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"A Blurred Line": The Role of District-Level Special Education Leaders in Interpreting Special Education Policy and Inclusion

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Abstract

The U.S. law governing special education, the *Individuals with Disabilities Act (IDEA)*, requires that students with disabilities be provided a free and appropriate public education (FAPE) in the least restrictive environment (LRE). However, given the interpretive latitude within the law and the wide discrepancy in how this law is applied, individuals making this determination within schools and district play a critical role in fostering inclusive educational systems for students with disabilities. This qualitative case study explores the role of local district-level special education leaders (DSELs) in interpreting LRE policy when attempting to create more inclusive environments. Findings reveal how LRE is implemented on the local level and highlight the unexplored role of DSELs. Implications for future research, policy, and practice are also discussed.

Résumé

La loi américaine régissant l'éducation spécialisée, l'*Individuals with Disabilities Education Act (IDEA)*, exige que les élèves handicapés bénéficient d'une éducation publique gratuite et appropriée dans un environnement le moins contraignant possible. Toutefois, compte tenu de la latitude d'interprétation de cette loi et de la grande disparité dans la manière dont elle est appliquée, les preneurs de décision au sein des écoles et des districts jouent un rôle essentiel dans la promotion de systèmes éducatifs inclusifs pour les élèves handicapés. Cette étude de cas qualitative explore

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le rôle des responsables de l'éducation spécialisée au niveau des districts locaux dans l'interprétation de la politique de l'environnement peu contraignant lorsqu'ils tentent de créer des espaces plus inclusifs. Les résultats de cette étude révèlent comment le principe de l'environnement le moins contraignant possible est mis en œuvre au niveau local et mettent en évidence le rôle inexploré des responsables de l'éducation spécialisée. Les implications pour la recherche, la politique et la pratique sont également discutées.

Keywords / Mot clés : special education policy, inclusion, district special education leaders / politique sur l'éducation spécialisée, inclusivité, responsables de district en éducation spécialisée

Introduction

In 2023, approximately 15 percent of students in the United States received special education and related services in public-schools under the *Individuals with Disabilities Education Act (IDEA)* (National Center for Education Statistics, 2023). Once a student is identified with a disability, local Individual Education Program (IEP) teams are tasked with placing the student in the least restrictive environment (LRE) that best meets their individual needs. These environments exist along a continuum of placement that, to varying degrees, separates students with disabilities from the general education setting and their typically developing peers. Though IDEA does not explicitly mention the term "inclusion," the law requires that students with disabilities are educated alongside their peers "to the maximum extent appropriate" (34 CFR §300.114) and that IEP team members consider the general education classroom first when determining placement, thereby establishing a partiality for inclusive settings (DeMatthews & Mawhinney, 2013).

However, given the interpretive latitude within the law and the wide discrepancy in how it is applied to specific cases, LRE is often interpreted differently among U.S. states (White, Cosier, & Taub, 2018; Williamson, Hoppey, McLeskey, Bergman, & Townsend, 2020). More broadly, researchers have noted how local policy actors will adjust, interpret, and translate policies as they are applied within their local contexts (Ball, Maguire, Braun, & Hoskins, 2011; Cuban, 1998), with Lipsky (1980) referring to these policy actors as "street level bureaucrats." Related research has examined school principals acting in this policy role when interpreting and implementing LRE in their local contexts (O'Laughlin & Lindle, 2015), while other research has highlighted principals' lack of detailed understanding of special education policy and practice (Billingsley, DeMatthews, Connally, & McLeskey, 2018) and their tendency to abdicate their supervision of special education to others (McMillan & Hoppey, 2021). Despite their nominal district-level role as leaders of special education, minimal research has explored how district-level special education leaders (DSELs) interpret and implement LRE in their districts. District-level special education leaders function as administrative team members that lead local education agencies in the area of special education and are often given titles including Director of Special Education, Director of Pupil Personnel Services, or Director of Special Services.

The purpose of this qualitative case study is to explore the role of DSELs in interpreting LRE when creating inclusive environments for students with disabilities. This study seeks to answer the following research questions:

1. How do DSELs interpret and implement LRE to create inclusive environments for students with disabilities?
2. How do DSELs perceive the local and state-level policy environment as they relate to LRE and inclusive practices?

Inclusion and inclusive leadership

Historically, students with disabilities have been excluded from educational environments in the United States (Crockett, 2014). The disability rights movement that arose during the Civil Rights era culminated in legislation aimed toward greater acceptance and accommodation of disability in the public sphere. Within schools, this resulted in the *Education for All Handicapped Children Act of 1975 (EAHCA)*, later reauthorized as the *Individuals with Disabilities Education Act (IDEA)*. This law guaranteed a "free and appropriate public education" (FAPE) for students with disabilities in the "least restrictive environment" and codified procedural protections for families (U.S. Department of Education [DOE], 2024). Over the past 30 years, the ratio of students with disabilities educated for most of the day in the general education setting has continued to increase (Williamson et al., 2020), reaching 67 percent in 2023 (U.S. DOE, 2023). Internationally, the Salamanca Statement (UNESCO, 1994), backed by 92 countries, supported the educational rights of children, especially those with disabilities, and encouraged the creation of inclusive school systems to support their varied needs. Research on inclusion in various international contexts has continued to grow over the recent decades (Amor, Hagiwara, Shogren, Thompson, Verdugo et al., 2019).

