



Public Advocate for the City of New York

MIXED SIGNALS:

311 Fails to Provide Consistent Information to Parents of Children with Special Needs

**A REPORT BY PUBLIC ADVOCATE BETSY GOTBAUM
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EXECUTIVE SUMMARY

In 2003, as part of its reform of New York City's special education system, the New York City Department of Education (DOE) consolidated the number of administrative bodies responsible for processing and maintaining special education cases from thirty-seven district- and high-school-level committees to ten.¹ The consolidated Committees on Special Education (CSE) were redesigned to correspond with the city's ten instructional regions.²

In 2007, as part of a further reform of the special education system, the DOE eliminated the 10 regions it had created just four years before. Much of the responsibility for public school special education students was shifted from the regional CSEs to borough-based Integrated Service Centers (ISC) and the Office of Student Enrollment, Planning, and Operations (OSEPO).³ Much of the responsibility for non-public-school special education students remained with the CSEs.

In July 2007, in response to the systemic changes in special education and growing concern that parents were not receiving consistent and accurate information about special education services, the DOE established a Special Education Call Center. According to the DOE, the call center, based at the DOE and staffed with special education specialists, is supposed to handle special education inquiries, respond to difficult problems in a timely and appropriate manner, and maintain written records of all requests for information and the answers provided.⁴ The DOE, however, does not publish the direct phone number of the call center and instead relies on 311 to transfer parents calls to these special education specialists.

In April 2008, the Public Advocate's Office conducted a survey of 311 operators to determine the consistency of their answers to parents seeking information about special education students for their children and to determine if 311 was transferring parents calls to the 311 call center. The survey reveals that 311 operators give inconsistent information to parents with questions about special education despite the DOE directing parents to 311 for their educational questions and concerns. Operators' answers often point parents in the wrong direction and cause delays in accessing or maintaining vital special education services for their children. In addition, 311 operators rarely refer parents to the Department of Education's new unlisted Special Education Call Center.

Public Advocate staffers, posing as parents of children with special needs, called 311 and asked questions about special education. Surveyors placed a total of 100 phone calls to 311, asking one of ten different special education questions for each call. Each question was asked a total of ten times. The survey found that:

- 311 referred callers to 33 different entities⁵ in response to the 10 special education questions—an average of 3.3 different referrals per question.

¹ The 37 committees were associated with the 32 school districts and 5 borough-wide high school districts.

² Mayor Bloomberg announced that the Regional Offices his administration created in 2002 will be dissolved and the 32 districts will be resurrected. At the time of this report it is uncertain what will happen to the ten regional Committees on Special Education.

