by inclination, because they want to care and be cared for, not out of duty. This is the cherished human condition. Carers may expend great physical and emotional effort in meeting the needs of their family members, neighbors, and friends, but no moral effort is required. In these situations, we do not agonize over what we are morally required to do. We respond out of love or inclination (p. 54).

The ethic of care, then, is not rooted in issues of justice and equity (Katz, Noddings, & Strike, 1999). The effect of the ethic of caring as it relates to special education can be illuminated in the decision making to determine the least restrictive environment, which is a cornerstone of the IDEA. Because students have a right to a Free and Appropriate Public Education in the Least Restrictive Environment, every effort should be made to educate students so that they have meaningful access to general education environments. If it is determined that a student with a disability cannot access the general curriculum and does not receive social benefit from being

educated with typically developing peers, even with supports and services, students may be placed in educational settings that are segregated from the general education population.

Advocates who argue that such practices are exclusionary and unfair operate from a justice mindset. However, from the view of the philosophy of caring, individuals may look at the practice of segregation and determine that if the student with a disability would not be cared for while in the general education classroom, or if his or her needs monopolized the teacher's time and prevented him or her from caring for the rest of the students, then the practice of segregation may be warranted (Katz, Noddings, & Strike, 1999). Utilizing the philosophy of caring, each child's needs are carefully considered and intricately connected with social context. Therefore, attempts at codifying caring into the law may not achieve the effect that all who operate under the law actually practice caring as Noddings describes it. Ideally, equitable practices and caring intermingle. Equitable practices can result in compliance to laws that are meant to provide equal opportunities to the disadvantaged, while the philosophy of care ensures that vulnerable populations are not just tolerated to the extent specified by law, but are the recipients of a level of caring that exceeds the minimum expectations for compliance to laws, codes, and regulations.

In addition to caring, special education decision-making is also necessarily driven by legal requirements. Special education laws were designed to provide educational opportunities for students who had been historically excluded from the

context of public education. The IDEA contains provisions for sanction when the law is not followed, including the granting of due process rights, the ability of plaintiffs to recover attorney fees if they prevail in due process, the granting of compensatory education if a school district fails to provide a free and appropriate public education, the provision of monetary fines when districts do not comply with due process decisions, and the awarding of punitive damages for instances when there has been intentional infliction of harm upon a student (Murdick, Gartin, & Crabree, 2007). When examining the treatment of individuals with disabilities throughout history, narratives of abuse, exclusion, and neglect abound. The overarching goals of education have seemingly been deemed not to apply to students who cannot access the general education curriculum in a typical manner (Ashby, 2010). After 40 years of legislation that ensures the right to a free and appropriate public education for students with disabilities, it is still common to find themes of exclusion and neglect in current practices in the public educational system, even when those practices comply with basic legal requirements (Peterson, 2010). While an IEP may meet procedural requirements, if caring does not co-mingle with justice then students may continue to be recipients of educational opportunities that are lacking in intensity and decrease opportunities for participation in his or her community.

It seems logical then that caring and justice are two concepts that must occur together in order to change how individuals with disabilities are educated. Special education law has long been focused on access to education and providing the basic floor of educational opportunity. However, caregivers, advocates, and attorneys have

argued that it is time to do more than simply provide the basic floor of opportunity and have sought to establish precedence for elevating the meaning of a Free and Appropriate Public Education (Zirkel, 2013). Therapeutic jurisprudence is a promising approach to using the law as an advocacy measure in order to protect the basic human rights of those who are most vulnerable in society. Therapeutic jurisprudence is a multidisciplinary and scholarly approach to the use of the judicial system as a therapeutic agent. This approach calls on professionals across disciplines to examine the potential effects of legal actors on the people they intend to serve. There is an acknowledgement in therapeutic jurisprudence that entanglement in the legal system, even if it is intended to seek protection for the rights of clients, can lead to positive as well as detrimental effects on the consumers of such services. For example, the identification of students as belonging in a particular disability category results in the provision of necessary services that could have enabled that student to achieve greater levels of academic success. Unfortunately, it can also lead to stigmatization, segregation, and low teacher expectations. Therefore, therapeutic jurisprudence is a philosophical perspective that examines how the legal system can be reformed in order to improve the lives of members of society (Madden & Wayne, 2003).

In addition to reforming the law, practitioners seek to apply the therapeutic jurisprudence model in order to prevent unnecessary interaction with the legal system when it is clear that doing so would be harmful to the client (Cruz, 2008). One of the guiding principles of therapeutic jurisprudence is the commitment to preserving the

dignity and mental health of human beings (Perlin, 2014). Preventive procedures could be applied in special education where the potentially harmful effects of legal proceedings on a child's education or a family's well being are taken into account prior to proceeding with the judicial review process. Therapeutic jurisprudence takes into account both the letter and the spirit of the law. In order to do this, the legal actor has to engage in a thorough assessment in order to determine how legal proceedings could potentially affect the client (Madden & Wayne, 2003).

Another influence on IEP Team members in the determination of an offer of FAPE includes the workplace and systems-level contingencies that shape decision-making. While IEP Team members may practice caring and embrace the use of the law for therapeutic reasons, their actual behaviors may be influenced more by the behaviors that are reinforced or punished in their workplaces. Therefore, an analysis of workplace systems is warranted in order to discover why individuals behave in the way they do as a member of the IEP team. Behavioral systems analysis is an approach to understanding human behavior in organizations and is based on the tenets of Radical Behaviorism. Radical Behaviorism is a selectionist model of human behavior that does not rely merely on description of form, structure, or topography of human behavior. Rather, a behavioral approach suggests that behaviors are "selected" by the consequences that follow them in the natural environment based on the relevance of those consequences to the behaving organism (Pierce & Cheney, 2013). Reinforcement and punishment are the processes that promote or inhibit the actions of individuals. Individual histories of exposure to reinforcing and punishing

consequences are always taken into account when examining the likelihood of current behavior. Organizational Behavior Management (OBM) is a sub-discipline of behavior analysis and studies how contingencies set at the individual and systems levels of an institution, whether public or private, interact and impact job performance (Daniels & Daniels, 2004, 2007). An analysis of the entire organization as an interconnected system, or a behavioral systems analysis, allows for the identification of changes that can be made to have a positive impact on employee performance and an organization's success (Ray & Delprato, 1989).

A behavioral systems analysis approach can help IEP team members to understand the contingencies that shape school district local practices by analyzing how the consequences of decision-making have impacted district resources, both human and financial. For example, the "culture of low expectations" (Peterson, 2010) often seen in special education could be explained by poor administrative oversight of the instructional practices in special education classrooms, a revolving door of teachers because of the high incidence of burnout in special education teaching staff, lack of curriculum and professional development resources for teachers, and a pervasive practice of segregation of special education students that has gone unchecked due to a lack of legal consequences. What becomes status quo may not meet the legal requirements of IDEA, nor would these practices lead to the effective education of students with disabilities. However, if unchecked, the contingencies of the system may continue to support inappropriate practices. Worse

yet, because there are no meaningful punitive consequences, those practices would be likely to continue over the course of time.

Conversely, administrator decision-making that leads to greater inclusion of students with severe disabilities in general education settings could be met with extreme resistance on the part of educators who have never had the requirement to teach or include students who have been traditionally segregated from the general population. Parents may also strongly object to the integration of students who may have disruptive behaviors into their typically developing child's classroom. Both educator and parent complaints could potentially provide such punitive consequences that the administrator who made those decisions may not make the same decision again, even if it meant that student outcomes could be affected negatively (Frick, Faircloth, & Little, 2012).

Conclusion

The intersection between the aims of education for all students, the federal law governing education for students with disabilities, and the pervasive problems of oppression of individuals with disabilities presents a difficult problem for educational leaders. Professional ethics may dictate that all students should be educated to the extent possible. However, the attempt to educate students with special needs can lead to greater expenditure of time and resources toward satisfying procedural requirements, at the same time that the substantive requirements of the IDEA are left partially and sometimes completely unmet. In an era of greater accountability and a push toward standards-based outcomes that call for all students to be career or

college-ready, educational leaders will have to grapple with a paradoxical situation in which the aims of education and the federal standards for general education students do not align with the minimum requirements specified by the IDEA for students with disabilities (McLaughlin & Rhim, 2007).

CHAPTER III

METHODOLOGY

This chapter describes the purpose of the study and the research questions that drove the selection of the research design. It also describes the conceptual frameworks that underpin this study. Procedures for data collection and analysis will be delineated, along with reasons for the choice of participants in this research. The rationale for this study is to understand the factors that inform educators' decision making when determining the type and number of special education services that are offered in order to fulfill the requirement of providing a Free and Appropriate Public Education to students with disabilities. The type and number of factors leading to these decisions are conceivably complex, and shaped by a combination of personal, historical, ethical, moral, and practical experiences.

Epistemological Frameworks

In order to study this rich and multifaceted topic, a qualitative research method was utilized. Schwandt (2001) states, "To call a research activity qualitative inquiry may broadly mean that it aims at understanding the meaning of human action" (p. 233). According to Winchester (2005), "Qualitative researchers tend to be concerned with social structures, individual experiences, and/or the relationship between them" (as quoted in Glesne, 2011). However, the purpose of this study is not just to understand, but also to emancipate. As such, this research is rooted in critical theory, specifically critical disability theory. Merriam (1991) describes the critical

theory paradigm as one that:

requires researchers to reflect critically upon society and their complicity in reinforcing an oppressive structure so that they and the people they research can overcome domination and repression through praxis. Taking action to change the social structure is seen as both freeing and empowering (p. 52).

Merriam (1991) further states, “In critical research, knowledge is viewed as subjective, emancipatory, and productive of fundamental social change” (p. 53).

Glesne (2011) describes the basic characteristics of critical theory. Critical theory seeks to explain issues of power and oppression from the point of view of those who are oppressed. Critical theorists seek to reveal social discourse and historical constructs that maintain the balance of power in favor of groups in power who oppress. Critical theorists are concerned with the relationship between ideas and practice, or praxis, and attempt to use new discourse to change the balance of power in favor of groups who have been historically oppressed. Devlin and Pothier (2006) state that critical disability theory “is a self-consciously politicized theory. Its goal is not theory for the joy of theorization, or even improved understanding and explanation; it is theorization in the pursuit of empowerment and substantive, not just formal, equality” (p. 8).

Critical disability theory focuses on revealing the socially constructed definitions of what it means to be disabled. In critical disability theory, the context in which an individual is labeled as being “other” is fundamental to understanding the

issues of oppression of those who are differently abled. Devlin and Pothier (2006) suggest “whether a person is ‘disabled’ is highly dependent on the social organization of society—not only in the way we construct our buildings and our transport systems, but also in the performance benchmarks we utilize to assess people” (p. 6). Because the notion of disability is socially constructed, “the problem is not the person with the disability. Rather, it is the pervasive impact of ableist assumptions, institutions, and structures that disadvantage persons with disabilities” (Devlin & Pothier, 2006, p. 13).

