

"NAVIGATING FEDERAL PAPERWORK: CHALLENGES FACED BY SPECIAL EDUCATORS"

Dr. Emily R. Anderson

Professor, Mississippi State University

Abstract: Special education is a crucial facet of educational programs, catering to the diverse needs of students with mental, physical, emotional, and behavioral disabilities. Recent statistics indicate that over 7.5 million students in the United States benefited from special education services in the academic year 2020-2021 (Riser-Kositsky, 2022). Despite the significance of these services, there has been a persistent decline in teacher retention rates within the special education sector, spanning several decades.

This paper delves into the critical question: Is the escalating turnover of special education teachers linked to the mounting workload resulting from successive legislative acts that impact the field of special education? To explore this issue, we analyze the historical context and implications of these legislative acts, seeking to identify their influence on the work environment and job satisfaction of special education professionals. By shedding light on this complex relationship, we aim to contribute valuable insights to the ongoing discourse on teacher retention and the provision of quality special education services.

Keywords: Special education, Teacher turnover, Legislative acts, Workload, Job satisfaction

Introduction

Special education encompasses the programs which serve students with mental, physical, emotional, and behavioral disabilities. More than 7.5 million students in the United States received special education services in 2020-2021 (Riser-Kositsky, 2022). Attrition rates for teachers in special education, however, have been in steady decline for what appears to be decades. In this paper, the question we are looking at is this – could the increase in turnover be related to the workload created by successive legislative acts affecting special education?

A Brief History of Special Education Legislation

The education of students with disabilities was first addressed federally in the 1950s and 60s. The Training of Professional Personnel Act of 1959 and the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 mandated improved training for educators in a variety of learning disabilities, and legislation like the Handicapped Children's Early Education Assistance Act of 1968 improved support for and access to early diagnosis and Head Start education opportunities for young children with disabilities. In 1975, Congress authorized the Education for All Handicapped Children Act, which required that all children with disabilities be guaranteed a free and appropriate public education (FAPE) in the student's least restrictive environment (LRE). These legal guidelines, reauthorized and rebranded in the 1990s as the Individuals with

Disabilities Act (IDEA), established clear legal obligations to provide students with disabilities a comprehensive education, utilizing Individual Education Plans (IEP), Individual Transition Plans (ITP), Individual Family Service Plans (IFSP) for students identified through early intervention, and improving access to vocational training and employment opportunities following the student's exit from formal education (U.S. Department of Education, 2022).

The focus on educating students with special needs intensified under the No Child Left Behind Act (NCLB) of 2001, followed by IDEA reauthorization in 2004, which included an accountability model that measured the achievement and progress of students by their ability to meet state-identified standards and demonstrate proficiency in core subject areas (U.S. Department of Education, 2022).. The standards for special education teachers were also raised, requiring the use of research-based intervention and “fully qualified” teachers to provide services in public and private educational settings. In 2015, the Every Student Succeeds Act (ESSA) replaced NCLB, but the provisions for educating and measuring achievement of students with learning disabilities largely did not change, with the responsibility for developing the standards of academic achievement being shifted to state education departments (Team, 2021).

Elaine Baxter & Sandy Devlin

37

It is important to note that the requirements for documentation of testing, IEPs, transition plans, and other services began with the first legislation in 1975, but focus on academic outcomes and accountability models increased significantly with the passage of NCLB. It was noted early that the focus on outcomes, combined with mandates for “highly qualified” teachers had the potential to exacerbate teacher shortages (Billingsley & McLeskey, 2004).

Defining Paperwork in Special Education

A precise definition of “paperwork” in Special Education is elusive. Carlson, Chen, Schroll and Klein, as part of a report for the U.S. Office of Special Education Programs, included all reports and forms required, at either the state or federal reporting level, to collect data on students referred for special education services; to create Individual Education Plans (IEP), transition plans, and Individual Family Service Plans; data collection to update and maintain IEPs, IFSPs, and transition plans; communication with parents of students with special education needs; forms collected from general education teachers and additional service providers required for the IEP and transition processes; evaluations for continuation of special education services; and in some cases, behavior logs and additional data collection for Functional Behavioral Assessments (FBA) and Behavior Intervention Plans (BIP) (Carlson, et al., 2002).