However, students with disabilities' access to the general education classroom remains affected by longstanding racial and economic inequity (Skiba, Artiles, Kozleski, Losen, & Harry et al., 2016). Additionally, though the federal government plays an important role in helping to fund and support the legal rights of students with disabilities, in the United States it is state education agencies and local education agencies that are directly responsible for the education of students, resulting in broad variability in the systems and approaches for educating students with disabilities (White et al., 2018; Williamson et al., 2020). New Jersey, the location of the local education agencies in this study and one of the smallest states in the United States, consists of nearly 600 school districts (New Jersey Department of Education, 2024), all governed by local school boards and subject to the same complex histories of racial and economic inequity referenced earlier (Flaxman, Kuscera, Orfield, Ayscue, & Siegel-Hawley, 2013). They are also led by hundreds of district-level educational leaders with potentially differing views of the purposes and goals of special education as well as varied conceptions of the model of programs and services that would best serve students with disabilities.

Adding to this variability is ambiguity and disagreement regarding the definition and aims of "inclusion" among scholars and practitioners (Kauffman, Burke, & Anastasiou, 2023). For example, some researchers have examined the effectiveness of inclusive education as it relates to academic and social outcomes and the effect of

increasing access to the general education curriculum and high-quality instruction (Gee, Gonzalez, & Cooper, 2020; Ruppar, Fisher, Olson, & Orlando, 2018). Others view inclusion as a social justice issue and maintain that full access to the general education classroom is a fundamental right for students with disabilities (Domingo-Martos, Domingo-Segovia, & Pérez-García, 2024; Sapon-Shevin, 2003). The *Individuals with Disabilities Education Act*, the U.S. law that helps to regulate the provision of special education services, focuses attention on location as a notable factor in educating students with disabilities, though it should be noted that for some scholars, and in some cases other countries, other factors are also fundamental to their understanding of inclusive school systems.

Though IDEA does not explicitly mention the term "inclusion," the law establishes a partiality for inclusive settings for students with disabilities given its preference toward consideration of the general education setting during placement. However, as White et al. (2018) suggest, it does not "create a formal right to access to general education placements" (p. 1) but instead allows for a continuum of placement options from less to more restrictive—including in-class assistance in the general education setting, part-time small-group instruction in resource rooms, self-contained classrooms consisting solely of students with disabilities, private out-of-district specialized schools, and at-home instruction—resulting in broad interpretive latitude and discrepancy in how the law is applied. This discrepancy can be observed in the data IDEA requires states to report on various indicators of placement rates. For instance, IDEA requires states to collect data on, among other measures, the percentage of students with disabilities who are educated in the general education setting for 80 percent or more of the school day (U.S. DOE, 2023). This indicator can vary greatly among states, from a high of 84 percent (Alabama) to a low of 44 percent (New Jersey) (U.S. DOE, 2023).

In addition, empirical research has examined how the process of LRE interpretation and implementation vary from state to state (White et al., 2018; Williamson et al., 2020) and even from district to district (Brock & Schaefer, 2015). Scholars have observed broad differences in placement patterns for students of various disability types (Kurth, 2015) and the disparate effects on academic progress that placement can have on students with disabilities (Cole, Murphy, Frisby, Grossi, & Bolte, 2021; Gee et al., 2020). For instance, Anthoula, Simoni, and Meijer Cor (2020) have observed the positive social and academic outcomes of inclusion for students with disabilities. Similarly, Cole, Murphy, Frisby, and Robinson (2023) found greater academic progress in reading and math for students in more inclusive settings. As with other federal and state policies, educators and leaders "on the ground" play a key role in implementing and interpreting LRE.

Given their position as building-level leaders and their responsibility to ensure the education of all students, scholarship on inclusive leadership has focused almost exclusively on principals (Billingsley et al., 2018; Coviello & DeMatthews, 2021a; DeMatthews, 2015; DeMatthews et al., 2020; O'Laughlin & Lindle, 2015). Principals can help create conditions for greater inclusion to occur, such as establishing a vision for inclusive education, scheduling planning time for co-teaching, and empowering teachers to make decisions (DeMatthews et al., 2020). In his study of inclusive schools,

Salisbury (2006) goes so far as to state that "Schools that function inclusively do so for a reason… [and] the principals in these schools were the reason" (p. 79). Despite their significant leadership role in creating inclusive environments, principals often lack experience with the complex legal and procedural demands existing within special education and are often unprepared to engage in leadership actions to enact their interpretation of LRE for others in their roles as "street level bureaucrats" (O'Laughlin & Lindle, 2015).

Although their formal roles and specific responsibilities can vary, DSELs—as indicated by their nominal title—are responsible for providing a high-quality education that meets the needs of the students with disabilities and, in comparison with principals, regularly come into regular contact with the compliance and legal framework of special education (Bakken, O'Brian, & Sheldon, 2006). Despite this district-level responsibility, as Pazey and Yates (2018) note, "the special education administrator may be limited by organizational position, title, or placement to provide leadership for the school" (p. 34), resulting in barriers specific to fostering change.