Statement of the Research Problem

Board Certified Behavior Analysts are increasingly being sought after as employees in the public school system, despite the fact that many do not possess education credentials. They have a unique perspective on the field of special education as individuals who must adhere to a professional code of ethics that is highly client-centered. This code of ethics may set a higher standard for intervention and professional behavior than is required for work as professionals in the field of special education. The lived experiences of Board Certified Behavior Analysts who work or have worked in public education have not been documented in formal research. The purpose of this study is to fill this gap in the research by documenting the lived experiences that shape the views of Board Certified Behavior Analysts. Therefore, my research question is: “What are the perceptions of Board Certified Behavior Analysts on equity issues in special education?”

Statement of Positionality

I have a particular interest in this research, as I am a practicing Board Certified Behavior Analyst who has worked in the California public school system for over 10 years. In that time, I have provided behavior analytic services to children as young as 30 months to young adults up to 22 years old. As a private practitioner, I have provided behavior analytic services to adults with developmental disabilities through the age of 56. My position as a BCBA helped me to build rapport with the participants in this study. My current occupation lends me to having both an insider and outsider perspective on this research topic. The insider perspective, according to Schwandt (2001), “holds that knowledge of the social world must start from the insider or social actor’s account of what social life means” (p. 128). An outsider perspective, by contrast, is one where “knowledge of the social world consists in causal explanations of human behavior” (Schwandt, 2001, p. 128). I believe that BCBAs have a unique position of being both insiders and outsiders in educational settings, as they are often given tremendous responsibilities in a consultant role for the education of students with disabilities, but are not often granted the authority to manage the official contingencies that affect employee behavior.

Context of the Study

This study utilized participants throughout in the state of California, from multiple regions. Due to the potentially sensitive nature of the research question, this research was not situated in any particular district or region so that the anonymity of the participants could be protected with greater assurance. In addition, selecting

participants from various locations was performed to conceivably demonstrate the potential universality of the problem of ableism in the context of the public school system.

Participants

The participants in this study were selected through homogeneous and network sampling. Homogeneous sampling is defined as selection of “similar cases in order to describe some subgroup in depth” (Glesne, 2006, p. 45). Network, or snowball, sampling occurs when small numbers of participants recruit their acquaintances to the study (Glesne, 2006). Seven Board Certified Behavior Analysts who had worked in the public school system for at least one year were recruited to participate in this study. Board Certified Behavior Analysts (BCBAs) have masters or doctoral degrees in psychology or related fields. They are required to complete 1500 hours of supervised fieldwork both during and after completing their degrees, after which they are eligible to sit for a national certification exam. This group of professionals is currently in great demand both in the private and public sector as they design and supervise behavioral programs for individuals with developmental disabilities that are based on Applied Behavior Analysis. In a public school-based setting, BCBAs are often utilized to design autism-specific programs, facilitate staff training, conduct function-based behavioral assessments, and write positive behavior intervention plans, regardless of the educational setting or special education eligibility category of the students they serve.

Participants were contacted via email, by phone, by text, or in-person if they met the criteria for participation. Demographic data were collected for each participant on their gender and on their years of experience both in the public school system as well as the private sector. In order to protect the anonymity of the participants, information on gender and ethnicity were not reported in this research. The participants were also asked about characteristics of the school districts they worked in and the types of educational programs for which they provided services.

Data Collection

Consistent with qualitative research protocols, participant data was collected via a combination of interviews, field notes, and participant observation. After participants were selected, they participated in a semi-structured interview. In a semi-structured interview, “questions may emerge in the course of interviewing and may add to or replace pre-established ones” (Glesne, 2006, p. 102). All interviews were conducted until saturation on the research topic was achieved. Saturation occurs when a researcher can no longer collect new data from continuing the research process. Field notes will also be collected during interviews for the purpose of recording researcher observations on participant responses, and to note topics that might require further inquiry. All interviews were conducted by telephone and recorded.

Data Analysis

All interviews with the participants were transcribed after each interview. Transcripts were analyzed using a constant comparative method. Data coding was

completed immediately after transcripts were obtained from the interviews. Using Wolcott's (1994) methods for analysis, data were subject to "description, analysis, and interpretation" (as cited in Glesne, 2006, p. 208). Description includes staying focused on the original intent or meaning of the participants' words. Analysis occurs when the transcripts are coded for patterns and regular themes. I coded the participants' responses related to the research question, underlining them in a color-coded system. The final phase of data analysis occurred when themes that emerged from data coding of each interview were transformed into a few salient main themes that were aligned with the questions guiding this research.

Trustworthiness

All data were checked to confirm trustworthiness. According to Schwandt (2001), trustworthiness is "defined as that quality of an investigation (and its findings) that made it noteworthy to audiences" (p. 258). There are four aspects of trustworthiness as specified by Lincoln and Guba (1985): credibility, transferability, dependability, and confirmability.

Credibility involves portraying the participant's interview responses in a way that is accurate and true to how the participants perceive the events they described. Credibility is enhanced when the researcher and participants have a prolonged engagement and the researcher engages in member checking to ensure that participants agree with how responses are constructed on a continuous basis (Lincoln & Guba, 1985). Transferability occurs when there is sufficient similarity between participants' interview results if the research were to be conducted by someone else in

a similar setting. In order to demonstrate transferability, the data should reflect prolonged engagement with the participants and thick, rich descriptions of participant responses (Lincoln & Guba, 1985). Dependability focuses on the researcher's ability to document all relevant information and communicate his or her research process in a logical fashion. Confirmability occurs when the themes identified by the researcher are understandably linked to raw data and transcription. Confirmability can be established through member checking as well as debriefing with the participants after the study ends. During the interview process, member checking and debriefing were used to ensure trustworthiness.

Conclusion

In conclusion, this qualitative research explored issues of ableism and equity problems in special education from the perspectives of Board Certified Behavior Analysts. The purpose of this research was to emancipate and to improve the quality of educational planning and programming for students with disabilities. The purpose of this research was to attempt to fill a gap in the behavior analytic and educational research literature.

CHAPTER IV

RESULTS

In this chapter I will present information about the participants in this research. This information is limited to years of experience, and estimates of gender, and ethnicity of the group. Detailed information about each participant or the group of participants was not given so that their anonymity could be protected. Since Board Certified Behavior Analysts (BCBAs) are not employed in every school district, and because their job duties are relatively unknown outside of a small group of readers, I will describe the job duties that the participants have reported that they engage in. Following that, I will present the analysis of the results under three themes that corresponded to the research questions: BCBA perceptions of equity issues, equity issues and ethics challenges, and the ability of BCBAs to influence public education.

Participant interviews were initially coded by the following themes: low expectations, effects of socioeconomic status, ethics challenges, resolution of ethics challenges, effect of parent advocacy, racism, classism, ableism, the influence of behavior analysts on special education, and future work in public education. Then, those initial themes were further grouped into themes based on the research questions. The themes that were grouped into the topic of perceptions of equity issues were low expectations, effects of socioeconomic status, racism, classism, and ableism. The themes that were grouped into the topic of equity issues and ethical challenges included ethics challenges and resolution of ethics challenges. The themes that were

grouped into the topic of the ability of BCBA's to influence public education included the influence of behavior analysts on public education and future work in public education.

Participant Demographics

All participants were Board Certified Behavior Analysts who have worked in public schools in varying regions in the state of California, either currently or by history. Each participant had more than one year of experience in public education. Many of the participants also had experience working in private practice and in non-public agencies and schools (NPA/NPS) that provide Autism/Developmental Disability-specific Applied Behavior Analytic interventions. Non-public agencies and schools are private programs that serve special education students and these agencies provide those services under contract with public school districts. Two participants also had experience providing behavior interventions within a mental health agency. Most of the participants had worked in more than one school district or county office of education. Table 1 (See Appendix A) is a visual representation of the years of experience of the participants in this research. Participants' years of experience were categorized by type of organization in which they worked.

Educational Settings

Participants worked in public education settings in a variety of geographic locations and in districts and county offices of varying sizes within the state of California. Several of the participants had worked in at least two school districts or county offices of education. As county office of education employees, the

participants worked as consultants in various smaller districts within the boundaries of the counties in which they serve. Regions represented include Northern and Southern California in both large and small school districts and county offices of education.

Participant Anonymity

There are relatively few BCBA's working in the public school system, and I am indebted to them for their candid responses to the interview questions. It should be noted that because of the sensitive nature of the information that they shared, many participants expressed concern about the degree to which their confidentiality would be protected. In order to protect the participants from any undue scrutiny or personal or professional harm, their names and districts were not used. It is for this reason that they also have not been identified by gender or ethnicity, though the majority of the participants were female and Caucasian.

Participant Roles in the Public Education System

Most participants reported that their roles on paper were quite different from their actual day-to-day job duties. These individuals were often recruited to conduct Functional Behavior Assessments (FBA) and write Behavior Intervention Plans (BIP) for students with extreme behavioral difficulties. Many were recruited to provide consultation on Applied Behavior Analytic (ABA) interventions for students with Autism Spectrum Disorders (ASD). They work on curriculum design in special education classrooms, provide behavioral supports, conduct training on instructional methodologies and crisis intervention for teachers, paraprofessionals, and

administrators. They conduct direct academic, social, and behavioral interventions with students using behavior analytic methodologies. They may act as LEA representatives, team members, behavior interventionists, assessors, and experts in their fields at IEP meetings and in due process hearings. When districts take on the responsibility of providing ABA-based Autism services in-house, the BCBA is often the “expert” who represents the district when parents and non-public providers or independent assessors question the integrity of district programming. Often, by the time a BCBA is involved in a behavior intervention case, there is a long history of ineffective school interventions, and the students themselves are at a point of crisis, sometimes at the brink of suspension, expulsion, or a transfer to a more restrictive placement. BCBA’s are often put in high-pressure consultative roles, but because they have a national certification rather than a state-issued credential, they are often without the authority to enact changes within the systems in which they consult. Their primary mode of creating change is through the interpersonal consultative relationship with other school employees.

Presentation of Results

Participants were interviewed using a semi-structured interview protocol and were asked a series of questions to address the following general research questions:

1. What are the perceptions of Board Certified Behavior Analysts regarding possible equity issues that may affect students in public school special education settings?

2. How do potential equity issues in publicly funded special education programs intersect with Board Certified Behavior Analysts' professional code of ethics?
3. How do Board Certified Behavior Analysts perceive their ability to influence potential equity issues in public school settings?

Data Collection and Results

Perceptions of Equity Issues

All participants clearly articulated concerns related to at least one or more of the equity issues of racism, classism, and ableism. Racism was apparent when discussing parents who spoke a language other than English. One participant stated:

I think that any of my parents who were Spanish speaking but couldn't speak English, they didn't know what questions to ask. There always was going to be an issue with interpreters. Sometimes, the interpreter was also the administrator and I always felt like this role should be separated. I felt like that an interpreter should interpret exactly what is said aloud to everyone else rather than getting basically two interpretations from the same person ... It's one thing to know what was going on. It was another thing to actually understand it.