The definition of paperwork in this review does not include tasks related to instructional planning or grading of assignments.

Current Research

7.5 million students – about 14.5 percent of all students - in the U.S. received special education services of some kind in 2020-2021, representing a 1.5 percent increase over the last 10 years (Riser-Kositsky, 2022). Data indicates that in 2021, 66 percent of K-12 students in special education spent 80% or more of their day in a general education classroom, more than double the amount of time recorded in 1989. The U.S. Department of Education, through IDEA, authorizes funding for programs that “provide an adequate supply of qualified teachers” and “train

... early intervention staff, classroom teachers, therapists, counselors, psychologists, program administrators, and other professionals.” (U.S. Department of Education, 2022)

However, from 2006 to 2016, the number of special education teachers decreased by 17 percent (RiserKositsky, 2022). The National Educators Association (NEA), a professional organization for teachers, reported in 2017 that school districts nationwide reported difficulties filling openings in subjects such as math, science, and special education (Walker, n.d.). One study estimated that around 13.2 percent of special educators leave their jobs each year: 7 percent leave the field altogether, while 7.2 percent of the special education teachers transfer to general education positions (Plash & Piotrowski, 2005). In 2003, one study found that 98% of school districts in the U.S. reported shortages of fully qualified special education teachers. In 1999, the U.S. Department of Education estimated that out of 330,000 special education positions, 6,000 remained vacant, while 10% of those working in special education were not fully certified. The United States Bureau of Labor Statistics estimates that more than 37,000 Special Education teacher openings remain unfilled annually (U.S. Bureau of Labor Statistics, 2022), while teacher education programs in the United States are seeing a decline in enrollment (Will, 2022). One estimate indicates that traditional teacher preparation programs at colleges and universities produce around 22,000 special education teachers, which is roughly half the number required to fill the positions available (Thornton et al., 2007)

Previous reviews of the current body of research describe “appalling data related to ... the critical shortage of SPED teachers” (Theoharis & Fitzpatrick, 2013), and indeed, there is a great deal of research related to the retention of “qualified” teachers. Unsurprising, given that the annual attrition rate for special education teachers has been previously estimated to be between 8% - 10% (Whitaker, 2000), with data indicating special education teachers are leaving the field in much greater numbers than their general education peers (Plash & Piotrowski, 2005).

Teacher attrition rates are not solely affecting special education programs – a much larger body of research indicates that burnout among general education teachers is equally concerning – but there does not appear to be a consensus among researchers about what is leading to increased turnover rates in the teaching profession. For example, a study conducted in Finland discovered that burnout exists even in places where education is considered successful: Finland enjoys some of the highest graduation rates in the European Union, with roughly 93% of the population graduating from their equivalent of U.S. high school, and 66% of graduates going on to higher education (Magazine, 2011). A ranking of educational outcomes from 65 countries conducted by the Program for International Student Assessment listed Finland as sixth in math, second in science, and third in reading; comparatively, students from the US ranked 30th, 23rd, and 17th, respectively (Tung & Tung, 2012).

In this case, there was no statistically significant correlation between age, gender, experience level and burnout. Trends in burnout were uncovered, with upper-grade teachers reporting higher levels than their counterparts in lower grades. Burnout levels and exhaustion measures rose alongside the number of students in the classroom. However, higher burnout rates were observed among teachers with higher numbers of students with special education needs (SEN), and the expectation of additional work as a result of SEN inclusion was also associated with higher burnout (Saloviita & Pakarinen, 2021).