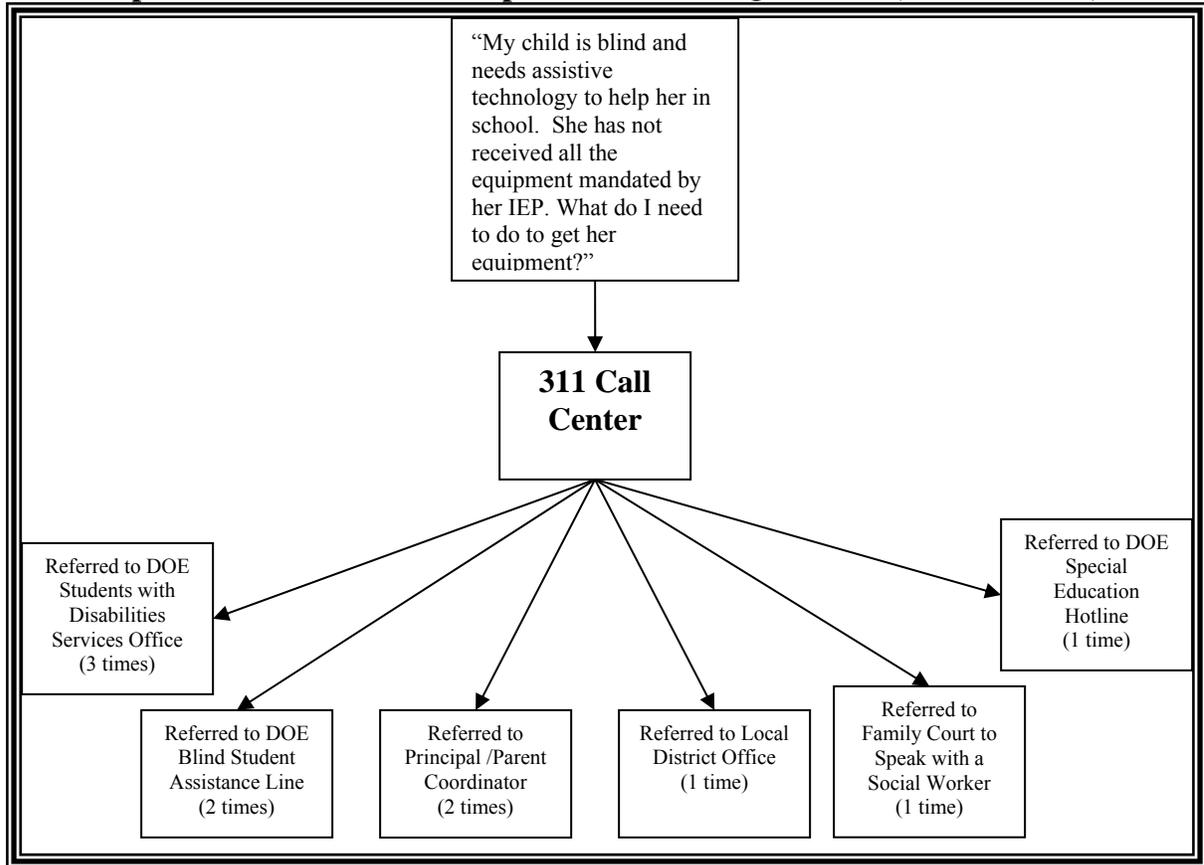
³ New York City Department of Education, *Parents Guide to Children First Reforms*, available online at <http://schools.nyc.gov/NR/ronlyres/7C16AA02-6A2E-4D39-BCFE-DE0439300E09/0/ParentsGuidetoChildrenFirstReformsEnglish.pdf>

⁴ New York City Department of Education, *Customer Information Representative – Special Education Call Center*, Employment Announcement. 2007.

⁵ Includes referrals to individuals such as parent coordinators, as well as offices and other hotlines.

- One question—about getting assistive technology for a blind student—resulted in 6 different referrals from 311 (see chart below).
- 311 had particular difficulty handling calls about special education services, such as occupational therapy, speech therapy, and physical therapy. The 3 different service questions (30 calls total), resulted in 14 different referrals from 311—an average of more than 4 different referrals per question.
- Only 1 of the 100 calls placed to 311 was referred to the Department of Education’s (DOE) Special Education Call Center.

Multiple 311 Referrals for One Special Education Question – (10 Calls Total)



This report makes the following recommendations to ensure that parents get the help they need navigating New York City’s complex special education system:

- 311 should implement a quality assurance program and train operators on special education issues to ensure that operators consistently refer parents of children with special needs to the correct office when they call for assistance.
- The DOE should make its new Special Education Call Center more accessible to parents by publishing, advertising, and promoting the direct phone number and creating an email account to which parents can email their concerns.
- 311 operators should ask parents if they want to be transferred to the Special Education Call Center when they call with a special education question. 311 operators should give the Special Education Call Center phone number to parents they transfer to the Call Center so that parents have the ability to follow up on their inquiries in the most direct manner.
- The DOE should ensure that when operators refer parents to their schools’ parent coordinators, parents receive a timely and helpful response.

INTRODUCTION

Since taking office in January 2002, Public Advocate Betsy Gotbaum has received numerous complaints from parents trying to access or maintain legally mandated special education services for their children. Typically, these parents call the Office of the Public Advocate because their attempts to navigate New York's complex special education system have been frustrated.

Parents indicate that accessing and maintaining services for their special needs children amounts to a full-time job consisting of phone calls and meetings with the Department of

311 Question: *“My child is blind and needs assistive technology to help her in school. She has not received all the equipment mandated by her IEP. What do I need to do to get her equipment?”*

311 Answer: *“Go to Family Court in your borough and meet with a Social Worker.”*

Education (DOE). To compound the problem, parents are often faced with unresponsive DOE staff, voicemails that are never returned, non-working telephone numbers, or calls that get transferred from department to department.