District-level special education leaders' organizational positioning

District-level special education leaders in New Jersey have significant authority in overseeing the interpretation and implementation of LRE policy on the district level, due mostly to their organizational positioning. The state of New Jersey, through a set of laws and policies in the *New Jersey Administrative Code (NJAC)*, mandates the use of a unique organizational structure called a child study team (CST), which is directly responsible for placement decisions. Members of the CST typically consist of a school psychologist, a social worker, and—also unique to the state—a learning disabilities teacher consultant (NJAC 6A:14-3.1). The CST is responsible for evaluating students who may have a disability, interpreting the results of the evaluation, and ensuring that the student and their teachers are supported in creating an effective learning environment. Child study team members are also often part of a team of educators and parents or guardians who are tasked with creating an IEP and, significantly for this study, in interpreting and implementing LRE when deciding on placement for a student with a disability.

Additionally, within the state there is a lack of involvement of a local school site leader such as a school principal or assistant principal serving as a member of the IEP team. According to NJAC, one of the mandated members of the IEP team is required to be:

> A representative of the responsible district board of education who: 1) Is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of students with disabilities; 2) Is knowledgeable about the general education curriculum; 3) Is knowledgeable about the availability of resources of the district board of education; and 4) Shall be the child study team member or other appropriate district board of education personnel, including the special education administrator or principal. (NJAC 6A:14-2.3)

Though in many other states a principal or assistant principal serves in this role, in New Jersey this district representative is commonly a member of the CST, not a

school site administrator. This means that the CST, as well as those responsible for supervising and leading CST members, play a uniquely powerful role in individual placement decisions.

Theoretical framework

This study is situated within a theoretical understanding of DSELs as "policy translators." This view of policy adoption and implementation is a "move away from thinking of knowledge transfer as a form of technology transfer or dissemination, rejecting if only by implication its mechanistic assumptions and its model of linear messaging from A to B" (Freeman, 2009, p. 429). Rather than passive recipients of policies passed down to them, policy translation is rooted in the agency of local policy actors to adapt and alter policies to fit their contexts (Ball et al., 2011; Cuban, 1998). According to Ball et al. (2011), policy translators "recruit others to the possibilities of policy, they speak policy to practice, and join up between specialist roles and responsibilities, to make enactment into a collective process" (p. 631). This work is done in various ways and in multiple settings, including meetings and regular conversations among members of an organization (Ball et al., 2011), with the goal to create shared meaning of a policy within the organization's context (Freeman, 2009). Much of this research, as well as this study's view of the role of DSELs, is rooted in Lipsky's (1980) earlier conception of "street-level bureaucrats," who are the public faces of policy and have agency in how policy is applied in practice. In this manner, DSELs are an integral element of the system that applies federal and state policies on LRE to individual student cases on the local level, and exercise discretion in how these decisions are made.

Research on policy translator roles in education have focused on teachers (Perryman, Ball, Braun, & Maguire, 2017) and school leaders (Skerritt, McNamara, Quinn, O'hara, & Brown, 2023), with similar research examining how those leaders frame policies and influence the process of meaning- and sense-making for others in their organizations (Coviello & DeMatthews, 2021b; Park, Daly, & Guerra, 2013; Woulfin, Donaldson, & Gonzales, 2016). District-level special education leaders play an important yet understudied role in interpreting LRE when leading inclusive reform in their districts. Using the lens of policy translators, this study provides an in-depth exploration of how DSELs understand their role within the educational systems specific to the creation of inclusion opportunities for students with disabilities.

Methodology

Given our intention to explore in-depth the perceptions and understanding of DSELs within their local contexts, the authors decided to utilize qualitative case study method for this study. Merriam and Tisdell (2015) define qualitative case study as "an in-depth description and analysis of a bounded system" (p. 37), and as such, this method is particularly useful for exploring a phenomenon in depth, such as policy translation, within its state and local context. In particular, this study can be classified as an instrumental case study, since it sought to utilize a case to better understand a phenomenon (Stake, 1995). The purpose of this study is to understand how DSELs interpret and translate LRE policy on the local level, therefore this meth-

odology is well-suited for such a task. This case is bounded by location, which is the state of New Jersey, a choice that will be explored in further detail below.

Data were derived from a secondary analysis of data from a larger study on the leadership role of DSELs in fostering inclusion. After attaining IRB approval, 16 DSELs agreed to interviews lasting approximately one hour, with one interview lasting approximately 30 minutes due to a scheduling conflict. Each utilized a semi-structured interview protocol, with supplementary data collected on district demographics, district special education reports, and local special education policy instructions. These documents were used in part to help inform the creation of the interview protocol and triangulate statements made during the interview process. For instance, assertions made regarding the full extent of inclusive integration of students with disabilities were checked against local special education reports and written policy instructions regarding the type of programs on offer in the district. Discrepancies or ambiguity among interview responses and documents were also included as part of the member checking process described in the data analysis section below. Interview questions focused on participant background, their personal views on inclusion for students with disabilities, the leadership role of DSELs in their districts, and the local and state policy context. Each interview was conducted via teleconferencing software, recorded with the consent of the participants, and transcribed verbatim.