Outcomes

In the United States, administrators appear to recognize that the paperwork and documentation required for students with learning disabilities has become a deterrent to entering the special education field, along with requisite meetings with parents, administrators, specialists, and other teachers (Sack, 2021). The time needed for individual instruction and lesson planning to meet increased academic accountability is often taken up with documentation and federally mandated reporting, contributing to teachers' stress and burnout rates (Sack, 2021; Thornton et al., 2007). A study published by a department of the U.S. Department of Education – the Office of Special Education Programs (OSEP) - estimated that special education teachers spend an average of 5 hours per week completing the forms and paperwork required by IDEA (Paperwork in Special Education, n.d.). Quite a few studies that incorporate quantitative data show that the working conditions under which special education teachers operate – increasing caseload numbers, paperwork, lack of empowerment, and job stress – usually fall second only to employment issues (i.e. salary, economics) when special education teachers decide to leave the field (Thornton et al., 2007). Less common is qualitative data that outlines the concerns special educators voice around management of federally mandated paperwork: making and ensuring the implementation of accommodations for instruction and testing, developing IEPs and monitoring progress towards the meeting of IEP goals, collaborating with general education teachers, related services personnel, parents, and other educational professionals necessary to develop and maintain individualized academic achievement (Billingsley, 2004). These same educators are expected to understand and engage in educational planning and curriculum just like their general education peers; when workload management is cited in attrition studies, findings indicate that roughly half of special education teachers feel their workload is manageable (Morvant & Gersten, 1995). A survey conducted in 2004 found that 76.1 percent of beginning teachers said routine duties and required paperwork interfered “to a moderate or great extent” (Billingsley, 2004). OSEP reported that after controlling workplace conditions, the manageability of mandatory paperwork was a significant factor in special education teachers' decisions to leave the profession (Paperwork in Special Education, n.d.).

Conclusion

So, then, what is to be done?

Study after study recommends efforts to improve support to special education teachers, particularly in the early years of their careers. Billingsley, for one, has a large body of research focusing on special educator attrition that focuses on informal mentoring and improving school culture to include special educators, so they feel supported and satisfied in their work (Billingsley, 2004; Billingsley, 2004; Billingsley et al., 2004). Other studies focus on improving support within the school and district to prevent attrition (Andrews & Brown, 2015; Cancio et al., 2013), more complete funding for special education at both the state and federal levels (Damm, 2020), and incentives to pay for potential special education teachers to earn the licensure needed to be “fully qualified,” (Thornton et al., 2007).

Some states have streamlined the paperwork process through electronic or online data management programs – in 2011, out of 18 states that reported having a state-mandated IEP form, 10 said the use of computer-based information management (Paperwork in Special Education, n.d.). However, the computer-based programs,

designed specifically for the state/program or purchased through a vendor, were not reported as eliminating enough burden to improve time spent on paperwork. Indeed, one respondent said, “The electronic format does not reduce the time that must be spent on these activities. In fact, it has increased time ...” (Ahearn, 2011). This study also highlighted the discrepancies between assessment data reporting for general education and special education students and the amount of time spent tracking behavior, disciplinary, and student referrals in special education. It also points out that most reporting requirements could be streamlined by databases that interact with each other or by developing and using data collection methods that are more concise (Ahearn, 2011).

Other states have shifted some of the data collection and reporting burdens onto staff that work heavily with special education departments, such as school psychologists, or by naming one or two teachers to coordinate paperwork and reporting (Billingsley, 2004).

Adding personnel like paraprofessionals and teacher assistants to classrooms is often floated as another attempt to alleviate special education teacher burnout (Brunsting et al., 2013). There needs to be more data on how successful these steps have been in supporting special education teachers with the burden of paperwork.