One participant discussed how some parents who did not speak English would give consent to continue the IEP process even when an interpreter was not provided:

...I think the ones that say that it's okay, keep going on without it are too timid to reschedule it...I mean, there are a lot of parents that would say, 'No, I

don't want to get into trouble of making teachers reschedule' because they feel bad. Or maybe they are not able to take more time off of work. But the school system should be saying, you have the right to an interpreter and we'll reschedule.

Another participant discussed how parents having little to no English skills affected the offer of services for their child.

Well, there has been many a time that I have seen administration and just, 'we don't have that, no, we don't offer that, no, we don't do that and okay' ...when really it would be an appropriate service to offer...

It appeared that the participants had witnessed incidents where parents had limited ability to advocate for their children due to their lack of English skills, which ultimately affected the type and quality of services for their child. This was apparent when one participant stated, "...some parents because of that language barrier won't even pursue things even though they want to because its going to be so much of a struggle to get their wants and needs or questions known."

Other issues of racism were also shared by participants, in particular, one participant discussed being in a district where the California Department of Education (CDE) was monitoring them due to an over-identification of African American students as having Emotional Disturbance. One participant stated, "I noticed that in the ED classrooms, I mean, there were more minorities that weren't proportionate to the actual school." Another participant described participating in corrective actions to reduce disproportionality in the SED population in their district. This participant

explained, “But the ED one, I could see has picked up because we didn’t have somebody going, ‘Well, are you sure it’s ED or are you just saying ED because the teachers are complaining that we can’t send them into another category?’ This participant also discussed the disproportionality issue as an opportunity to introduce a positive behavior support intervention that was school-wide, which was an opportunity to provide behavioral support on a larger scale than individualized behavior plans.

Classism was cited as another equity issue that makes a difference in the quality and number of services offered for students. One participant stated, “Well, I definitely feel like that the ones that can afford the lawyer have a lot more than the ones that don’t.” Given that one of the responsibilities of administrators is to balance the needs of one with the needs of all, whether parents have money and social capital sways this balance. This participant went on to say, “The ones that can afford the lawyer have some things that the kid doesn’t even need. And then the other kids are not being fought for where they could definitely use the services.”

In particular, having the financial resources to hire legal representation or parent advocates was viewed as having the greatest effect on IEP decision-making. Said one participant, “Oh my gosh, it changes everything, that student suddenly gets everything they should get, they get the Cadillac package...” Another participant discussed how social class and education seemed to be correlated:

...education is the key to everything, and if they don't even know what to ask for or who to ask for it from, then they're not really involved in the process.

They're at the mercy of whatever everyone else on the team believes is right.

Another participant discussed how parents having the ability to hire legal counsel allowed them to access more services for their child, and afforded them the ability to dictate the type and level of services to the district, "basically they get to kind of dictate the process. They get to look things over and decide what services they want and... in a lot of cases, it seems like the district doesn't even want to mess with this, its not even worth their time to try to fight it." This participant went on to state:

And on the flip side of that with the family that might not have access to choose those resources or might not even know that they can access those resources to kind of advocate for themselves...it seems very easy for the districts just to stick to their guns a little bit more... 'Well, these parents aren't never going to take us to court, so...whatever.'

Even if school districts didn't offer particular programs, it was noted that affluent parents generally had access to a greater set of services and resources outside of school. One participant said, "For most of my affluent families, especially my upper-class families, they tend to have private tutors. They have private speech." Another participant noted that families who live in wealthier areas already start off with more services than families who live in poor districts.

...the young kids at [wealthy district] with autism are starting—we have a huge early intervention program, and they're starting with like 20 hours a

week ABA through the school district, funded. Whereas at [poor district], none of these kiddos were getting ABA funded from the school. You know? None of them. And let's see. A school district with more money... would just have more individualized behavioral hours for students. [Poor district] wasn't even operated like that. We usually put behavioral hours like as needed on an IEP and in some rare cases, we'd put a number.

One participant discussed how unidentified bias in relation to social class affects IEP team decision-making:

...when you sit down with a parent that seems really with it, and they're well spoken, and they come across as intelligent, I feel like sometimes we might be... we might be a little more likely to give the services that they're seeking. They're... better able to advocate for themselves but I think in some sense... if it's felt like the parents are doing everything they can and you can just tell, this problem really is a problem because if they're doing everything they can at home and we're doing everything we can at school, then we really do need to get some extra help or get the services that we need. Whereas maybe with similar kids that are lower on that [economic] scale, their parents for that matter, they come across as... they're not as educated, they're not as able to advocate, they might not be able to understand as much of what we're saying or when they try to communicate that... they come across... as not being intelligent so they can't talk about the way that they might like them to. And so, I think sometimes we're like, "Well... they're not doing what they need to

be doing at home and, listen to them...half of this is their fault anyways. So, this could be better if they were doing better” and so, I think sometimes, in that aspect...they might be discriminated against, whether it’s on purpose or not but in receiving some of those services. And then, like I said before, just in their ability to advocate for their kids and understand the process and what’s going on...of course we can have our little parents rights pamphlets on what their rights are and everything like that but do they really understand that stuff? Do they really know what their rights are, and again, are they able to advocate for those kinds of things? I think it definitely does play a role. And its just over all, how we view the kids and the parents, you know? If they come in and clothes aren’t very nice or they might not be super clean and that sort of stuff, we automatically start kind of thinking certain stuff about what’s going on there and it might definitely not might be the case.

Another participant discussed how students from families with low socio-economic status might have more behavioral concerns, leading to greater identification for special education services:

This is my theory, I guess, but since like, you know, 2008 like I feel like more parents are just having to work double jobs or like both parents have to work a lot more often, so there’s a lot less supervision and... the kids are not learning how to personally relate to other people, so their coping skills [they] are a lot lower and how to deal with everyday life problems is, like, non-existent.

Ableism and the culture of low expectations in special education was also discussed amongst all participants. The following quote reflects deeply-embedded systemic practices that underscore the notion that students with disabilities have immutable deficits:

Participant: They decided it was a weakness of innateness, and that it was not changeable. So, it was just “who he was,” you know what I mean?

Interviewer: ...Do you find that that issue comes up a lot? That issue of whether a deficit is innate, can't be fixed?

Participant: You know, I don't think people talk about it that way in saying that it is innate and can't be fixed, but I think that a lot of people use the terminology that assumes that. They'll say, “Oh, well, you know, he's *always* slow.” Or “Oh, well, you know, he has this IQ” or “Oh, well, you know, he *always* does that behavior” like you can't change it. So I think yes, but not to the level of saying it, but definitely in the way people talk, like, “Well that's his personality.” Or “That's his only capability” versus ability, you know, like that's something we can't change, but I don't think people put that in those words, they just talk about it like that's just part of his personality.

Interviewer: That's a pretty big issue.

Participant: Agreed. And it's a very hard issue to change. And what I've also decided...is 180 days is a very short period of time to try to change a teacher's perspective, and if a kid is not in special ed and not in the same classroom for 3 years, then you only have 180 days. You know, if that kid

leaves, then...from what my job description is, I'm not going back to that classroom...

Interviewer: How pervasive do you think that lack of urgency is?

Participant: I think that a good term you said is urgency, I think that is... I'll give it...I'll change my number... I was going to say 100%, but I think that's 95% of an issue. I think, yes, every once in a while you get teachers and staff that actually see that urgency, but I think that they are the minority, by far. And I think most people clunk away at time. "Oh this is this week...We'll try again next week."

When asked about whether the severity of a student's disability affected the quality of their education, two participants discussed how having both a severe and a mild level of disability can hinder student progress. For students with disabilities that are not easily identifiable, one participant noted the deleterious effect of being exposed to a curriculum that lacks rigor, "I have run across this quite frequently where the students are bored; they have a high rate of acquisition, they are quick learners and that contributes to the behavior problem because the way some of the curriculum is structured..." Another participant echoed this sentiment:

I feel like if your kid is delayed, but higher functioning in the area of having a developmental delay, you also kind of fall through the cracks. Because maybe you can walk and talk and do some basic things, but those other things that are difficult or challenging but aren't causing an overt problem—like they have no

social skills, they have no friends, but they're not blowing out in class, you tend not to get social skills training.

For students with more severe disabilities, participants noted that lowered expectations happened for both educators and parents. One participant stated:

I think I tend to find with my really severely affected individuals, families tend to feel more like they're incapable. So, they'll treat us more like babysitters, and they don't have a great expectation for the services that they should be getting. And I would just say generally speaking, those students don't get as many services. So, I get kids who, at 12, have absolutely no communication—I mean *no* communication. They're not even given a go-talk button to say “I'm hungry.” And parents will say, “Oh, well they tried all that, and they can't do it.” I'm like, “Huh, give me some time, and yes, they can.”

Participants were asked to discuss what they perceived their own lives would be like if they were a student in a public education classroom. Responses reflected the wide range of quality of instructional programs and underscored the importance of the teacher as an instructional leader in their classrooms. One participant stated:

Sometimes I think they think, “Thank God somebody understands me and now I'm learning what I need to learn”. And then sometimes I think it is kind of the opposite and they are kind of pushed back and “ok, well I'm going to lower all expectations” so then I'm not given my capability and I know I can do more than is ever expected of me.

Another participant talked about the variation in teacher quality as a key factor in student experiences in school, “I feel like in that type of environment where there's structure and there's a good leader—so maybe the staff are not perfect, but there is someone strong leading them, it would be a fairly positive experience...” This participant went on to describe what it might be like in a poorly functioning classroom, and used a personal example related to a teacher in a particular classroom:

She was like the worst teacher in the entire world. And you could tell those kids just lived in chaos. I could imagine that that's how it feels on the inside. Probably anxiety-ridden, not really learning a whole lot other than how to escape from things I don't want to do... I feel terrible for special ed kids... they're just at the mercy of whatever teacher they've been placed with.

Participants discussed how teachers played a pivotal role in whether or not services were provided in an adequate manner. One participant in particular discussed how teacher behavior was a defining feature in her students' educational experiences: “I've seen you know, terrible administrators, I've seen terrible directors, I've seen terrible program specialists and then fabulous teachers that make it work every single day.” This participant went on to state, “So, honestly I think that the people that make or break on a regular basis are the teachers themselves in my opinion.”