In March of 2006, the Public Advocate's Office released a report that found that parent coordinators⁶ and Committees on Special

Education (CSEs) were, for the most part, unresponsive to parents of children with special needs. Public Advocate staff posing as parents of children with special needs found many problems reaching parent coordinators and CSEs including non-working phone numbers, full voicemail boxes, and unreturned voicemail messages. The survey found that the problem was particularly severe for non-English speaking parents (Mandarin and Spanish).

The DOE has made navigating New York City's nuanced and complex special education system all the more difficult by reorganizing the system multiple times over the last five years, causing confusion and disruption of services. Special education advocates report that parents have struggled to understand each new system only for it to be replaced, forcing them to start over. Advocates and parents also report that the multiple reorganizations have confused not only parents but DOE employees, as well.

In a January 2008 meeting, the special education advocacy group Parents for Inclusive Education⁷ informed Public Advocate Betsy Gotbaum that parents of children with special needs frequently contact 311, New York City's government information hotline, for information regarding special education services. The group reported that 311 operators often give parents inconsistent information about which office within the DOE to contact for their special education questions and problems.

In response to this concern, the Public Advocate's Office conducted a survey of 311 to determine if the city's information hotline is giving parents consistent answers to their special education questions. This report is based on the findings of that survey.

⁶ The Parent Coordinator position was created in 2003 as part of the Children's First Initiative. The school-based position was designed to be the initial access point for parents seeking information about their children's education.

⁷ Formed in 1997, Parents for Inclusive Education (PIE) is a group of advocates, educators, and parents advocating for more children with disabilities to be included in mainstream classrooms in New York City schools.

BACKGROUND

Recent Department of Education Special Education Reforms

In 2003, DOE Chancellor Joel Klein moved to reform New York City's special education system. In an effort to cut administrative costs, Chancellor Klein reduced the number of Committees on Special Education (CSE), the administrative bodies responsible for processing special education cases, from 37 to 10; reassigned all 969 special education evaluators to work in classrooms rather than processing evaluations; and shifted the responsibility for processing evaluations to overburdened school psychologists. As a result, the number of special education evaluations processed by the DOE fell by more than a third, while the number of reevaluations dropped by nearly half.⁸

311 Question: "My child is a special education student, and I need help with a problem. Can you direct me to the DOE's Special Education Hotline?"

311 Answer: "I don't see any special education hotline, call your school's parent coordinator."

In 2007, the DOE changed the special education system once again, eliminating the 10 regions it had created just four years before. Much of the responsibility for public school special education students was shifted from the regional CSEs to borough-based Integrated Service Centers (ISC) and the Office of Student Enrollment, Planning, and Operations (OSEPO).⁹ Much of the responsibility for non-public school special education students remained at the CSEs.

311 Hotline

311 is New York City's hotline for government-related information and non-emergency services. Launched in 2003, 311 is run by the city's Department of Information Technology and Telecommunications (DoITT). 311 was designed to consolidate and replace more than 40 different help lines run by agencies throughout the city and provide the public with quick and easy access to local government services and information. 311 is intended to "streamline and enhance the quality of city services, as well as [increase] agency productivity and responsiveness, convenience, and constituent satisfaction."¹⁰

Since 311 began operation, its call volume and budget have increased dramatically. In fiscal year (FY) 2003, 311 received 1.2 million calls. In FY 2007—the last full fiscal year for which statistics are available—311 received 14.3 million calls.¹¹ More than 400,000 of all calls placed to 311 in FY2007 were education-related.¹²

According to a recent report by the Independent Budget Office (IBO), the 311 system cost the city about \$21 million to set up and was originally projected to cost about \$27

⁸ Public Advocate for the City of New York, *Crisis in Special Education: Gotbaum Charges DOE Created Backlog of Evaluations*, February 9, 2004, www.pubadvocate.nyc.gov/news/releases_2_9_04.html.

⁹ New York City Department of Education, *Parents Guide to Children First Reforms*, available online at <http://schools.nyc.gov/NR/ronlyres/7C16AA02-6A2E-4D39-BCFE-DE0439300E09/0/ParentsGuidetoChildrenFirstReformsEnglish.pdf>

¹⁰ Office of the Mayor for the City of New York, *Mayor Michael R. Bloomberg and Commissioner Gino P. Menchini Outline New York City's 311 Initiative*, Press Release 024-02, January 31, 2002.

