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SEEKING EQUILIBRIUM:
A MULTI-LAYERED CASE STUDY OF
SPECIAL EDUCATION POLICY DURING THE COVID-19 PANDEMIC

Dissertation by

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ABSTRACT

The emergence of the COVID-19 pandemic in early 2020 led to unprecedented shifts in American education. Prior to the onset of the pandemic, children across the United States were primarily educated in brick-and-mortar school buildings, with only .6% of the over 50 million students in the country attending fully virtual schools (National Center for Education Statistics, 2020). By March 2020, K-12 school buildings across all 50 states began to close their doors, eventually pivoting from traditional, in-person learning to some form of distance education. While all students were affected by school building closures, of particular concern was the experience of students with disabilities, whose right to a free, appropriate, public education in the least restrictive environment is governed by the federal Individuals with Disabilities Education Act (IDEA, 2004).

Using a multi-layered case study design, this dissertation examined how one state, district, and school implemented special education policies during the COVID-19 pandemic. This dissertation drew on multiple data sources, including state and district policy documents, interviews with leaders and teachers, and school committee meeting transcripts. Using policy as discourse (Bacchi, 2000) and sensemaking theory (Coburn, 2004; Spillane et al., 2002) as theoretical frames, I make three key arguments. First, I argue that legal and regulatory, structural, and local forces acted on the special education policy context during the COVID-19 pandemic. Second, I argue that these forces were mediated by three factors: *congruence* with existing policy messages, perceived *legitimacy* of new directives, and the *coherence* of policy enactment. These arguments build toward my third, overarching argument—that educators and caregivers in City district made sense of special education policy during the COVID-19 pandemic by engaging in a

process of *equilibration*. This dissertation concludes with the implications for research, policy, and practice related to future times of educational emergency.

DEDICATION

To Sophia—it wasn't easy at times, but I did this all for you.

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I never thought when I embarked on my doctoral journey at Boston College that the world would shut down in response to a global pandemic. This historic moment shaped the academic and personal aspects of my life in ways I could not have imagined. Many shared ideas, brilliant people, and unexpected experiences contributed to the work of this dissertation project. I would like to extend my sincere gratitude to some of the people who were particularly important to me throughout my doctoral experience here.

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CHAPTER ONE: "One Week We Were Fine and the Next Week Everything Was Shut Down": Special Education Policy Before and After the COVID-19 Pandemic

The emergence of the COVID-19 pandemic in early 2020 led to unprecedented shifts in American education. Prior to the onset of the pandemic, children across the United States were primarily educated in brick-and-mortar school buildings, with only .6% of the over 50 million students in the country attending fully virtual schools (National Center for Education Statistics, 2020). By March 2020, K-12 school buildings across all 50 states began to close their doors, eventually pivoting from traditional, in-person learning to some form of distance education. While the temporary closing of school buildings was not a new phenomenon—schools in various parts of the U.S. have closed for weeks or months in response to natural disasters such as Hurricane Katrina (Gonser, 2020) or gun violence events such as the Parkland, Florida massacre (Fetters, 2019)—the nation-wide movement from learning in school buildings to learning remotely at home represented a significant change in the way American children and their families experienced schooling. The policy window[1] opened by the COVID-19 pandemic created a time of unique opportunity for innovation in education for all students, but it particularly forced policymakers and educators to reimagine how students from marginalized backgrounds, including those with disabilities, could engage with school.

At least 55.1 million students in the United States were affected by school building closures during the 2019-2020 school year, and only two states, Montana and Wyoming, did not order or recommend school buildings close for the remainder of the academic year (Education Week, 2020). School building closures were a coordinated, national policy response that aimed

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[1] Policy windows are openings in the policy process that are typically unpredictable and provide opportunities for significant policy change (Kingdon, 1984). The concept of policy windows is further explained in Chapter 2.

to mitigate the risk of spreading COVID-19, and were driven by federal mandates for social distancing (Harris, 2020). As in response to nearly all education policies in the U.S., concern for deepening inequalities for historically marginalized groups of students, including students with disabilities, English learners, and students of color began to mount as children continued to learn remotely through the end of the school year. Of particular concern was the experience of students with disabilities, whose right to a free, appropriate, public education in the least restrictive environment is governed by the federal Individuals with Disabilities in Education Act (IDEA, 2004). Two perspectives concerning how to address inequitable experiences for students with disabilities during the pandemic began to gain traction. On one hand, some educators, researchers, parents, and policy-makers claimed that the shift to remote learning was beneficial for students with disabilities, with the potential to provide more accessible instruction online while reducing anxiety and social challenges associated with in-person learning. On the other hand, a much louder group of stakeholders fought for what they viewed as a more legitimate form of education. Students with disabilities must be prioritized for in-person learning, they argued, because the specially-designed instruction these students required could not be provided remotely, and students' social skills and mental health were suffering due to the isolation associated with the pandemic. While federal policy ensures the rights of students with disabilities in schools, states and districts were left to decide how to enact this policy during a global pandemic.