Setting and participant selection

Each participant in this qualitative case study had experience as a DSEL in the U.S. state of New Jersey, which provided a noteworthy policy context for this study. New Jersey has one of the most lauded school systems in the United States (Lloyd & Harwin, 2021), yet ranks last in the nation in the percentage of students with a disability educated at least 80 percent of the school day in its general education classrooms (45.2%), far below the national average of 66.2 percent (U.S. Department of Education, 2023), making it a useful context for this exploration of LRE interpretation and inclusion. As discussed below, study participants lead districts that are exceptional in their initiative toward greater inclusion for students with disabilities while operating within an overall exclusionary state-level system of special education. It is therefore valuable to explore how these DSELs translate and implement LRE policy in a way that differs from the policy actions of most other districts in their state and learn lessons regarding what actions they took to deviate from what is the common understanding of policy and practice for special education.

Participants were selected purposively (Merriam & Tisdell, 2015) among New Jersey districts that were: 1) above the state average of the percentage of students with disabilities educated at least 80 percent of the school day in general education classrooms, or 2) recommended by a state-level nonprofit group that advocates for greater inclusion as well as university faculty members who partner and are familiar with districts that are working to improve their inclusive practice. In total, 16 DSELs from 14 districts agreed to participate in the study. Districts of varying sizes and demographics (see Tables 1 and 2) as well as participants of differing experience levels and backgrounds were purposefully included as participants in order to ensure that factors relating to experience level, or lack thereof, did not influence the findings.

Participants ranged in experience from one to over 20 years in the role of a DSEL. Ten participants had experience as a special education teacher before becoming a DSEL and eight had been general education teachers or had a general education leadership role. Ten participants had previous experience as a member of a CST. Note that these totals are larger than number of study participants due to participants with multiple overlapping background experiences. Given concerns about maintaining confidentiality and masking related to the limited number and high-profile leadership positions of DSELs, only aggregate ranges of district background characteristics are provided.

Table 1: District context: Aggregate size

Number of students	<1000	1000-3000	3000-10,000	10,000>
Number of participating districts	2	7	2	3

Table 2: District context: Aggregate demographics

Percentage of Asian/Black/Latinx/Pacific Islander/Native American students	<25%	25-50%	50-75%	75%>
Number of participating districts	3	4	4	3

Data analysis

Qualitative data analysis software, Dedoose, was utilized to assist in organizing and analyzing the data. Analysis began as soon as data were collected and was an ongoing and iterative process. The authors began by reading each transcript in several rounds and writing analytic memos to track emergent themes (Creswell & Poth, 2018). Inductive and deductive codes were derived from the policy translation theoretical framework and from emergent themes. Descriptive coding was used for the first round of coding (Saldaña, 2021). Examples of these low-inference codes included "IEP meeting," "personal LRE interpretation," and "system of placements." For our second round of coding, a pattern coding procedure was used to condense our initial codes into meaningful concepts (Saldaña, 2021) by grouping initial descriptive codes with those with similar meaning. These concepts became the basis for the themes that helped to answer the research questions.

Several strategies were used to ensure findings were trustworthy. Data was triangulated through the use of supplementary data collected on district demographics, district special education reports, and local special education policy instructions. Participants also engaged in a process of member-checking (Creswell & Poth, 2018) whereby they were given an opportunity to provide feedback on initial findings to verify the accuracy and credibility of the data and interpretations. The authors also engaged in peer debriefing (Creswell & Poth, 2018) by seeking out feedback from an expert in special education leadership with 30 years of experience in both teaching and leading in multiple districts throughout the state. The intent of this study was to provide "rich, thick" descriptions of the findings, which "allows readers to make decisions regarding transferability" (Creswell & Poth, 2018, p. 262). Throughout the study,

the authors aimed to remain reflexive (Creswell & Poth, 2018) by reflecting and writing analytic memos on how backgrounds and biases might affect the analysis.

This study was limited by the physical boundary of the case, being within one state, therefore generalizing findings to all states would be inappropriate. Additionally, the individual experiences of participants were reported by them directly and could have potential bias specific to their perceptions and interpretations related to policy, inclusion, and restrictions in their contexts. Finally, given their unique and understudied role in creating inclusive environments, this study privileged the perceptions of DSELs and their views of LRE and inclusion over other leaders and stakeholders in a district.

Findings

The findings examine the role of DSELs in interpreting and implementing LRE and their perceptions of the local and state-level policy environment. First, this article examines how DSELs' interpretation of LRE is related to their understanding of inclusion and how DSELs work within their organizational positioning. Next, it describes how DSELs leverage this positioning to shape LRE interpretation and the local model of placements. Finally, we consider DSELs' perceptions of the effectiveness of current state and local-level monitoring and accountability systems.