One participant talked about the issue of inclusion and how widely being included in everyday campus activities varies, based on the willingness of school employees and administrators to interact with the students in special education classrooms:

I think it would depend on what classroom! ... because the kids don't have any say on who they got as teachers and parents and what school site they're at and all that sort of stuff. I mean, I really do...all that stuff matters, what school site you're at, some school sites are newer and have better resources, and just by the luck of the draw, you might get on a gen ed site that has a campus or administration in general, that are very welcoming to the special ed population and freely allow them to jump in on PE classes and invite them to different stuff for school events, and things like that. But on the flipside, I think, being a student in a special ed class, you could easily feel kind of alienated and not wanted as well, depending on where you're at because all those kids are loud, they're going to interrupt, so, you guys can't come to the assembly area, you guys can't come to the special event we have out on the black top with the people we invited to come out because you're going to be a disruption. And again, even just walking around campus and things like that, I think...I could see...I think people in general really discount...and I don't care what level of function you were talking about, in terms of the student, they discount the reality of the students ability to pick up on their energy and their body language and just the way that they're interacting with them. Because, I don't know...I would *not* want to be in a situation where I constantly walked around and felt like, I didn't do anything right and I wasn't wanted here and I was just in the way sort of saying. So, I think that's potentially a reality of some of these situations and obviously the more higher

functioning you are, the more likely you are to really pick up on that even more and...but I think on any level, it can definitely affect your behavior and just the way you think about yourself for that matter. I don't know, I can definitely see, again, based on some of the classes that I've been in, it's like, do people go to do their jobs and they know what their job is yet it constantly seems like everything is like system added, like, "Oh, man, I have to do this?" Or, "I have to do that?" as a kid, I don't know, I mean, depending how much of that you're picking up on, I wouldn't want to go into that environment, you know what I mean? They don't have a say in where they get to go.

Another participant was even more blunt about the quality of instruction in some special education programs, "In [district] they will be babysat all day."

Participants discussed how school and classroom culture and the willingness of teachers and staff to differentiate instruction plays a key role in whether students will be referred for special education or more restrictive placements and services.

One participant stated:

The teachers don't tolerate any kind of misbehavior. And if there is a kid that you know needs a little extra Tier 1 or Tier 2 intervention of some sorts, they want them out of their class, or a 1:1, or want to test special ed, and they want them in that class right away. So, they won't try any Tier 2 interventions at all.

Another participant talked about how students might experience environments where teachers and staff who do not take the time to differentiate instruction:

When I have a teacher or when I have a paraprofessional who is trying to explain to me something but they are not speaking my language... and by language I mean...not speaking my learning style, my strengths... they don't realize that my behavior means something, I am trying to tell you something, and I watch a lot of impatience and a lot of reacting as opposed to problem solving... Slow down and take your time with me and ask me what I need.

Equity issues and Ethics Challenges

Participants cited many issues relating to violations of the law and potential violations of their professional code of ethics (BACB, 2014). The Behavior Analyst Certification Board delineates ten areas that pertain to clinical work and research that all Board Certified Behavior Analysts must follow. Violations of ethical codes have the potential for serious consequences, up to and including loss of one's certification. When asked whether they had ever experienced a conflict between their code of ethics and local practices in their organization, most participants were concerned about their ability to provide quality services and to ensure treatment fidelity. One participant discussed how there was often a disconnect between what districts wanted to have documented in a students' IEP and the actual provision of services that the student really needed, "they didn't really know, nor did they really care what we [BCBAs] did or what we were supposed to do. They just wanted us to do whatever would look good from the outside looking in."

In section 1.04(c) of the ethics code, it states, "Behavior analysts follow through on obligations, and contractual and professional commitments with high

quality work and refrain from making professional commitments they cannot keep” (BACB, 2014). One participant discussed how the size of a behavior analyst’s caseload could be seen as an ethical violation when they stated, “the first thing that comes to mind is just huge caseloads and not being able to effectively manage all my cases because I have so many.” This participant went on to state:

I feel like I would do my work not to my greatest ability a lot of the time because I had to manage my time, and I had a lot of things to do in an ongoing list... I just didn't have enough time to be in there to train these people adequately.

Another source of ethical concern was that while behavior analysts would write behavior or instructional plans, the lack of accountability for school staff to implement those plans was a problem. This concern corresponds with the code of ethics section 2.09(b) when it states, “Behavior analysts have the responsibility to advocate for the appropriate amount and level of service provision and oversight required to meet the defined behavior-change program goals” (BACB, 2014). One participant, when speaking about potential ethical code violations, stated:

Making sure that people that I don’t have a direct relationship with or even daily contact with are actually employing the plan that I want them to do...I’m not anybody’s superior...I don’t have any direct influence on whether they do their job correctly or not.

This lack of official influence was also described by another participant:

I can't ever make a unilateral decision about anything and I am nobody's boss or I have no influence on whether someone gets promoted or demoted, you know...it's not that I want to use punitive measures, but I would love to be able to promote someone for good work, or have an effect on their pay or something... One thing I find a challenge is making sure that programs go with fidelity even though you [teachers and staff] have no monetary compensation for it...

Another participant cited treatment fidelity as a major source of concern by stating, "you know there is a plan in place, and you know that its part of the IEP, you know we need to be doing these things, and yet it's very difficult to ensure that those things are going on... they're just not doing what they're supposed to do." This participant then stated that they had little recourse in this situation, "I'm not an administrator, all I can do is report you to the person that is my boss and tell them what's going on, but...if it continues happening, there's not really a whole lot I can do about it."

One participant discussed how monetary considerations play into ethical issues. The BACB ethical code (2014) states in section 2.09(b), "The rights of the client are paramount and behavior analysts support clients' legal rights and prerogatives." District officials do have the responsibility of being stewards of public funds, however, IDEA expressly prohibits predetermination of services and does not put monetary limits on what districts need to provide in a FAPE:

One of the other things might be when you're making recommendations regarding maybe support staff or services or materials or whatever else you might need. The things that would make the situation a lot better in terms of the behavior of the kid and those things are kind of denied or frowned upon based on what seems to be a money issue. So we'd have to hire another person in order to do that. We've got to run that by cabinet, so we're not going to do it. When you know what would help the student and again, you're not able to really to carry those recommendations out based on some policy or something else that again has really nothing to do with me...doesn't feel so right sometimes.

When faced with ethical violations, some participants described having difficulty resolving these with their supervisors. In the BACB code of ethics (2014), section 4.07(a) it states, "If environmental conditions prevent implementation of a behavior-change program, behavior analysts recommend that other professional assistance (e.g., assessment, consultation or therapeutic intervention by other professionals) be sought." In the next section, 4.07(b), it states, "If environmental conditions hinder implementation of the behavior-change program, behavior analysts seek to eliminate the environmental constraints, or identify in writing the obstacles to doing so." One participant talked about the challenges that came about when attempting to resolve ethical issues in a school-based setting:

The administration at the school, they acted as if they were surprised like, 'Oh! I'll talk to the [special education administrator] about that'. The [special

education administrator], they had the same response. 'Oh that's happening? I'll have to talk to the principal about that.' So, they just kind of like pushed it back on each other ... And then when that didn't work I sort of ran it past my supervisor... and he was just like, 'Oh, yeah, okay, I'll talk to the [special education administrator] about that.' Again it kept happening, so nothing helped.

Other participants gained perspectives on the resolution of ethical issues by making attempts to report violations, but then ultimately acknowledging and coming to accept that they could not completely control how these dilemmas would be resolved. One participant stated:

I can only do what I can do and I can deal with what I can deal with, but at some point, ...the ball is in somebody else's court. And I guess I had to just come to grips with that and I guess make myself okay with that, because otherwise it kind of eats you up...I think the more you kind of see all of the things that affect your job and see that, alright, there are so many things I can't do anything about and you kind of just have to...it feels like you're giving in but you try to just have to accept it, I guess, and knowing that you're doing what you can do and that's about it... I've really just had to learn, if I can at the end of the day or I guess, or at the end of a meeting or whatever the case, if I could look back and say like, 'Alright, there was nothing more that I could have really done there.' I did work...my job...what was my job that I was here for and if whatever happens wasn't aligned with that, there's nothing

else I really could have done and so, I guess on a personal level, that's one way I've kind of learned to deal with the fact that things don't always go the way maybe they should or would be best.

Violation of ethical values and professional codes of ethics was a challenge that all participants described, and was often a key factor in determining whether they felt like they could have longevity in their career either in their current district or in the public school system as a whole. A participant stated:

Once I realized that they didn't care whether or not I violated ethics or follow what I was supposed to as a BCBA, not just ethically but in terms of like doing my job the way it was supposed to be done, I had to leave. We had different goals.

Ability of Behavior Analysts to Influence Public Education

Participants discussed their relative influence both collectively on the public education system and individually within their programs. As an individual, one participant stated:

Well, for me like I haven't been able to influence anything other than specific children's behaviors or like little mini positive classrooms like I have a new teacher that asks for help in how to manage her aid in the class, you know, because sometimes they need behavior management too so I give them suggestions like how to address those behaviors...

One participant noted that the school district acts as a context that has the potential to influence whether behavior analysts can influence the special education system:

...it depends what school district you're talking about. Right? So, I think at like [one] school district, the autism program, like yeah. I mean, of course, like three to five year old kids are coming in, you're the BCBA and intensely managing their program, writing out every single program, meeting staff every single staff every single week, being there in the room while these services are being implemented like a lot of the time, not once a week. But, at [another district], I would see these kids for literally once a week for 30 minutes. And did I think I was making a difference there? No, I did not. A lot of times, no. I didn't think I was making a difference. And in a lot of cases, I didn't. But, then there were many cases that I felt I did make a genuine difference in. Even sometimes in those cases that I only saw an hour a week or so, if you had a staff that was receptive or a teacher that was receptive and intelligent, would understand what you say and actually try some of these things, then I would see a difference. But, not every case, no. I would be totally lying if I said that.

Another participant expressed that there may not be enough supporting evidence for our effectiveness in the public school system with this statement:

I don't know that it's helping at this point. I think that all goes back to individualizing, because I don't know that every behavior analyst that's in a

public school system is making change. I think there is a culture from, I think that behavior analysts as a whole may change, kind of in the sense of looking at special ed and looking back at [researcher] Lovaas and looking at private practice. There is a lot of tallying of these changes. The demand is there, which has put the pressure on the public school system to have that because if not, we're not equating ourselves to the private sectors in some areas. But, I don't know that we really have an outcome diagnostic tool at this point, or not many have an outcome diagnostic tool to say, 'Is what we're doing making those changes?' So, is it more that they're just paying more of us to do the job? But some of us are more effective than others?

There really is no objective measure of the impact of behavior analysts on the public school system and special education, but one participant suggested that the impact might be that we take specific responsibilities, namely behavior intervention, from other professionals who may not have the time or qualifications to address these problems:

I do feel like we've taken some things off the plate of people who were not qualified to them, the school psychologists, possibly speech therapists. So, I think in that way, even if we've got some crummy BCBA, they still have a knowledge base that's more specific. And I mean crummy in the spectrum of BCBA's. I'm not talking about overtly unethical. I mean, just like being very green. But, they still have a knowledge base that's more specific and greater than what a typical psychologist has regarding behavioral approaches. So, I

feel like being able to take that work off their plate, in a lot of ways, helps them to meet the needs of more students and focus a little bit more on what they were trained to do and what they're probably better at. Then we do what we do. So, I do think that we've had a positive impact. I don't think that we've negatively impacted the school system or a student's environment.