This challenge was not resolved by the end of the 2019-2020 school year. Many states continued to require or offer remote learning for students into the 2020-2021 school year, and, at that point, the policy response to the pandemic was less cohesive at the national-level, often driven by state or local decision-making. By May 2021, the status of school building closures was as follows: two states (Delaware and Hawaii) had state-ordered regional closures, required

closures for certain grade levels, or allowed hybrid instruction; 13 states had state-ordered in-person instruction; one state (Arizona) had state-ordered in-person instruction for certain grades; and 34 states left decisions to schools or districts (Ballotpedia, 2021). The previously united response to COVID-19 policy across American schools returned to a more local endeavor with varying degrees of state influence during the 2020-2021 school year, which was much more characteristic of American education policy (Mehta, 2013). Local school districts responded to the ongoing COVID-19-related policies in different ways, with many districts prioritizing students with disabilities for the return to in-person learning (e.g., in Boston, MA; Fort Worth, TX; and San Diego, CA), while others had very few students with disabilities enrolled in in-person programs (e.g., in Albuquerque, N.M.; Clark County, NV; and Philadelphia, PA) (Sparks, 2021). In fact, a study by RAND found that students with disabilities in communities with high levels of poverty and large numbers of people from minoritized backgrounds were more likely to engage in fully-remote instruction, even as schools began to reopen (Stelitano, 2021). This meant that students with disabilities experienced schooling, as well as the rights afforded to them by special education law, differently depending on where they lived and where they were enrolled in school.

A Longstanding Fight for the Rights of Children with Disabilities

The policy window that opened in response to COVID-19 once again brought issues concerning the rights of students with disabilities to the forefront of policy discourse. The potential erosion of key special education policy mandates such as the right to a free appropriate public education (FAPE) in the least restrictive environment became key areas of concern. Given the longstanding fight in the policy arena for the rights of children with disabilities in schools, the easing of compliance mandates regarding federal disability law posed a real threat to progress made over the course of decades.

The modern-day education rights of children with disabilities are often attributed to the landmark *Brown v. Board of Education of Topeka* Supreme Court decision, in which the court held that it was unconstitutional to segregate students in school based on race. This decision set the constitutional foundation for the rights of students with disabilities in schools, and the *Brown* finding that "separate educational facilities are inherently unequal" (*Brown v. Board of Education*, 1954) became a rallying cry for the rights of people with disabilities during the Civil Rights era (Antosh & Imparato, 2014). By 1965, President Johnson signed into law the Elementary and Secondary Education Act (ESEA), which provided both equal access to education for all students and additional funding for elementary and secondary students disadvantaged by poverty (ESEA, 1965). While ESEA claimed to provide equal access for *all* children, many were still left behind. Unequal access to education for children with disabilities eventually led to two key court cases in the 1970s, which held that children with disabilities should be placed in publicly funded school settings that meet their needs based on proper evaluation (*PARC v. Commonwealth of Pennsylvania,* 1971*),* and that exceptional students could not be denied access to publicly funded education (*Mills v. Board of Education of the District of Columbia,* 1971*)*. These cases prompted a congressional investigation in 1972, in which Congress set out to discover how many children with disabilities were underserved in American schools. They found that of 8 million children with disabilities, 3.9 million students adequately had their needs met, 2.5 million students received a substandard education, and 1.75 million children with disabilities were not enrolled in school (University of Kansas, 2021). Together, these court decisions and congressional investigation, along with advocacy from disability rights groups, created the pressure necessary to uplift issues of disability in public consciousness.

President Ford signed the Education for All Handicapped Children Act (PL 94-142) into law in 1975, which required equal access to education for children with disabilities, along with

one free meal per day. Building on this act, Congress passed additional legislation that provided services to families of children with disabilities from birth onward (*All Handicapped Children Act, PL 99-457,* 1986*)*, gave parents a more significant role in the development of their child's individual education plan (*Handicapped Children's Protection Act,* 1986*)*, and expanded disability categories to include traumatic brain injuries and Autism along with the addition of individual transition plans for students' post-secondary lives (*PL 101-476,* 1990). These laws underscored the importance of supporting children with disabilities in public schools.