District-level special education leaders' discretionary role in interpreting least restrictive environment and inclusion

The DSELs in this study played a central role in shaping the system and model of placements by interpreting and implementing LRE on the district level. Despite state policy detailing various aspects of special education as well as litigation shaping the field, there is great disparity among districts in how LRE is interpreted and, consequently, how students with disabilities are included. As one DSEL explained:

> The funny thing about leadership is you can mold people to go in the direction that suits your philosophy and your understanding of the law. So while I might be molding my [child study] team to make decisions that are inclusive and that really consider the least restrictive environment, there might be other directors that have a team that they've molded to, you know, 'resource room is best.' So that's where you can have 600 different kinds of decisions in 600 different school districts because it's all molded by the leader.

Similarly, another participant discussed the likelihood of a student who moved from a nearby district to obtain a different placement based on the receiving district's understanding of LRE and inclusion, saying "we have a child moving in who was in a less inclusive program, how do we make that work and make it more inclusive here? Because they've moved to a district that's inclusive." The model and structure of placements could therefore be strongly influenced by the leadership of DSELs in interpreting and implementing LRE.

This variety in LRE interpretation was related to DSELs' understanding of the goal of inclusion. For instance, several DSELs indicated they made it their aim to make their district more inclusive by eliminating pull-out resource rooms, a service

delivery model where students are removed from their general education classroom for part of the school day and given tailored instruction in a separate setting. These DSELs decided that, in their understanding of LRE and inclusion, there was an educational and social benefit to infuse these services in the general education classroom. However, this understanding did not extend to seeing the goal of inclusion to educate all students with disabilities, including those with more complex needs, in the general education classroom.

One DSEL captured this notion, stating "It would never be appropriate for us to be 100% [of students with disabilities in the general education classroom], in my eyes. … So, you know, I don't think I would ever want to go to a one-size-fits-all model." Other DSELs in this study, including one that referred to herself as "a radical inclusionist," did indeed see this as the eventual aim of inclusive education and worked to create a model of placement and service delivery that met this goal. Another said, "I always say I'm the extreme, that I think every kid should be in the [general education] classroom. It doesn't matter who they are, what they look like, how they learn, and that we have to adapt our classrooms for them." This further exemplifies the wide variety of interpretations of LRE on the district level, given its dependence on what a DSEL perceives is an appropriate level of inclusion for students with disabilities.

Leveraging organizational positioning: State policy and local practice

Despite the option provided in state policy, there is a lack of involvement of a district or local school site leader serving as a member of the IEP team, which is a significant contextual element for this study. Study participants confirmed that it is not common practice for DSELs or principals to be a member of the IEP team and they do not typically attend IEP meetings unless invited by the CST or a parent or guardian. This finding was also confirmed by a state-level legal aid group that regularly works in the realm of special education law. This means that the IEP meeting, in which local implementation of LRE takes place and placement decisions are made, potentially excludes administrators like DSELs.

However, despite their lack of attendance in this meeting, study participants indicated they worked to remain heavily involved in how LRE is implemented during the placement process and used their positional authority to make sure that their interpretation of LRE and inclusion is enacted within their district. Most, though not all, DSELs noted that they directly supervise and evaluate CST members, a finding that was supported by a review of publicly available district organizational charts. Many viewed this organizational design as key to their influence of how LRE is interpreted and enacted in the district. For instance, when asked how this design influenced their leadership capacity, one DSEL remarked, "And I'm glad you raised that, because when I was in [a previous district] I did not directly supervise child study team members. … And I think when I shifted over to directly supervising child study team members my influence, I think, was greater."

Though they were not formal members of IEP teams, most DSELs also perceived themselves as ultimately responsible for all aspects of special education in the district. For instance, when asked if this obligation was explicit in district policy, one DSEL

remarked plainly, "It's in my job description." Others, especially those in smaller districts, had a similar perspective: "we are the sole responsibility there for special ed[ucation], whether you're the director or supervisor in a small district." Among their specific responsibilities, study participants indicated that they, not principals or CST members, attend mediation and due process hearings in which parents and guardians legally challenge placement or other decisions relating to students with disabilities. Some also cited their district administrative role in approving funding for programs and necessary supplemental resources, with one participant citing: "I'm the only one technically in our department that could give the yes or no to [fiscal resources], as I approve all the POs [purchase orders] that come through the budget that I oversee." In this way, the IEP team did not have *carte blanche* when making decisions on what services or programs they could offer and the DSEL remained an integral part of this process.

Influencing the child study team to shape the model of placements

Given their organizational context, DSELs who wished to create more inclusive districts commonly directed much of their efforts at influencing the CST. As indicated above, most DSELs controlled their own budgets and were able to direct these resources toward the goals they had set for special education in the district. Many DSELs described the creation and delivery of training and professional development on what LRE and the law means and how to apply it. One discussed "trying to influence our child study team of what options exist within the current framework within our district without any adjustments of monies," which she accomplished through the creation of a system of placement protocols and criteria.

Most also shared how, through regular standing meetings with CST members, they engaged in ongoing conversations about inclusive practice as allowed within the strictures of the law. For instance, some DSELs described meetings that would include discussion of particular cases, where DSELs would encourage CST members to consider more inclusive settings by collectively identifying challenges to inclusion and locating support or allocating resources that would allow a student to be successfully included. One participant described this process: "I always started with the barriers. What are the barriers? Why can't this kid go [into a less restrictive setting]? You tell me why. Because then we can work on it."