¹¹ City of New York, Mayor's Office of Operations, *Management Report, Fiscal Year 2007*, available online at http://www.nyc.gov/html/ops/downloads/pdf/2007_mmr/0907_mmr.pdf.

¹² *Ibid*

million per year to operate.¹³ In FY2007, 311's budget was \$46.6 million. In FY2008, it will be \$56.8 million.¹⁴

DOE Special Education Call Center

On July 1, 2007, the DOE launched the Special Education Call Center to assist parents attempting to navigate the special education system.¹⁵ According to the DOE, the new call center is supposed to “answer questions pertaining to special education services by school administrators, parent coordinators, and parents, and other constituents transferred from 311.”¹⁶

Special education specialists staffing the Call Center are supposed to handle special education inquiries, respond to difficult problems in a timely and appropriate manner, and maintain written records of all requests for information and the answers provided.¹⁷ According to a DOE job announcement, Call Center specialists earn between \$43,160 and \$60,840 per year.¹⁸

311 Question: “My child is in the 3rd grade and it was recommended that I get her evaluated for special education services. What do I need to do to get her evaluated?”

311 Answer: “Call the Committee on Special Education. I cannot give you the phone number because the website is down. Please call 311 back another time.”

A search of the limited publicly available information on the Special Education Call Center reveals that the DOE relies on 311 to transfer special education related questions to the Call Center. The DOE does not publish the direct line telephone number of the Call Center for parents and advocates, thus limiting their access to this resource.

METHODOLOGY

Between April 3 and April 15, 2008, the Office of the Public Advocate conducted a telephone survey of 311. The survey was designed to measure the consistency of referral information provided to callers with special education questions. Surveyors posing as parents of children with special needs placed a total of 100 phone calls to 311, asking one of ten different special education questions for each call. Each question was asked a total of ten times. Surveyors asked one of the ten questions in Spanish to determine 311's ability to handle calls from non-English speaking parents.¹⁹ The Office of the Public Advocate collaborated with Parents for Inclusive Education to design the following questions, which are examples of parents' special education inquiries to 311:

1. My child is in the third grade at (*insert school*), and it was recommended that I get her evaluated for special education services. What do I need to do to get her evaluated?

¹³ Hu, W., *311 Hotline is Making the Most of Complainers.*, New York Times, December 1, 2003.

¹⁴ New York City Independent Budget Office. Fiscal Brief, “311 Customer Service Center: More Calls and a Growing Budget.” April, 2008.

¹⁵ New York City Department of Education, *Principals Weekly*, February 5, 2008, available online at schools.nyc.gov/NR/ronlyres/79F77295-594C-479E-AEBE-60369AFEB67F/32393/PW20080205.doc

¹⁶ *Ibid*

¹⁷ New York City Department of Education, *Customer Information Representative – Special Education Call Center*, Employment Announcement. 2007.

¹⁸ *Ibid*

¹⁹ In order to evaluate the responsiveness of 311 to non-English-speaking parents, Question 1 was asked in both English and Spanish but counted as two different questions for the purposes of this report. There was no significant difference in the way 311 handled English and non-English calls.

2. Mi hijo está en el tercer grado en el (*insert school*) y se recomendó que obtenga un evaluación para servicios de educación especial. ¿Qué tengo que hacer para obtener el evaluación?
3. I wrote a letter to my son's school three months ago requesting that he be evaluated for special education services. I have not heard back yet. What should I do?
4. My child is in special education in (*insert school*). I presented my child's school with an independent educational evaluation and requested a meeting to discuss the evaluation. I have not heard back from anyone at the school to set up the meeting. What should I do?
5. My child is a special education student at (*insert school*). She has an IEP that mandates occupational therapy three times per week. She has not been receiving her services, and the school says they cannot give her services because they do not have any available providers. What can I do to get occupational services for my child?
6. My child is a special education student at (*insert school*) and takes the bus to school. My child's bus has been picking him up and dropping him off an hour and a half late almost every day over the last month. What can I do about this?
7. My child is blind and attends (*insert school*). She needs assistive technology to help her in school. She has not received all the equipment mandated by her IEP. What do I need to do to get her equipment?
8. My child has an IEP and receives special education services at (*insert school*). She will be transitioning from elementary to middle school next year. What is the process to continue her services next year?
9. My child was recently evaluated for special education and received an IEP. It mandates that he receive physical therapy and speech. How do I set up these services now that I have an IEP?
10. My child has an IEP and receives special education. He needs a triennial evaluation. How do I set that up?