Alongside these refinements of special education law, the courts further elaborated provisions of legislation for children with disabilities. In *Board of Education v. Rowley*, the Court took up the issue of what is meant by a free "appropriate" public education. The *Rowley* case involved Amy Rowley, a Deaf child, whose parents requested sign-language interpretation in all of her classes so that Amy could have an "appropriate" education. However, Amy was performing better than typically hearing children in her class with the support of an FM hearing aid, so the school argued that it was not required to provide interpretation. This issue was taken to the U.S. Supreme Court, and the Court held that the purpose of providing access to a FAPE was "to confer some educational benefit" for children with disabilities, and that "the 'basic floor or opportunity' provided by the [Education for All Handicapped Children] Act consists of specialized instruction and related services which are individually designed to provide educational benefit" (*Board of Education v. Rowley,* 1982). Said more plainly, the court decided that Amy Rowley's school did not need to provide her with sign language interpretation, because she was making adequate progress. Through this case, the Court determined that an "appropriate" education for children with disabilities was one in which they had access to education and *some* benefit from personalized instruction. Following the *Rowley* decision, no

standard existed for what level of educational benefit should be provided for children with disabilities.

The *Education for All Handicapped Children Act* was rebranded as the *Individuals with Disabilities Education Act* (IDEA) in 1997, with expanded rights for children with disabilities, including access to the same curriculum for students included in general education, and an expansion of the developmental disabilities category to include children up to nine years of age. These changes responded, in part, to the question taken up in *Rowley*, with children with disabilities now having a right to access the *same* curriculum as their classmates, not simply making progress toward individualized goals and a potentially separate curriculum. IDEA was amended in 2004 to include additional supports, including early intervention services, improved educational outcomes, increased accountability, higher standards for special educators, and penalties for districts that provided special education for a disproportionate number of children from minoritized groups for reasons other than disability (IDEA, 2004). These shifts reflected a movement away from policy focused on the rights of students with disabilities and their access to education more broadly conceived, and toward policy focused on increased accountability for schools and teachers charged with educating students with disabilities and higher standards for the quality of instruction with which these students would engage. That is, it was no longer sufficient for students with disabilities to be educated in the same classrooms and schools as their same-aged peers—now districts would be held to account if students with disabilities did not participate in high-stakes testing and engage in standards-aligned instruction alongside their classmates.

In 2017, the issue of a FAPE, and specifically the level of educational benefit school districts must provide to children with disabilities, was once again brought before the U.S. Supreme Court. The *Endrew F. v. Douglas County School District* (2017) case involved Endrew,

an Autistic fifth grade student whose parents enrolled him in a private, specialized school and had sued the school district for reimbursement for his tuition because the district was unable to meet Endrew's educational needs. The court held that, for a district to meet its obligation under IDEA, it must provide students with disabilities with an individualized education plan (IEP) that is "reasonably calculated to enable a child to make progress appropriate in light of the child's circumstances" (*Endrew F. v. Douglas County School District*, 2017). The Court further elaborated that while all children may not have IEPs that "aim for grade-level advancement," children with disabilities should have "the chance to meet challenging objectives" (*Endrew F. v. Douglas County School District*, 2017). The *Endrew F.* decision expanded on the Court's original decision in the *Rowley* case. Following the *Endrew F.* decision, children with disabilities now have the right to more than a minimum level of benefit from their education—in order to receive a FAPE, children with disabilities must have IEPs that allow them to make progress toward challenging, individualized goals.

Lessons from the Emergence of Special Education Law and Policy

Three years following the *Endrew F.* decision, the special education field wrestled with questions of what constitutes FAPE and least restrictive environment once again, this time in the context of a global pandemic. Before providing an overview of how the states, districts, and schools across the United States initially conceptualized and communicated special education policy in response to COVID-19, the section below discusses four key policy lessons from the historic fight for the rights of children with disabilities, which are important to consider given the context of the pandemic.

Increased District Accountability. One key lesson from the historical policy context described above is an increased emphasis on school district accountability. Historically, accountability in special education took the form of compliance with legal provisions of IDEA,

including adherence to specific timelines and developing IEPs, which was predominantly the work of special education teachers and administrators. As education policy more broadly became focused on accountability in the form of high-stakes assessment (Mehta, 2013), so too did special education policy. With the advent of the standard-based accountability movement in general education in response to No Child Left Behind (2001), special education policy responded in kind with new mechanisms for both including and expecting improved performance from students with disabilities on state assessment (IDEA, 2004). This meant, for instance, that districts and states were required to report the performance of students with disabilities as a sub-group on high stakes assessment in order to secure federal funding (NCLB, 2001; ESSA, 2015). This increased accountability put pressure on districts to not only ensure educators closely adhered to special education law in the development and enactment of IEPs, but also to provide students with disabilities access to the general education curriculum. Such shifts gave school principals and general educators more responsibility for the education of students with disabilities, because these educators and leaders were held accountable for student assessment outcomes.