Another participant discussed how hiring a behavior analyst was meant to act as a cost reduction measure in their school district:

The goal of them hiring me was to reduce non-public agencies. But now we have doubled because of the insufficient staff that we have. Like their skill set is so low that none of our staff are equipped to deal with the behaviors, we are cutting the cost down but we have doubled our NPA caseload now since I've been here, which our goal was to reduce it by half. How are we supposed to reduce it by half when I don't have behavior aides to take over the cases? I don't understand, you know.

Operating costs were described as being an ever-present dilemma in the public school system. The hiring of a behavior analyst, whose work is classified as a special education service, is an issue that one participant felt worked against behavior analysts in the public school system, perhaps because of the way that special education departments seem to be a separate part of district operations as a whole. This participant stated, "I feel like Special Ed in our district is like the black sheep of the family, you know, already... So, just by association I am like the double black sheep, you know."

There seemed to be little hope on the part of some participants to exact meaningful change in the system as a whole. When asked about their own futures in public education, the responses ranged from picking some type of specialized focus or purpose to the determination to leave the system altogether. One participant stated:

If public education continues with the current structure then I might have to take a break. I don't think... is this something that I can take right now in the current structure and tell you I am going to do it for another 20 years? No. No, it is mentally and physically, I don't think it is possible for me.

Another participant discussed the lack of forward progression career-wise as an additional reason for leaving public education:

That's why I'm going to school! To get out of the public school... I don't foresee anything because without a credential I can't go anywhere. I am pretty limited; it is a very lateral move anywhere, in any school district.

Some participants also indicated that having some sort of education credential would grant behavior analysts greater opportunities to affect the system as a whole. However, the pursuit of a credential would be prohibitive for most BCBA's, unless they had already completed an undergraduate or master's program in the field of education and whose coursework would directly lead to the credentialing process. One participant stated that the pursuit of a credential "would require me to quit my job that I have now...and student teach or something like that...it would be a big sacrifice."

Another participant felt that behavior analysts were making some impact, and that once in the system they might gain a stronger foothold:

I think now that they have us, it's going to be hard to get rid of us... I think we can only continue to grow from here because I do think we've had a positive effect. I just don't know that we'll ever really get out of special education, and for being classified as people who treat special education populations.

Other participants were much more optimistic in their estimation of the effect that behavior analysts have had on public education:

I think the quality of behavior support has increased tenfold for sure. Before you had BICMs or behaviorists. Some of them were just hacks and... Don't get me wrong, I still read some plans by BCBA's and I'm like, "Good lord! They need to make the test harder". But, in general I think the overall quality of programming is significantly better. Even all the training the staff are getting is significantly better and there is more continuity across recommendations that are made, which is you know much better for our field and are better for the people that are receiving services...

Conclusion

The participants in this research each had many years of experience working as behavior analysts in various settings, including public education. All of them clearly identified and described equity issues that they have dealt with in special education. One of the biggest concerns articulated by most participants was their perceived inability to control contingencies that regulate the behavior of people who

deliver behavioral interventions, namely teachers and staff. They also reported having some difficulty resolving those issues with administration. For a few participants this led to a resolve to leave public education, and some had already left. For others, they reported attempting to resolve ethical dilemmas by going to their direct supervisors, and ultimately having to resolve the ongoing ethical issues they faced by individually making peace with the notion that they work in an inherently flawed system.

CHAPTER V

DISCUSSION AND SUMMARY

In this chapter, I will use three theoretical frames to interpret this research. These frames include Organizational Systems Analysis, Noddings' (2013a) philosophy of care, and therapeutic jurisprudence, (Wexler & Winick, 1996). It should be noted that I do not conceptualize these frames as operating in a linear fashion when applied to special education, though they are described as such in this chapter. Rather, I conceptualize these frames as complex, interconnected, and overlapping, which is a potential indicator of why the special education system is reported by behavior analysts, school personnel, parents, and legal advocates as being so difficult to navigate (See Appendix B).

I will discuss how decision-making by actors in the system is a function of a complex interplay of contingencies based on the immediate and long-term consequences of those decisions within special education as an organizational system. I will also discuss how caring and the relationship between BCBA's as caring individuals and students and families as the cared-for intersect with their duties and expectations within the public school system and their professional code of ethics. In addition, I will discuss the pivotal role that the provision for procedural safeguards plays within the special education system and how legal advocacy and compliance to

the law continuously shapes the work of educational professionals within the special education system.

Putting Out Fires: An Analogy of the Special Education System

I would like to begin this analysis by drawing an analogy which I believe illuminates what the special education system has been reported to be like by educational professionals and parents alike. Imagine that you've been given a very large grassy field and you've been given the responsibility for tending to it. You have been expected to keep it watered and trimmed, and to do that takes considerable effort because this is a very large field. You've read and studied all about how to care for a large grassy field. You look out on the field, and think that after all of your studies, you have good expertise in caring for fields. You can do this! It seems easy enough to care for as long as you have the right tools; perhaps a large sprinkler system and a large riding mower. You sign a contract with the property manager who represents the stakeholders that own various portions of the field. Your contract states that you will keep the field trimmed and watered and you will be compensated for your efforts.

Once you sign the contract, you go to the barn where all of the tools you've been provided are housed. You're shocked to discover that instead of the nice big mower, you've been given a pair of scissors. Instead of the sprinkler system, you've been given a watering can. Every day you go out and tend to the field, one section at a time, trimming with your scissors and watering with a can. As you're doing this, you get tired and stop for a moment. You look around and realize that by the time

you've tended to one section of land, the other sections are deteriorating. Never mind, you say, I will just do what I can do right here, right now in this section. I will go back to those other sections. You spend considerable time in this cycle.

Then, unexpectedly, the weather takes a turn. The cool air becomes arid and hot. The grass you've managed to care for with intense effort now begins to dry up in sections. Suddenly you find yourself going from dry patch to dry patch, attempting to water the patches that are in the worst condition. Once you've tended to that patch, you look around and see that the other parts of the field are getting exponentially worse. Sometimes the heat of the sun starts small fires, so you run over with your watering can and put them out. You go to the property manager and ask for a bigger mower and sprinkler system. You're told that you've been doing just what the property manager asked for by clipping it and watering it, so those expensive new tools won't be necessary.

The various owners of the sections of the field become increasingly unhappy. The property manager assures them that the field is being trimmed and watered as stated in the contract. Certain owners begin to monitor your work very carefully. When the owner of one section arrives, you rush over to that section and tend to it steadily until they leave. The wealthiest and most influential owners go back to the property manager and complain that although you are indeed trimming and watering, the grass is still drying up. The property manager decides to build a well that diverts groundwater from the entire field into a source that can be used only for the most influential owners' sections. Meanwhile the other sections continue to dry up. The

owners of these sections are unaware that the ground water is being diverted from their section and that your efforts are spent largely to maintain the influential owners' sections of the field. The property manager no longer receives complaints, and you go back to working sections of the field as long as certain parts of the field are kept in good condition. However, you are left scratching your head about the decision to divert the groundwater. Wouldn't it have been a wiser use of resources to simply install the sprinkler system so that the entire field got water?

What Influences the Actions of Stakeholders? Behavioral Systems Analysis

As a Board Certified Behavior Analyst, I have a very clear theoretical frame to explain why people behave the way they do that is conceptually systematic with the concepts and principles of behavior analysis. This framework, for me, is an overarching one that is also explanatory for all behavior, no matter who the behaving agent is. Radical behaviorism is the philosophy that informs behavior analysis, and its concepts and principles have been applied to socially significant problems, which are within the purview of practicing BCBA's to resolve. B. F. Skinner is widely understood to have delineated the basic principles of behavior analysis. He described radical behaviorism as not just the study of behavior, but as a "philosophy of science" (Skinner, 1969, as cited by Chiesa, 1994, p. 7). Chiesa (1994) describes this philosophy as "a coherent and distinctive explanatory system within the broad discipline of psychology" (p. 7).

I believe it is important to know a few basic concepts about radical behaviorism in order to understand behavioral systems analysis as a framework.

From a radical behaviorism perspective, people operate in their environments, behaving in patterns that are “selected, maintained, and strengthened by antecedent and consequent events” (Chiesa, 1994, p. 99). Behavior is typically influenced by a variety of antecedent variables (events in the environment that occur prior to a response), and are reinforced or punished via consequence events. Over time, contact with specific forms of reinforcement and punishment, which are produced by behavior that occurs in environmental contexts, comprises what behavior analysts might call a learning history. Individual learning histories are in constant interaction with the environmental contexts in which we interact, whether familiar or novel, and are influential in determining how choice making proceeds when multiple consequences for behavior are immediately available.

Radical behaviorism has multiple applications within the field of behavior analysis. One application is called behavioral systems analysis. Behavioral systems analysis is a behavior analytic approach to understanding why people behave in particular ways within organizational systems. A systems analysis takes into account the individual learning histories of each member of the organization as well as the ongoing contingencies of reinforcement and punishment for human behavior within the organization. In a systems analysis, the “quality of employee output is a function of the quality of the system components and the interlocking contingencies based on the interactions guided by the system” (Ludwig, 2015, p. 607). Organizational systems provide the overarching contexts that affect employee behavior. The reciprocal relationships between individuals in the system eventually intertwine to

create behavioral patterns that are difficult to change (Ludwig, 2015). In a behavioral systems analysis, one can understand choice making of actors within the system by analyzing the internal processes within the organization and the external demands of stakeholders and consumers of the system.

Three types of contingencies are of particular importance in this analysis. The first is the basic contingency that affects each individual's behavior. Under certain antecedent conditions, a person behaves in a particular way, which leads to consequences that have most likely made a certain pattern of behavior more probable due to the person's history of receiving reinforcement or punishment. For example, a teacher completing IEP paperwork may ensure that no procedural or paperwork errors are on the IEP document when she is going to be observed and the document will be analyzed for errors by an administrator conducting a formal evaluation of said teacher. Meeting these requirements may lead to the immediate consequence of praise or recognition, and the long-term consequence is that the teacher maintains her employment. Failure to meet the procedural requirements may lead to critical feedback, and with repetition of this type of mistake, the long-term consequence may be that the teacher loses her job.

A macro-contingency is one in which an organizational practice, made up of the behavior of multiple individuals is selected by the "aggregate sum of consequences of the macro behavior constituting the practice" (Glenn, 2004, p. 142). Thus, changes within organizational practices that lead to a cumulative effect require behavioral change from many people. For example, principals may notice that many

more referrals to the office for discipline are coming from special education classes throughout the district, which may be due to the recent hiring of several new paraprofessionals and non-certified teachers. The district may provide behavior management training and support the use of those techniques by having a BCBA make regular classroom visits to provide coaching to teachers and staff. This change in procedure requires behavioral change from multiple people within the system, which in turn, creates the cumulative effect of decreased office visits and suspensions.