Implication for Future Research

One factor that is missing in the research reviewed is how special educators or even students and parents feel about the for copious documentation in achieving academic success. There is a wealth of qualitative data highlighting the stress of paperwork requirements as part of the special educator’s workload, but almost nothing of note regarding the need for documentation to ensure the desired outcomes. If the people making these policies felt that such documentation was truly beneficial for a student’s academic success, it begs the question: why isn’t the same level of documentation necessary for general education students? It would be fallacious to assume that students who do not receive special education services do not require assistance at varying levels, but general education teachers do not seem to be held accountable at the same level as their special education peers – federal oversight of public education has largely been passed on to state-level education departments. Does this contribute to the feelings of isolation or poor school climate reported by many special education teachers?

Another question to be considered is the relationship between the lack of funding for special educators and the increased responsibilities imposed by federal legislation. When IDEA was enacted, there was a promise made by Congress to pay 40 percent of the national average per pupil in special education IDEA funding has never surpassed 20 percent (Damm, 2020). If there is increased accountability on special educators to document every step of a student’s progress, why is there no increased accountability to meet the funding promise? Indeed, an increase in funding could boost teacher and service provider numbers through the many programs funded by IDEA (U.S. Department of Education, 2022), which could help prevent the revolving door of teachers that appear to burn out in three to five years.

Lastly, the people overseeing the required reporting at all levels could investigate aligning and streamlining the data collection needed for ESSA and IDEA, potentially lessening the burden on special education teachers. Researchers and educators could benefit from identifying the components of required paperwork that demonstrate compliance with federal mandates; attention should also be paid to data collection that shows growth in academic achievement rather than data for data’s sake.

The fact remains that reducing or streamlining the mandated reporting burden could greatly aid in improving outcomes for special education programs and increase the number of teachers choosing to stay. Additional research would be necessary to determine which factors would also help improve enrollment in special education teacher preparation programs and improve the chances of Congress fully funding IDEA – as they promised to do almost 40 years ago.

References

- Ahearn, E. (2011, November). *November 2011 paperwork in special education: Survey findings - nasdse.org*. Retrieved November 27, 2022, from https://nasdse.org/docs/68_e539622d-17eb-46b2-8b75-1b39bfc89f8.pdf
- Andrews, A., & Brown, J. L. (2015). Discrepancies in the ideal perceptions and the current experiences of special education teachers. *Journal of Education and Training Studies*, 3(6), 126–131. Retrieved from <https://files.eric.ed.gov/fulltext/EJ1078287.pdf>
- Billingsley, B. (2004). Special education teacher retention and attrition: A critical analysis of the research literature. *The Journal of Special Education*, 38(1), 39–55. Retrieved from <https://files.eric.ed.gov/fulltext/EJ693730.pdf>
- Billingsley, B., Carlson, E., & Klein, S. (2004). The working conditions and induction support of early career special educators. *Exceptional children*, 70(3), 333-347.
- Billingsley, B. S., & McLeskey, J. (2004). Critical Issues in Special Education Teacher Supply and Demand: Overview. *The Journal of Special Education*, 38(1), 2–4. <https://doi.org/10.1177/00224669040380010101>
- Brunsting, N. C., Sreckovic, M. A., & Lane, K. L. (2013). Special education teacher burnout: A synthesis of research from 1979 to 2013. *Education and Treatment of Children*, 37(4), 681–711. Retrieved from <https://eric.ed.gov/?q=&id=EJ1070195>
- Cancio, E. J., Albrecht, S. F., & Johns, B. H. (2013). Defining Administrative Support and Its Relationship to the Attrition of Teachers of Students with Emotional and Behavioral Disorders. *Education and Treatment of Children*, 36(4), 71–94. <http://www.jstor.org/stable/42900227>
- Carlson, E., Chen, L., Schroll, K., & Klein, S. (2002). SPeNSE: Study of Personnel Needs in Special Education. Final Report of the Paperwork Substudy.
- Damm, R. (2020, December 21). *Special education legislation has never been fully funded. let's change that*. The Arizona Republic. Retrieved November 15, 2022, from

<https://www.azcentral.com/story/opinion/oped/2020/12/21/special-education-funding-needs-boost-45-years-after-idea/6549246002/>

Magazine, S. (2011, September 1). *Why are Finland's schools successful?* Smithsonian.com. Retrieved April 24, 2022, from <https://www.smithsonianmag.com/innovation/why-are-finlands-schools-successful-49859555/>

Morvant, M., & Gersten, R. (1995). *Attrition/Retention of Urban Special Education Teachers: Multi-Faceted Research and Strategic Action Planning. Final Performance Report, Volume 1.*[Chapter Three and Chapter Four].