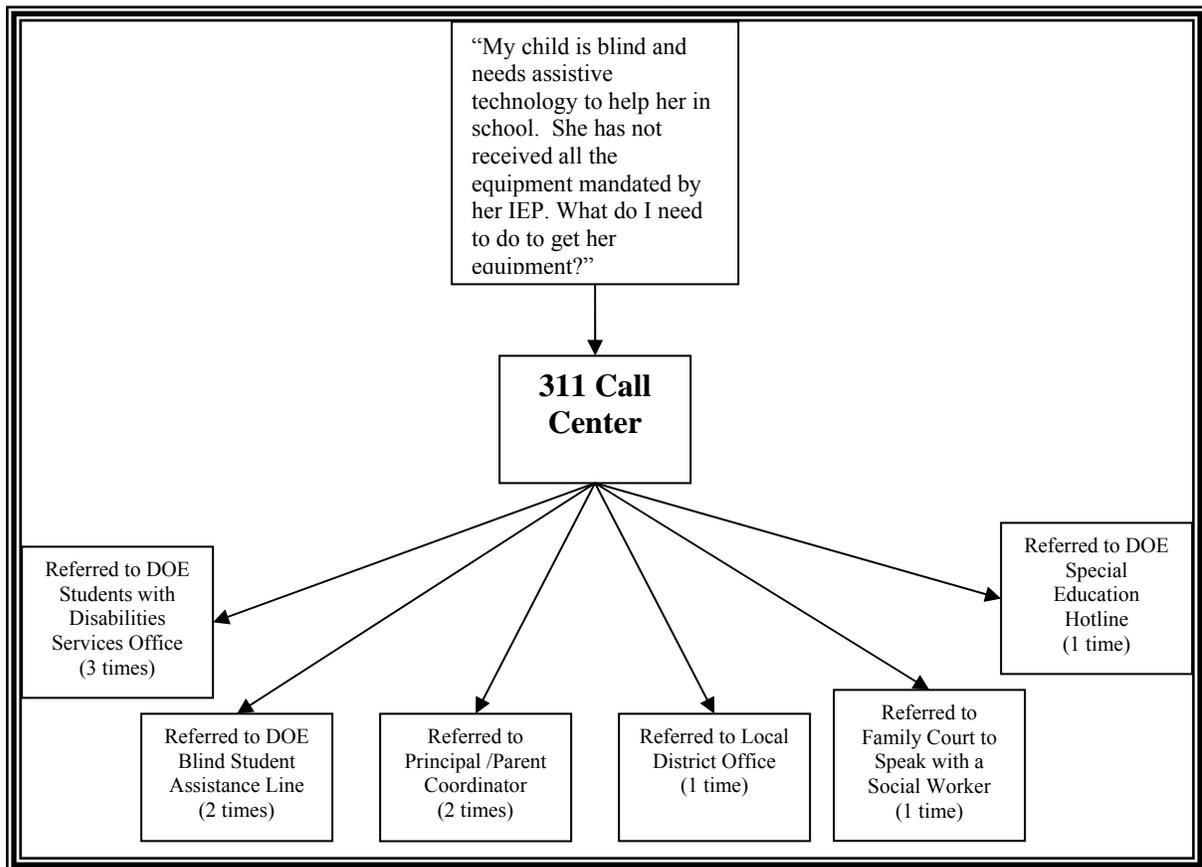
FINDINGS

311 Fails to Give Parents with Special Education Questions Consistent Answers

- 311 referred callers to 33 different entities²⁰ in response to the 10 special education questions — an average of 3.3 different referrals per question.
- 311 was most inconsistent in response to Question 8 about getting assistive technology for a blind student. The question resulted in 6 different referrals from 311 (see chart below).
- 311 was most consistent in response to Question 6 about a special education student’s bus route. All 10 calls resulted in referrals to the DOE’s Office of Pupil Transportation.