The third type of contingency is a meta-contingency. Meta-contingencies select behavioral repertoires due to the interactions between the behaviors of all actors within and outside of the organizational system (Glenn, 2004). For example, there are multiple organizations that support district compliance to IDEA. Some of these organizations are set up by federal, state, and local governing bodies. These organizations work to ensure that districts meet the requirements of federal and state laws. Other organizations that influence special education practices may include legal advocacy groups that represent student and parent interests. Professional organizations, as well, may set standards and rules for the conduct of professionals within the public system and those in the private sector who may be called upon as independent evaluators or expert witnesses in a due process. Each organization consists of individuals who act under basic and macro-contingencies. However, each actor is also influenced by the reciprocal and inter-related behaviors of actors across organizations.

The public education system could be considered a vast inter-connected network of meta-contingencies where the influence of all levels of government (federal, state, local) are felt, where community and family interactions wield influence, and where the judicial system also exerts influence on public school personnel. For special education, the IEP process is the ultimate example of these influences. Parents have been granted the right to equal participation in these meetings, through provisions in the federal law (IDEA), but the balance of power is often skewed toward the side of school personnel (Strax, Strax, & Cooper, 2016). Parents may be dissatisfied and have legitimate concerns regarding their child's education. They may begin to ask questions or ask to visit their child's classroom. In response, they may be told they can visit, but only under certain conditions and for a limited amount of time. Their questions may be met with jargon and legalese that serves to protect the district's interests. This behavior on the part of school officials may only serve to increase parent concerns. Ultimately, parents may decide that they cannot seem to get their child's needs met when they do not seem to understand the multiple rules and regulations in the system. For some parents, this means that they stop asking questions. For others, this means that advocacy services are a necessity.

The balance of power shifts tremendously when parents utilize advocacy services and/or retain attorneys. Difficult IEPs tend to receive greater attention from administrators and there is typically greater scrutiny of paperwork and IEP processes so as to avoid procedural errors. When parents employ advocates and attorneys, districts typically have their attorneys present. IEP meetings are audio recorded, and

these audio records become part of the student record and are subject to become evidence in due process litigation. Thus, casual talk is decreased and team members are often coached to read their reports without elaboration unless specifically asked about particular details. As a result of the interlocking contingencies to which each team member is exposed, the IEP meeting process is now fraught with tension, unease, and heightened emotions. To avoid further entanglement in what is already a hostile environment whose staffing is now increasingly expensive as attorneys begin to attend meetings, the decision to provide a greater level of service for one particular student may be deemed to be less costly long-term than it would be to fight for fewer services.

It is easy to see how educational personnel, parent, and attorney behaviors are shaped through these interrelated contingencies. This type of situation, while it may seem extreme, was described by every participant in this research. All participants described how some students, typically those whose parents were educated, spoke English, and had enough money to pursue legal involvement, were able to receive more services than they might actually need. It may be somewhat of a relief for the actors in the IEP meeting to see administrators make the decision to cut district losses and provide a greater number of services even though the student does not necessarily need it, because it ends the interrelated punitive contingencies that take so much time and effort to deal with. These decisions may seem benign when, in fact, they ultimately lead to the provision of poorer quality services for students whose parents are not going to become entangled in legal disputes.

If parents who employ advocates or retain attorneys receive more and better services, and if this is a critical behavioral process to pursue if one wants an IEP that maximizes their child's potential, what happens to the students for whom nobody is advocating? Does this present a clear divide between the social classes? Is this a type of additional segregation that is commonplace in special education systems along with issues of inclusion within the school and community? The tendency to give in to parent/attorney demands may actually create a never-ending set of interrelated contingencies where the bar for a FAPE is only ever raised for students whose parents present a reasonable threat to the status quo. Rather than focusing employee efforts and district resources toward providing high quality services and programs at the appropriate intensity for all students, districts may be engaging in attempts at cost-cutting that only serve to potentially increase the legal entanglements they may encounter. Essentially, the public education system may actually be teaching parents and legal professionals that the only way to get what is needed for students is to threaten to wage a costly legal battle.

Whose IEP is it Anyway? Philosophy of Care

The bureaucracy surrounding the IEP process can be so daunting that it is easy to lose sight of the substantive requirements of IDEA. Due to the narrowing of one's focus on the procedural aspects of creating educational plans for students with exceptional needs, the outcomes of the IEP, or the educational benefit, may take a backseat to compliance. However, not all IEPs are fraught with emotional upset and threats of due process. Excellent educators often team up with other professionals

and parents to create a coherent system of support for students while maximizing their learning opportunities. The participants noted that in the public education system, teacher commitment and quality of instruction was critical to student success. Students were noted to be “at the mercy” of whatever teacher or classroom to which they happened to be assigned. Ableistic attitudes abound in general education settings regarding the allocation of precious resources to students for whom society may predict will not yield a greater return on the investment into their educations. Why, then, do we continue to serve these students? Is it simply because we are compelled by law to do so? How can we “unlock” ourselves from the contingencies that continue to support the status quo in special education?

The status quo is a barrier that I believe can be counteracted by establishing caring relationships with the students and families whom we serve. Noddings (2013a) proposes that there is a unique relationship between those who care and the recipients of that caring. Her philosophy of care (2013a) is a framework that is suggestive of why and how actors in the special education system may or may not advocate for the students for whom the system is supposed to educate. Critical to this discourse is the question of why people care, how they continue to care, and why they perhaps struggle to continue the caring relationship. According to Noddings (2013a), one must recognize that both carers and cared-for forge ongoing relationships through their individual reciprocal actions. It is not just the moral actions of carers that are responsible for establishing care. Caring is the result of reciprocal responses from the cared-for that “sustain us in our attempts to care” (Noddings, 2013a, p. xxii). The

actions of carers are not simply the result of compulsion or compliance to ethical or moral codes. Rather their behavior, if truly caring, is met with responses from the people they care for that support or reinforce their caring behavior. While a person can claim to “care” about others, if their actions do not produce a caring relationship, true care is not deemed to have occurred. Noddings (2013a) stresses that the work of caring is “to transform the conditions that make caring difficult or impossible” (p. xxii).

Certainly, in the case of caring for students in special education, to attempt to transform a system that is seemingly stuck in a series of interlocking behavioral contingencies seems a gargantuan task. Noddings (2013a) points out that to care is to risk exposing oneself to conflict between one’s own point of view and the attempt to empathize with the lived experiences of another. The ability to see from another’s perspective can motivate us to take up a cause greater than simply behaving in ways that benefits oneself. “When we see the other’s reality as a possibility for us, we must act to eliminate the intolerable, to reduce the pain, to fill the need, to actualize the dream” (Noddings, 2013a, p. 14).

When participants were asked what they liked about being a behavior analyst and what drew them to special education, they talked about the enjoyment that they experienced when their attempts to build rapport and establish effective learning environments produced beneficial student outcomes. They discussed the joys of watching students succeed. One participant talked about this work being a passion rather than a job. Another participant talked about wanting to make a difference in

the lives of students and their families by changing the trajectories of learning and behavior that the students were on. Caring was evident when this participant said, “I like building relationships with them and interacting with them.” Another participant said, “I want the kids that nobody else wants to work with” because too many people just give up on kids that they deem to be such a lost cause. Many participants reported feeling sorry for their students, not because of their disabilities, but because they were so vulnerable to receiving sub-standard care in the special education system.

The participants in this research were asked to tell me what it might be like to be a student in a special education classroom. Prior this question, participants were asked to identify the challenges that their students face in the system. These questions were met with straightforward descriptions of problems with the system as they viewed them. However, when asked to take the perspective of students and report what it might be like to be an actual student, immediate responses included a combination of silence, deep breaths, sighs, or a comment on the question itself being a “good question.” Participants were candid in their responses. They acknowledged that there is a spectrum in quality and effectiveness of teachers, but that many students were simply left at the hands of ineffective teachers, with no hope of having truly quality outcomes from their educational experiences.

Caring and the continuation of caring relationships come at no small cost to the carer. Noddings (2013a) states that there is “a double requirement of courage in caring: I must have the courage to accept that which I have had a hand in, and I must

have the courage to go on caring” (p. 39). Guilt is a common side effect of caring, giving the carer a sense that under certain circumstances, they may not have cared enough or failed the cared-for in some way. This guilt becomes more likely when relationships are prolonged. Therefore, to be able to sustain caring over time, Noddings (2013a) suggests that rules or standards of care are created to “make it easier for those-who-would-care to fulfill the minimum requirement of caring” (p. 51). These rules are not evidence of an ethic of care but a turn toward the rational and objective decision-making that may be required to set a minimum standard for the treatment of others.

Board Certified Behavior Analysts who work with human populations have not just a moral responsibility, but also a legal and ethical obligation to care. One of the features of Applied Behavior Analysis (ABA) is that practitioners use behavioral principles to solve problems that have social significance. Social significance has never been clearly defined as any particular type of skill, probably because the problems that a behavior analyst would work to resolve rely so heavily on consumer needs. The work that a behavior analyst should attempt to accomplish with consumers is to allow for greater independence and greater access to the environments of which they are a part. In clients with disabilities, there is a strong emphasis on improving access to peers, community, and the society at large.

Behavior analysis is ultimately the science of learning with clear theoretical and philosophical underpinnings of determinism and empiricism. Basic behavioral principles such as reinforcement, stimulus control, concept learning, and so forth have

been and continue to be applied to human populations with great success. The skilled application of behavior analytic principles result in powerful effects, and those who use the principles of behavior analysis are often amazed at the results. Populations that have in prior decades been deemed un-teachable, unlovable, and unworthy of time and attention in the education system may now be offered the hope of being educated along with their peers due to advances in teaching methodologies that are often founded in the principles of behavior analysis. I would argue that the reason that many practitioners have been drawn to the field of behavior analysis is because their attempts to care for students with disabilities intersect with a very effective set of methodologies. Thus, the requisite effects in the cared-for as a form of reinforcement for the caring relationship are adequately produced.

Behavior analysts have made clear statements about clients with exceptional needs and their rights to quality services. The code of ethics for Board Certified Behavior Analysts (2015) states, “Clients have a right to effective treatment...Behavior analysts always have the obligation to advocate for and educate the client about scientifically supported, most-effective treatment procedures.” After interviewing the participants in this research, it was clear that they entered the field with this ideal at the forefront of their practices. Most participants reported feeling the greatest job satisfaction when they could simply interact one-to-one with their students and make meaningful changes in student behavior in this way. Most participants did not clearly embark on their training and educational programs for the purpose of gaining employment in the public education system. They entered the

public sector when their training and expertise aligned with the opportunity to work in school-based settings. After exposure to special education as a system, their ability to engage in caring then intersected with the interlocking contingencies in the system that makes caring difficult.