District-level special education leaders working around the bounds of policy

When working with a CST, DSELs also leveraged their knowledge of the bounds of policy and the law. The *Individuals with Disabilities Education Act* and the *NJAC* both stipulate that it is the members of the IEP team—of which the DSEL is not a regular member—who decide on a student's placement, and that the IEP meeting is where that placement is formally decided and, importantly, becomes legally binding. Given the law, DSELs could not, for instance, unilaterally decide on an individual student's placement before or after an IEP meeting. The DSELs in this study were acutely aware that this potentially limited their ability to directly sway a placement decision and attempted to find informal ways to work around these policies to shape the model of placements. For instance, some indicated they would attempt to exercise

influence on CST members who did not share their interpretation of LRE. This could be accomplished through the DSEL sanctioning a CST member through their regular evaluation process if they pursued what the DSEL perceived as a segregated or exclusionary placement. One DSEL noted:

> If that collaborative decision-making isn't happening and they're going rogue [in placing a student in a restrictive setting], they're gone. They're terminated. You know, if it is an issue with someone who's tenured, it's going to show up on their summative [evaluation]. And I'm not going to say, "because you didn't let me tell you what to write on an IEP." But I'm going to put something in that summative [evaluation] about the collaborative conversations that need to occur about programming, all the people that are involved in that decision-making. I'll mention the law. And so now I'm holding them accountable for not [being inclusive].

This leader was highly aware of restrictions within policy and the law and worked to push the limits of these bounds to ensure that her interpretation of LRE was implemented.

In addition, many participants described regular meetings they held to discuss staffing, track programming needs, and work on projections for student placements for the following year, ostensibly for planning purposes. District-level special education leaders would often use these meetings to spur conversation around where the CST intended to place a student, ask questions about how the CST makes decisions, and push back on potential student placements they feel are unnecessarily restrictive. When asked to clarify if this process—which seemingly involves the DSEL influencing placement decisions—runs afoul of the law, one DSEL said, "I don't predetermine program [before an IEP meeting]," which would violate IDEA. However, when asked if this means she was unable to eliminate what she felt was a restrictive placement or program, she continued, "What we do is, we have projections. … So there is like, kind of a blurred line there." Another described her view of these planning meetings and discussions of potential student placement: "That's staffing. That's a projection. That's supervision. So to me that's not influencing an individual IEP meeting." Through these interactions, DSELs were also establishing a broad vision for what LRE means within the context of policy and practice in their district.

In addition to restrictions on interfering with IEP team placement decisions, districts are legally required to have available a continuum of placements (NJAC 6A:14-4.3) in order to meet the varied needs of students with disabilities. The options for placement include—from less to more restrictive—in-class support services, pull-out resource rooms, self-contained classrooms, and out-of-district placements. However, as mentioned above, some DSELs in this study described how they eliminated pull-out resource rooms as a placement option and decided to offer these services and supports within the general education classroom. When asked if this ran afoul of the law, given that this limits the placement options that CSTs can offer and removes one of the continuum of placements existing in the code, these DSELs said it did not. They interpreted the code as requiring these options to be "available" if a student needed them and described special education as a set of services as opposed to a physical location in the school.

For instance, one DSEL said "There's nothing that you're doing in these little segregated rooms, for resource room, that you can't replicate in the [general education] setting." He continued, "If you're not offering resource room as a placement, it doesn't mean you're not offering the service or supports that they would get in that type of setting. Because again, special [education] isn't a place, it's a service." In his view, no student needed this placement option since he felt the district could effectively offer those services and supports in the general education classroom. For this same reason, he also did not feel he was unduly influencing IEP team decision-making process in restricting a potential placement, this despite a specific reference to resource rooms in NJAC. These instances, in particular, shine a light on the powerful influence that DSELs can exert on inclusive placement models and the weight of their interpretation and implementation of policy on the local level.

Ineffective monitoring and accountability systems

One significant theme derived from our analysis is the perception that current state-level monitoring and accountability systems are ineffective as they relate to inclusive change. In the state of New Jersey, to fulfill reporting requirements in Section 616(b)(2)(C)(ii)(1) of IDEA, the state requires districts to collect various performance and compliance data relating to special education and submit it to the state. The state, in turn, creates a yearly report that is publicly available and published on the website of the state department of education. Specific to inclusion, the state creates a state-level performance goal (Indicator 5: School-age LRE—Performance) for three main categories of LRE inclusion rates, including students with disabilities instructed 80 percent or more of the school day in the general education classroom (Indicator 5A). The most recent state goal (2021–2022) for this indicator was 45 percent, with the report indicating whether individual districts met this goal.