Multiple 311 Referrals for One Special Education Question

-Ten Calls Total-



²⁰ Includes both referrals to individuals, such as parent coordinators or school principals, as well as referrals to offices or other hotlines, such as the Office of Pupil Transportation or the Special Education Call Center.

311 Was Most Inconsistent in Response to Questions about the Provision of Legally Mandated Special Education Services

- Questions 5, 7, and 9 deal with legally mandated related services²¹ including physical therapy, speech therapy, occupational therapy, and assistive technology for the blind.
- These 3 questions (30 calls total) resulted in 14 different referrals from 311—an average of more than 4 different referrals per question.

311 Rarely Transfers Special Education Calls to the DOE's Special Education Call Center

- Only 1 of the 100 calls placed to 311 was referred to the DOE's new Special Education Call Center.
- The caller was not given the direct telephone number for the Special Education Call Center during this call.
- The Office of the Public Advocate placed an additional, separate call to evaluate 311 operators' knowledge of the Special Education Call Center. A surveyor posing as a parent asked to be transferred to the Special Education Call Center. The operator did not know about the call center and instead referred the caller to the school's parent coordinator.

311 Routinely Refers Parents to their Schools' Parent Coordinators Who Have Been Found Largely Unresponsive to Parents in Four Previous Public Advocate Reports

- 22 of the 100 phone calls to 311 resulted in referrals to the schools' parent coordinator.
- In a March 2007 report, the Public Advocate's Office found that 50 percent of parent coordinators surveyed were unresponsive to the inquiries of parent of children with special needs.²²

RECOMMENDATIONS

Public Advocate Betsy Gotbaum makes the following recommendations to ensure that parents get the help they need navigating New York City's complex special education system:

311 Should Consistently Refer Parents of Children with Special Needs to the Correct Office or Person When They Call for Assistance

- DoITT and the DOE should implement a quality assurance program to evaluate 311 operators' responses to special education questions.
- 311 operators should receive training in handling special education questions and regular updates on changes to the special education system from the DOE.
- Trainings should emphasize how to respond to questions about related services such as occupational therapy, speech therapy, and physical therapy.

The DOE Should Make the Special Education Call Center More Accessible to Parents of Children with Special Needs.

²¹ "Related services" include transportation and any corrective or supportive services that are necessary to allow the student to benefit from special education. Examples of related services include busing, counseling, speech therapy, occupational therapy, physical therapy, paraprofessional care, and nursing. 20USC § 1401(22).

²² Gotbaum, B., Public Advocate for the City of New York, *Waiting for Help: Parents of Students with Disabilities Find Little Assistance Navigating New York City's Special Education System*, March 2007, Available online at www.pubadvocate.nyc.gov.

Parents should not have to rely on 311 to access the Special Education Call Center. In order to ensure that parents know about this new resource and are able to access it directly, the DOE should:

- Publish the direct telephone number of the Special Education Call Center and make it available on its website and in special education materials and guides;
- Distribute the Call Center telephone number at parent events and meetings including parent-teacher conferences, special education evaluations, IEP meetings, mediations, and impartial hearings;
- Publish and advertise an email address for the Special Education Call Center, so parents can email their questions and concerns.

311 Should Ask Parents of Children with Special Needs if They Want to Be Transferred to the Special Education Call Center

311 operators should inform all parents who call in with special education questions about the DOE's Special Education Call Center and ask them if they would like to be transferred. 311 operators should not have to make case-by-case judgments about whether or not to provide callers with access to the Call Center.

311 Operators Should Give the Special Education Call Center Telephone Number to Parents They Transfer to the Call Center

311 must give the telephone number to parents so that parents have the ability to follow up on their inquiries in the most direct manner.

DOE Should Ensure that When Operators Refer Parents to Their Schools' Parent Coordinators, Parents Receive a Timely and Helpful Response

In four separate surveys, the Office of the Public Advocate has found parent coordinators to be largely unresponsive to the questions and needs of parents, including parents of children with special needs. The DOE should establish quality assurance by calling back parents at a later time to ensure their needs were met.