Noddings (2013a) discusses the vulnerability of the cared-for and that unequal roles between carers and the cared-for can lead to being “treated as ‘types’ instead of individuals... We become “cases” instead of persons” (p. 66). Certainly the power differential between school and government bureaucracies and parents and their children leads to abuses of power. Noddings (2013a) states, “The fact is that many of us have been reduced to cases by the very machinery that has been instituted to care for us” (p. 66). Participants discussed universally that the push toward compliance on IEP paperwork, which can be easily monitored through governmental audits, supersedes the more subjective meaning of *appropriate* in a free and appropriate public education. Yes, case law has established further meaning to appropriateness as meaning a plan that is reasonably calculated to confer educational benefit. However, *benefit* suffers from the same definitional problems as *appropriate*. Thus, the conflict between the system’s and parents’ definition of benefit and appropriateness can act as a barrier to caring. The language that is often used to describe these situations, for example, “hot cases” or “high-profile cases” or “difficult parents” exemplifies what Noddings (2013a) is referring to when she states, “To be treated as ‘types’ instead of individuals, to have strategies exercised on us, objectifies us” (p. 66).

Given that the bar is set fairly low for a Free and Appropriate Public Education (FAPE), with districts only required to provide a basic floor of opportunity for students to make “some progress,” there are significant conflicts between the BCBA’s ethic of care, their professional code of ethics and the basic floor requirement of IDEA. The participants discussed having to either make some sort of peace with the situation by doing the best work they could possibly do under the conditions that exist or look for a way out of the system. Two participants had already left the public education system and another was actively seeking a way out. Two additional participants discussed that they would eventually wish to transition to private practice.

Can Care and Compliance Interact? Therapeutic Jurisprudence

Thus far, I have described how interlocking contingencies in the special education system have created a highly bureaucratic process, whose balance of power favors those who understand all of the rules and those who have the resources to influence the system. I have also discussed how the ethic of care and the barriers to care influence individuals within the system. When discussing factors that increase the likelihood of students getting better quality services, participants pointed to parental involvement via the exercise of their procedural safeguards and their due process rights. Given that the threat of legal involvement is ever-present in the special education system, I used therapeutic jurisprudence (Wexler & Winick, 1996) as another conceptual framework to guide the interpretation of the participants’ responses.

Therapeutic jurisprudence is “the study of the role of the law as a therapeutic agent” (Winick, 1996). In particular it examines how the law and legal actors influence the well being of those for whom they advocate (Stolle, 2000). Winick (1996) states that “legal rules, legal procedures, and the roles of legal actors (such as lawyers and judges) constitute social forces that, whether intended or not, often produce therapeutic or antitherapeutic consequences” (p. 646). Therapeutic jurisprudence as a construct calls on research in the social sciences to determine how to increase positive outcomes and decrease negative outcomes for people who are entangled in legal proceedings. Involvement in litigation has real consequences for all actors. There is the potential for economic and social consequences that can have profound effects on the actors involved in litigation proceedings.

In the current provisions of IDEA, parents have the burden of proof in demonstrating that the school denied their child a FAPE that was designed to confer educational benefit. While parents are most often the party to initiate due process hearings, they are less likely to prevail, which compounds feelings of dissatisfaction and mistrust in the system (Mueller & Carranza, 2011). In addition, legal proceedings have not been demonstrated to improve educational experiences for the students in question (Cope-Kasten, 2011). Thus, from a therapeutic jurisprudence perspective, if a parent were to pursue a due process hearing and did not prove that the district denied their child a FAPE, legal entanglement could be considered to have had an antitherapeutic effect on this student and his or her parents.

Peterson (2010) has taken the stance that the legal system is inherently involved in special education, given that the right to due process has consistently been protected across reauthorizations of IDEA. He posits that the attorneys and actors in the judiciary system have the obligation to combat the culture of low expectations that has become the status quo, given their unique ability to change the standards for which districts must be procedurally compliant. One has only to follow the trail of case law concerning autism services in the special education system to see how parent and legal advocacy groups influences the provision of ABA services in the public schools. In fact, these cases may be the most important factor contributing to the hiring of behavior analysts in the public school system.

In the 1990's parents began to challenge the services that were provided through public schools for children with autism (Yell & Drasgow, 2000). In these due process hearings, parents were requesting that districts provide or reimburse costs for programs based on the Applied Behavior Analysis (ABA) teaching methodologies. Between 1993-1998 there were 45 published cases where parents requested ABA programs be either provided or funded by districts. In 76% of these cases, parents succeeded in getting district funding for ABA services. While parents cannot dictate the type of methodologies that school districts provide, the districts that prevailed in these cases used professionals with expertise in autism to conduct assessments, train district personnel, and serve as expert witnesses in due process cases (Yell & Drasgow, 2000). It is worthy of note that these roles are ones that BCBA's continue to play in public special education programs.

The participants in this research all serve a critical role in the defensibility of public school special education programs. Several participants were hired specifically so that districts could stop funding private programs and offer their own ABA-based programs. One participant discussed how this was initially deemed to be a cost-cutting measure for the district. However, because the district had not invested in other aspects of the programming, namely highly trained paraprofessionals, the district continued to fund non-public agencies because they could not provide the levels of supports and services that would keep them out of litigation. The participants in this research who are still working in public education all act as their district/county office's experts when programming concerns become a point of contention in IEP meetings. This can be an incredibly difficult role, especially because the BCBA is hired to defend the district's approach, yet they often have little control over the quality and integrity of the programming.

The threat of legal action is a constant pressure that people working in special education face. There are two types of errors that can lead to costly compensatory measures mandated by administrative law judges. One type of error is a procedural error, meaning that the district has not demonstrated that they followed all parts of the IDEA in their actions. The other type of error is a substantive error. Substantive errors are typically more difficult to identify and boil down to whether the district's programs constituted a FAPE that conferred meaningful educational benefit to the student. Yell and Drasgow (2000) assert that the Lovaas cases between 1993-1998 actually raised the bar of FAPE, given that they focused heavily on expertise of

personnel and quality of interventions. Regardless of the type of errors one might find in a student's IEP, due process hearings are incredibly costly in terms of time and energy, and can “degenerate into protracted, acrimonious, expensive legal conflicts, which exact a terrible emotional toll on parents, children, and school personnel” (Margolis, 1998, p. 233).

All participants discussed how the imminent threat of legal involvement, in particular, parents retaining legal counsel lead to districts giving parents what they asked for. In contrast, students whose parents did not have such resources did not always get services and supports that would have been beneficial. All participants were asked to describe what type of advice they would give to parents whose children qualified for special education services. Each participant stressed the importance of parents understanding their rights and actively advocating for their child. Each participant felt that the threat of due process unduly influenced the actions of administrators in special education programs by giving in to demands for costly programs because those costs, while large, would be less than going through due process. This has the potential for major equity imbalances when parents do not have the financial or social resources to enact these measures. The bottom line it seems then, is that the status quo in special education is that compliance to procedural legal requirements trumps caring and ethical standards, and that compliance can be bought by families who have access to sufficient resources.

Problems of Practice

As of this date, the landscape of public policy for BCBA's is undergoing a major shift as the need for ABA-based services in the private sector has grown. California (along with a few other states) is at the cusp of enacting legislation to grant licensure to behavior analysts and behavioral practitioners. This has followed on the heels of legislation that has enabled ABA to be deemed a medically necessary insurance reimbursable service. Given the difficulties that BCBA's face as "outsiders" in the public education system, only time will tell whether they will continue to practice within the school system when there is such a need for service providers in the private sector.

There are no system-wide data on the effects of BCBA's on the quality of programs for students with Autism and other disabilities in the special education system. Therefore it is unclear whether the presence of BCBA's has led to programming improvements. Most participants reported having some effects on individual student or teacher behavior. It is however worth noting that BCBA's are just as susceptible to stress and burnout as any other individual working within special education. I believe that what is especially problematic for the field of behavior analysis is the concern that as behavior analysts are met with unchangeable contingencies that punish client-centered advocacy, they may increasingly succumb to pressure to maintain the status quo. If their continued employment requires them to adjust their standards on a consistent basis, and then defend those adjustments as the district "expert," they run the risk of violating both personal and ethical standards.

For some, this is too big of a burden to carry, and they may leave public education. The potential exodus of BCBA's from special education represents a form of brain drain that could potentially serve to lower the quality of services for students whose progress has hinged upon being provided with ABA-based programming.

Practitioner Recommendations

Students of behavior analysis are trained in the theoretical underpinnings of the science of learning. They often complete training programs that prepare them for the rigors of clinical practice. Many gain their experience in highly structured and tightly controlled clinical environments. If behavior analysts have any hope of influencing special education equity issues, they must have training on how the public education system works. They need clear guidelines on how to navigate difficult ethical issues within this highly bureaucratic system. Their roles within the system need to be more clearly defined. It would be advantageous for national and statewide associations for behavior analysis to draft guidelines rather than waiting for school districts or licensing agencies to do so, since so little is known about the work of behavior analysts outside of their professional communities. This would align with the guidelines for practice that are provided for school psychologists and speech-language pathologists.

Behavior analysts entering the public system also need specific training on the social justice issues that have been a fixture in the public education system. While the behavior analysts interviewed in this research could clearly identify issues of racism and classism, they were less prepared to discuss the problem of ableism in the

educational system. Most were unfamiliar with the term and some had difficulty identifying common special education practices that could be interpreted as ableist in nature.

Behavior analysts working in special education would be well advised to collect some sort of meaningful data that demonstrate the effect of their work in the organizations in which they work. Currently, in California, there is a cadre of professionals who are nominated by their district or county organizations to participate in training and data sharing at their annual conference. However, this may be far too insular a method and the make-up of the group far too eclectic to actually demonstrate the effect that purely behavior analytic services have on programs in public education.

Policy Recommendations

Just as the public policy arm of the California Association for Behavior Analysis has influenced lobbying for insurance coverage and licensure, it would be interesting to see how it could influence the public education system from the outside looking in. Caseload cap recommendations for private practice could potentially raise the bar for public education if districts had to demonstrate that their programs were comparable to private programs. This would also have the effect of increasing the demand for BCBAAs, which could lead to this group of professionals having greater influence on the system as a whole.

Currently, the national certifying board, the Behavior Analyst Certification Board (BACB), offers certification at every level of education, from high school

diploma, to advanced degrees. The RBT certification is for people with at least a high school diploma, and who have at least 40 hours of training in behavior analysis. These individuals work under close supervision of a certified behavior analyst with higher levels of education and certification (BCaBA, BCBA, BCBA-D or FL-CBA). The BCaBA is a certification for people with a bachelor's degree and who work under the supervision of a master's or doctoral level behavior analyst. The BCBA is for individuals with master's degrees in psychology or education and requisite coursework in behavior analysis. The BCBA-D is a certification level for individuals with doctoral degrees. These levels of certification ensure that individuals that work within private clinical programs are completed by individuals who are certified at every level of the organization. It remains to be seen whether national certification at every level of private programs will increase the need for behavioral practitioners in the public system or whether this will be a sticking point in further case law. In particular the certification of bachelor's level therapists as Registered Behavior Technicians in private programs may have the potential to raise the bar for paraprofessional expertise and ethical standards in the public system.