Though the results of this report were public, when asked what action they perceived the state would take if they were not meeting this goal, DSELs had a variety of responses. One cited the overall lack of awareness of these indicators: "I don't know that people are really focused on their LRE rates and whether or not they hit targets. I don't know why people are not talking about it because there's a whole lot of districts that are not meeting the target." Many were unclear exactly what might happen. Some simply responded, "nothing," or "I don't know if anything happens." One DSEL with over a decade of experience in that role stated: "in the time that I've been doing this, I've never really heard of that, I can't really speak to that." Others alluded to the state mandating the creation of an "action plan," though when asked what would happen if the action plan was not successfully implemented, they also were unsure of the response. Some referred to sanctions relating to issues unrelated to inclusion, such as racial or gender disproportionality in classification rates. Overall, state policy responses to low inclusion rates were not a concern for DSELs and were not a significant driver in changing conceptions or implementation of LRE.

Inclusion and the local policy environment

When discussing their district-level policy environments, many DSELs detailed minimal local monitoring and accountability relating to inclusive practices. According

to NJAC 6A:14-1.1, the democratically elected school board, which is responsible for creating local policy, monitoring the fiscal resources of the district, and hiring and dismissing the superintendent, is ultimately responsible for ensuring the adequate education of students with disabilities. However, DSELs indicated that boards did not typically track inclusion data or set LRE goals. One DSEL remarked, "My district board of ed[ucation] has never looked at those state reports for special ed[ucation]. So it's just not on the top of everyone's minds. It's not a priority. It might be a priority to me, but the priority to the public and the board might be our AP [college preparation course] scores, our SAT [college admission test] scores, our state testing scores, our graduation rate, things like that." Another captured a similar sentiment, saying, "when I first started here in [masked] and I brought up the report, nobody knew what I was talking about … . So, you know, I present it to my [school] board and they just nod along." District-level special education leaders were therefore often left to implement and interpret LRE on the local level, with the school board often left without an understanding of inclusive practice.

State-level propensity for restrictive placements

Given their influential role in interpreting and implementing special education code, it is significant that, overall, DSELs articulated that the current state-level system of special education tended toward overly restrictive placements. Some observed how IDEA and NJAC, though espousing a preference for educating students with disabilities in the general education setting, allows for various restrictive placements and thereby encourages districts to create these kinds of programs. For instance, resource rooms are specifically codified in NJAC, up to and including allowable ratios of students, teachers, and aides (NJAC 6A:14-4.6). One participant remarked:

> I think the fact that the law allows for segregation in the first place is a barrier [to greater inclusion], right? IDEA says you can segregate and that becomes something that is an easy go-to for people. When you have a child with challenging behaviors or has more significant learning needs, the easiest thing is to say is "Send them over there, send them away into a separate location."

Several DSELs felt that the simple act of establishing a restrictive program would lead to children being channeled into this program, an idea captured by one who stated, "once you create it, they will come." Many DSELs noted that there is often little familiarity, training, or support in the code for universal design for learning, co-teaching models, or other inclusive instructional practices.

Others mentioned the difficulty of changing the common manner of placing students that had long been practiced, which typically involved creating sets of programs based on diagnosis or classification, with options for out-of-district placements, self-contained classes, and pull-out resource rooms. In describing this tendency, one DSEL said, "We have a lot of resources, and I don't know whether because we have that, that maybe it's kind of like [when] you go to the doctor and the doctor has a prescription pad. So if you go to the doctor, [it is] likely they're going to give you a prescription because that's what they do, you know?" Another also

cited the significant financial resources in the state and the effect they have on the common practice for placement:

> A lot of money in New Jersey, a lot of money. You can make lives easier for teachers by saying, "Oh, we're going to segregate those, put them in the other room, the lower and slower room. It's going to be great. We're going to support them, and we're going to get a diploma. They're going to get a good GPA." And that makes everybody happy, makes the parents happy. But it's not what's best for kids.

Similarly, many DSELs noted a tendency for districts to give parents or guardians what they want, which they felt was often more services and more exclusionary placements, such as a special school for their child with services and personnel who have experience working with students with disabilities. One DSEL captured this idea, remarking "I have two or three kids out who I don't think need to be out-of-district. They were sitting in inclusion settings, like full inclusion co-teaching settings, and now they're in an out-of-district placement because of litigation." Many noted the what they felt were a large number of private special education schools and out-of-district placements in the state, which, with their high cost, often put a fiscal strain on the district. "Parents, especially in New Jersey, seek out-of-district placements because there are so many in the area. … And the more affluent the district, the better off they are in terms of the parents understanding their rules and how to file due process and mediation. … Because they'll go in front of the Office of Administrative Law or go to a mediator and the mediator is like, 'Just put them out.'"

Discussion

This study examined how DSELs interpreted and implemented LRE and their perceptions of the local and state-level policy environment while engaging in that process. Findings indicated that DSELs play an integral role in shaping the content and meaning specific to how LRE and inclusion are defined and carried out within their respective districts. This aligns with conceptions of DSELs as translators (Ball et al., 2011) of LRE policy on the district level. Though DSELs did not regularly attend IEP meetings, wherein discussions and decisions about placement take place, they utilized other characteristics and elements of their position to remain highly involved in the process of implementing LRE policy. This included regular discussion and meetings with CST members—interactions that were intended to implement DSELs' understanding of LRE and inclusion in the district. District-level special education leaders also used their positional authority to shape the model of placements, exercise influence on CST members, and work within and around state policy in order to pursue their goals in relation to LRE. They also perceived that current monitoring and accountability systems, both on the state and local level, were ineffective and tended toward overly restrictive placements for students with disabilities.