Paperwork in Special Education, (n.d.). *SPeNSE factsheet*. (November 2002). Retrieved November 27, 2002, from <https://education.ufl.edu/spense/files/2013/05/Paperwork.pdf>

Plash, S. H., & Piotrowski, C. (2005). *Retention issues: A study of Alabama special education teachers* (Doctoral dissertation, University of West Florida).

Riser-Kositsky, M. (2022, August 11). *Special education: Definition, statistics, and Trends*. Education Week. Retrieved November 7, 2022, from <https://www.edweek.org/teaching-learning/special-education-definitionstatistics-and-trends/2019/12>

Sack, J. L. (2021, January 22). *Report charts rise in Spec. Ed. enrollment*. Education Week. Retrieved December 3, 2022, from <https://www.edweek.org/teaching-learning/report-charts-rise-in-spec-ed-enrollment/1999/03>

Saloviita, T., & Pakarinen, E. (2021). Teacher burnout explained: Teacher-, student-, and organization-level variables. *Teaching and Teacher Education*, 97, 1-14. doi:10.1016/j.tate.2020.103221

Team, U. (2021, April 15). *The Difference Between ESSA and No Child Left Behind*. Understood. Retrieved November 11, 2022, from <https://www.understood.org/en/articles/the-difference-between-the-every-studentsucceeds-act-and-no-child-left-behind>

Theoharis, R., & Fitzpatrick, M. (2013). Should I stay or should I go? Revisiting influencing factors of SPED teacher attrition & retention: A review of the literature. *Journal of the American Academy of Special Education Professionals*, 159–167. Retrieved from <https://files.eric.ed.gov/fulltext/EJ1135485.pdf>

Thornton, B., Peltier, G., & Medina, R. (2007). Reducing the special education teacher shortage. *The Clearing House: A Journal of Educational Strategies, Issues and Ideas*, 80(5), 233-238.

Tung, S., & Tung, S. (2012, January 20). *How the Finnish School System outshines U.S. education*. Stanford University. Retrieved April 24, 2022, from <https://news.stanford.edu/news/2012/january/finnish-schools-reform012012.html>

U.S. Bureau of Labor Statistics. (2022, October 4). *Special education teachers : Occupational outlook handbook*. U.S. Bureau of Labor Statistics. Retrieved November 11, 2022, from <https://www.bls.gov/ooh/educationtraining-and-library/special-education-teachers.htm#tab-6>

U.S. Department of Education. (2022, November 7). *A history of the individuals with disabilities education act*. Individuals with Disabilities Education Act. Retrieved November 14, 2022, from <https://sites.ed.gov/idea/IDEA-History>

U.S. Department of Education, Office of Special Education Programs, Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act, selected years, 1979 through 2019.

Walker, T. (n.d.). *Beyond burnout: What must be done to tackle the educator shortage*. NEA. Retrieved April 23, 2022, from <https://www.nea.org/advocating-for-change/new-from-nea/beyond-burnout-what-must-be-done-tackleeducator-shortage>

Whitaker, S. D. (2000). Mentoring beginning special education teachers and the relationship to attrition. *Exceptional children*, 66(4), 546-566.

Will, M. (2022, March 29). *Fewer people are getting teacher degrees. prep programs sound the alarm*. Education Week. Retrieved April 23, 2022, from <https://www.edweek.org/teaching-learning/fewer-people-are-gettingteacher-degrees-prep-programs-sound-the-alarm/2022/03>