The public education system may also prevent brain drain of BCBA's from special education by providing a way for behavior analysts to gain credentials through non-traditional means so that the job does not represent a dead end for practitioners. Currently, if a BCBA wanted to move into an administrative position, they would have to complete a base level credential, quit their current jobs in order to either intern or student teach, and accept a beginning teacher's pay in order to complete the

requisite five years of experience to enter into an administrative credential program. This is a highly unlikely course of action for most individuals who already have advanced degrees and act as consultants to teachers. Behavior analysts often teach in the credentialing programs they would be required to attend. Given that most BCBA's in the public system have the responsibility for designing and implementing educational programs, it seems logical that their years of experience should not be deemed inconsequential to credentialing agencies.

Recommendations for Future Research

This research focused on the lived experience of a small group of BCBA's who have worked or currently work in public education in the state of California. Future research could focus on conducting quantitative research on the employment trends of behavior analysts working in public education. The outcomes of this research could warrant requiring degree programs who prepare aspiring behavior analysts to incorporate coursework on how to balance the demands of their professional ethics and potential equity problems they might face upon entering the field of public education. It could also benefit the administrative employees who have the responsibility to hire, supervise, and evaluate these individuals. I believe that these individuals should be aware of the code of ethics to which BCBA's must adhere, as this could alleviate tensions in the workplace and potentially prevent the loss of BCBA's as employees.

While some participants in this research cited the reasons for their employment as cost-cutting measures or measures to prevent districts from having to

pay for non-public agency services, it would be valuable to research the factors that motivate districts to hire BCBA's, and to what extent the hiring of BCBA's satisfied those factors. I believe that this type of information could give both behavior analysts and educational professionals a greater understanding of the influence of behavior analysts on public education, since this is also a gap in the literature.

Conclusion

The special education system is multi-faceted and those actors within the system operate under a variety of contingencies that are constantly changing. The participants in this research definitely cited caring for students and love of applying behavior analytic principles to create behavioral change in their students as an ongoing source of motivation for their work in the special education system. They shared concern for students and their families and cited instances where they advocated on the behalf of the families and individuals they serve. They also discussed how strongly the influence that home language, parent education, and socio-economic status played in getting access to special education services. They clearly identified that the threat of legal involvement profoundly influenced the behavior of educational professionals within the public school system.

Board Certified Behavior Analysts are relative newcomers to the field of public education, though their practices are based on sound scientific principles of learning. These individuals have widely eclectic roles in school districts, ranging from behavior interventionists, academic program designers, coaches, staff trainers, to expert witnesses in due process hearings. Their roles are as yet, undefined

generally within public education, and they do not fit easily within the school hierarchy. As certification and licensure legislation continues to evolve, so too should the role of behavior analysts in public education. At this point, it remains unclear how the legislation covering medically necessary ABA therapies through insurance funding will have an effect on what constitutes an offer of FAPE in the public school system. In a system that relies so heavily on procedural compliance to federal and state laws, but is constantly subject to interpretation of substantive issues, my hope is that the efforts of the actors in this legalized system continue to advocate for the similar lofty standards that are applied to students in general education.

CHAPTER VI

RESEARCHER REFLECTION

As a Board Certified Behavior Analyst who has worked in the public education system for over 10 years, I strongly identified with the lived experiences of the participants as they described their commitment to their students, their struggles as practitioners in the special education system, and their efforts to resolve the intricate ethical dilemmas they faced. I grappled with how to document their experiences and the important work that they do in a way in which my own perspectives and experiences did not overshadow theirs. As a scientist-practitioner, with extensive training in the positivistic research paradigm that governs the field of behavioral psychology, my training has taught me to be as objective as I possibly can be in order to demonstrate reliable un-confounded environment-behavior relationships. This put me at quite an impasse as I undertook this qualitative research, having initially tried to avoid exerting undue influence on participant responses during the interview process as I attempted to get at the “truth” of this topic.

However, I found that this push toward objectivity was also a factor in my participants’ responses to the interview questions. After having many heartfelt venting sessions outside of this research process with other behavior analysts who work in public education, I expected that equity issues would be described easily and in-depth. What I found was that I had to delve more deeply and specifically about equity problems that the participants faced. When that occurred, what came forth was

a rich description of problems associated with social class, parental education gaps, and a culture of low expectations in special education. I found that I deeply identified with the participants as they detailed their frustrations with working in the special education system, and I have seen first-hand the types of instances of racism, classism, and ableism that have been, for me, a fairly routine part of my participation in the public education system. There were times when I was moved to tears when listening to their perspectives on what it must be like to be a student or a parent who is entangled in the special education system in a seemingly helpless position where the deck is inevitably stacked against them. I also experienced a profound sense of happiness when hearing them talk about their pride in watching their students succeed.

I gained a heightened sense of awareness that these participants and the work they attempt to do are the best hope that many students have in overcoming seemingly insurmountable difficulties in an effort to reach their potentials. I believe this is the moral and ethical work of behavior analysts, regardless of the legal mandate to provide a “basic floor of opportunity” or “some educational benefit” to students in the system. I also felt a major shift in my own willingness to continue practicing within the public system. I have always stated that my own purpose in working in this system is to enact change, to raise the bar, to challenge the assumptions that lead to lowered standards for students with disabilities. I have trained hundreds of paraprofessionals, teachers, and administrators in my career with the hopes of achieving that end. I have seen how access to appropriate and

challenging curriculum, trained teachers and staff, appropriate visual and physical supports, and meaningful social opportunities have transformed students who were regarded by many as beyond help into students who were beloved and included members of the school community. I have seen how teachers and students have come to not only tolerate, but love students, who, in the past, may have been relegated to an isolated classroom, devoid of meaningful social and educational opportunity.

However, these experiences were not the norm for me. I have also witnessed the lack of appropriate staffing and a lack of appropriate curriculum for students with severe disabilities. I have seen this operate under the guise of providing “functional skills” to students, who because of their diagnoses, had already been written off as having no capacity to learn academic content. I have seen classrooms where a complete lack of teaching occurred and where instructors ultimately faced no administrative repercussions in their evaluations for this type of behavior. I have seen administrators openly state that they didn’t know much about what special education is about and others who didn’t care to know what was happening in the special education classrooms on their campuses or in their districts until or unless parents made complaints. This put me at a moral and ethical crossroad on many occasions. I know that the participants in this study have felt the weight of this issue as well. Again, because of our clinical training, we are often encouraged to maintain objectivity in the therapeutic relationship. However, I wonder if this distance contributes to feelings of isolation, stress, and ultimately a sense of detachment from problems with no easy solutions.

And so, the question remains, how can behavior analysts exert a positive influence on the special education system? We are both insiders as practitioners within the system, and at the same time, outsiders, as our roles are not yet established within the field of public education. The influence that behavior analysts can have within the public education system is limited to the number of system-wide contingencies we can affect while still maintaining our seat at the table. I hope that we continue to expand our ranks within the public school system, and that as we do, we hold fast to our optimism and demonstrate the effectiveness of our methodologies to a broader audience. Heward (2005) admonished behavior analysts that “the primary goal...should not be getting education to do more and better ABA; our goal should be helping education do better.”

The goal of getting education to do better means that behavior analysts who work in public education need to know the system before they can change it. We have to reject the status quo and actively resist the culture of low expectations that is so easy to succumb to when immersed in it every day. We need to identify problems that we can provide meaningful solutions for if simply given the opportunity, and seek out those opportunities in likely and unlikely places. We need to ingrain ourselves in the fabric of the system in which we work in multiple capacities, affecting students, families, and communities alike. We must remember that the special education system was born out of civil rights legislation, which came about not just because of the benevolence of law makers, but out of passionate struggle,

born of love and compassion, for equal protection under the law of our most vulnerable members of society.

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APPENDICES

APPENDIX A

PARTICIPANT EXPERIENCE

Participant Experience

Participants	Years of Experience				
	NPA/NPS ABA	NPA/NPS Mental Health	Public Education	Private Practice	Private School
A	6	0	4.5	0	0
B	16	0	16.5**	2	12
C	4	0	2**	4	0
D	2	5.5	9.5**	0	0
E	0	0	9**	0	0
F	4	1	18.5**	0	0
G	1.5	0	8**	3	0

*The symbol (**) indicates that participants had experience working in more than one agency, district, or county office of education. Public education also incorporates publicly funded segregated school sites. Years of experience in each category may overlap, as some participants worked in multiple jobs in the same calendar years.*

APPENDIX B
CONCEPTUAL FRAMES

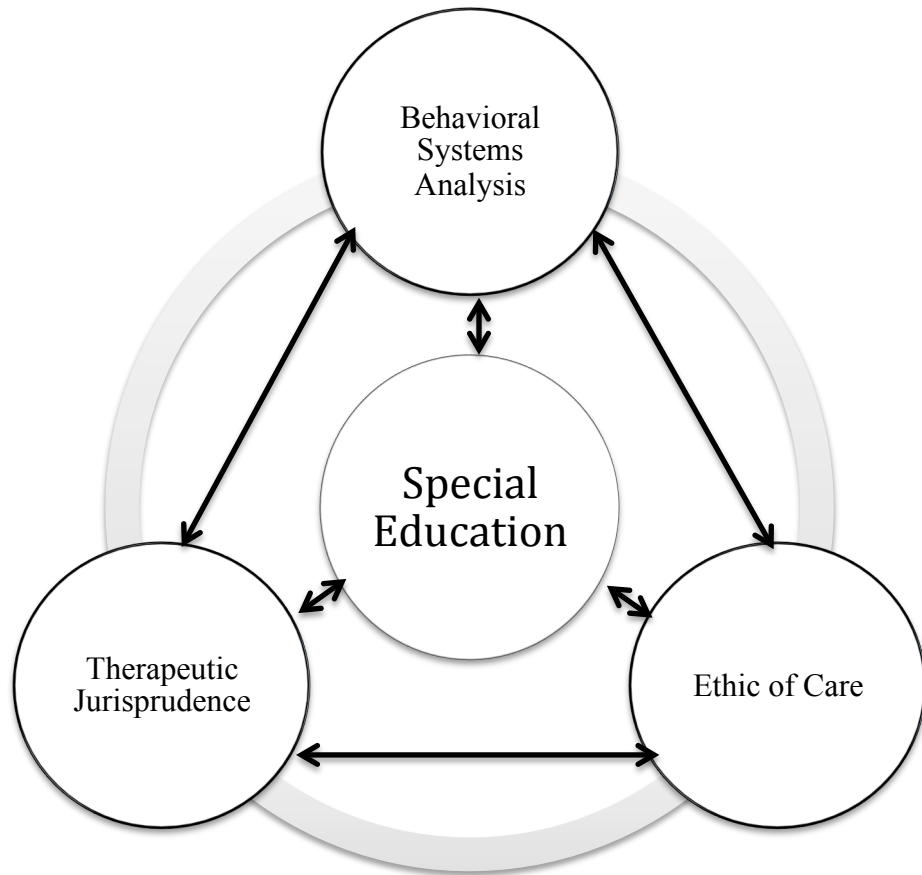


Figure 1. This figure is a graphic configuration of the inter-relationships that the conceptual frames discussed in this research have on special education.