The role of DSELs in interpreting and implementing LRE policy aligns with several elements of previous research on policy, inclusion, and inclusive leadership. First, researchers have studied the variation of LRE interpretation and implementation among districts within the same state (Brock & Schaefer, 2015). The results of this study support this finding, illustrating the differences in the applied meaning of

LRE among DSELs and how these differences can result in varied approaches to placement for students with disabilities. Studies on the characteristics of DSELs illustrated their familiarity with the compliance and complex legal requirements of special education (Bakken et al., 2006), a finding that was evident in this study whereby DSELs would take advantage of their knowledge to pursue their meaning and vision of LRE and inclusion.

Finally, DSELs play a vital role in translating LRE policy on the local district level and therefore work within an importance leadership space relating to inclusive practice. Though they do not lead or supervise individual schools, the DSELs in this study used their organizational positioning and knowledge of policy and the law to influence the model and common practice of placement for students with disabilities. This complicates research on the potential limitations and barriers of DSELs' organizational positioning when attempting to create change (Pazey & Yates, 2018). Though the body of research on inclusive leadership has focused on principals (DeMatthews et al., 2020), DSELs also play an important role in "recruit[ing] others to the possibilities of policy" (Ball et al., 2011, p. 631) in relation to inclusive policy and practice. They did so through conversation, discussion, and regular contact with organizational members (Ball et al., 2011) and aimed to create a shared meaning of LRE and inclusion throughout the district (Freeman, 2009).

Implications

The present findings may be of particular interest to practitioners, policymakers, and researchers. Current DSELs, as well as those who train them in leadership preparation programs, should consider their important role in translating and implementing LRE. Recent research has shown positive academic and social effects of inclusion for students with disabilities (Cole et al., 2021; Gee et al., 2020), so DSELs should be prepared to leverage the existing interpretive latitude within the law and work to positively alter the long-standing culture and common practice of the district, while also appreciating the complex histories that principals, teachers, parents, and guardians bring to schools when trying to meet the individual, and often complex, needs of students with disabilities. Practitioners should also be encouraged to consider special education as a set of services and push back on the attention given to particular settings and pre-existing programs. Most DSELs work within a system that is defined by and perhaps preoccupied with physical placements and programs along a defined continuum. The DSELs in this study regularly pushed their teams to consider what services and supports might be possible to deliver in the general education classroom and were less focused on defining, creating, and filling specialized programs.

Policymakers could support this change of mindset by reforming the law and code to more explicitly reframe special education as a suite of services and supports, rather than institutionalize a narrow focus on placement. The *New Jersey Administrative Code* currently specifies granular level policy details such as the ratio of special education teachers, paraeducators, and students in resource classrooms (NJAC 6A:14-4.6), yet includes little specific guidance on inclusive practices and approaches. By including guidance in federal and state policy on, for instance, integrated co-teaching models, policymakers would send a strong signal to those who

interpret and implement these policies "on the ground" in local districts. More broadly, policymakers on the international, federal, and state level should consider the important discretionary role that local educational leaders play in implementing educational policy, especially as it relates to the litigious and often fraught field of special education. Policymakers should therefore aim to understand the perspective of local educational leaders, seek out their input and feedback on potential reforms, and attempt to garner their support. Ignoring the role they play in exercising judgement and discretion when interpreting and implementing policy will likely hinder any effort to effect change, whether related to inclusion or other education reforms.

Policymakers should also consider how to collect and use data on inclusion to spur change and what to use as a measure of "inclusivity." Though the state and IDEA use the percentage of special education students who spend 80 percent or more in the general education classroom as a measure of LRE, policymakers should be cautious when using this indicator for accountability purposes. Despite the state setting a goal, and this study's findings indicating that districts by and large are not held accountable for this measure, sanctioning non-compliant districts could result in unintended effects such as a degradation of services and support for students with disabilities. For instance, adding pressure to increase LRE rates could result in districts simply placing students with disabilities in the general education classroom without including adequate training, support, and services, which would be a grievous disservice to ensuring their academic progress and contravene the aims of effective inclusive practice. In this sense then, policymakers should consider Goodhart's Law: "when a measure becomes a target, it ceases to be a good measure" (Chrystal, Mizen, & Mizen, 2003). Least restrictive environment rates should therefore be a starting point for discussions on the need for change rather than a cudgel that results in superficial compliance.

Given the limited research studying DSELs' role in inclusion, future research should explore how various actors within schools interpret LRE policy and shape a pathway toward inclusive settings that reduce barriers for students with disabilities. Particular focus could be placed on the relationship between principals and DSELs and other levels of leadership, such as special education lead-teachers. Given the emerging theme around a lack of clear common understanding of the means and ends of inclusion, future research should also examine how principals and superintendents view inclusion and examine effective training programs that would better position them to support DSELs and students with disabilities in their schools and districts.

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