Under current legislation, the US. Department of Education's Office of Special Education Programs uses what is called a "Results Driven Accountability Framework" to help states and districts both focus on improving educational outcomes for students with disabilities and comply with special education law. The three components of the Results Driven Accountability Framework are: (1) state performance plan/annual performance report that measures results and compliance, (2) determinations that reflect state performance or results as well as compliance, and (3) differentiated monitoring and technical assistance to support all states (OSEP, 2021). This framework differs from guidance prior to 2014, which placed a stronger emphasis on compliance than on student educational results. Increased district and state responsibility to not

only comply with special education law, but also demonstrate educational results for students with disabilities is especially important to consider during the COVID-19 pandemic. States and districts were still responsible for compliance with special education law during the pandemic, and were required to report evidence of their compliance with provisions of IDEA to state departments of education. At the same time, real barriers to compliance with special education timelines, IEP development and enactment, and the provision of services existed due to constraints on time and resources as a result of the pandemic. Thus, during a time of national emergency, it is important to understand what role a historical emphasis on district accountability played in how states and districts enacted special education policy, and the associated challenges to compliance that schools and districts encountered.

Higher Standards for Student Progress in Special Education Programs. A second key lesson from the historical context of special education law and policy is the notion of students with disabilities being held to higher standards for educational progress. In addition to the increased accountability districts had to state and federal departments of education, recent special education policy also holds districts responsible for ensuring student progress as part of a FAPE. These standards were defined by the two U.S. Supreme Court decisions described above, the *Rowley* decision and later the *Endrew F.* decision. While *Rowley* held that districts only needed to provide a minimal educational benefit for students with disabilities, *Endrew F.* deemed that insufficient. Currently, districts are responsible for ensuring that students with disabilities make meaningful educational progress and work on challenging, individualized objectives. The COVID-19 pandemic once again illuminated issues of a FAPE in the public discourse. During a time when so many students were receiving access to remote education that looked very different from their in-person learning experiences, the question of an "appropriate" education was once again up for debate. It is crucial to uncover how teachers', as well as school and district leaders',

understanding of FAPE and standards of student progress evolved over the course of the pandemic. What was considered "appropriate" education during the pandemic? How did educators' sense of appropriateness shift as the pandemic progressed? Were districts, school, and individual teacher able to provide FAPE during the pandemic? These questions will be important to investigate in order to discern how educators responded to longstanding special education law in light of such unprecedented circumstances, and to consider how to preserve students' rights in emergency situations that will undoubtedly affect our education system in the future.

  Compensatory Education. The third key lesson from the historical policy context of special education law and policy is the importance of compensatory education. Compensatory education policy provides funding for a child to further their IEP goals when the school district has been found to not be providing a FAPE for an extended period of time. Compensatory education has come from case law, including the *Endrew F.* decision described above, and not special education legislation. In the case of *Endrew F.,* and other cases concerned with a student's placement in a private special education school (e.g., *Burlington,* 1985 and *Carter,* 1993), the courts have found that districts are often required to either directly reimburse families for private school tuition, or provide additional specially designed education services to help students get caught up when a FAPE has not been provided by the district. The concept of compensatory education is extremely important in the context of the COVID-19 pandemic, due to the fact that schools were closed, not offering services to students with disabilities, or offering limited services to students with disabilities in remote formats at different points during the pandemic. Some families have argued that children have the right to a compensatory education given their experiences during the pandemic, and state and district policy regarding compensatory services must be better understood.

Parents' Rights. Finally, the fourth key lesson that can be gleaned from an examination of special education law and policy over time is the provision of parents' rights. Under IDEA, parents have certain rights, or what the law calls "procedural safeguards," which provide legal protection to caregivers and children during the evaluation and IEP process. These rights include: (1) receipt of a procedural safeguards notice, (2) parent participation in meetings about child's education, (3) access to educational records, (4) confidentiality of information, (5) informed consent before evaluating a child or providing special education services, (6) prior written notice before changing a child's special education experience, (7) use of understandable language in written notices, (8) the right to an independent educational evaluation if parents disagree with school's evaluation, (9) "stay put" rights, or keeping the current IEP in place if a parent disagrees with proposed changes to the plan, and (10) dispute resolution options (IDEA, 2004). As described above, historically the parents of children with disabilities were often exercising their rights when disagreeing with how districts and schools provided FAPE to their children. The COVID-19 pandemic did not change the rights of parents of children with disabilities, but new challenges did emerge over how parents *could* exercise their rights during a time when districts and schools were working to understand how to enact the ever-changing special education policy landscape during the pandemic. The tensions that emerged as parents and districts tried to reimagine what special education should look like during a global pandemic is worth investigating more closely. Specifically, it is important to understand how parents exercised their rights, how districts addressed parental concerns, and what protections were in place for families of children with disabilities in this new policy context. Specifically, more closely examining how parents, district leaders, and community members interacted together in public forums, such as school committee meetings, could help to uncover what issues were most important to caregivers, and how the district and community responded to those issues.

Special Education Policy in Response to the COVID-19 Pandemic

How did districts respond to the need to support students with disabilities in the early days of the pandemic? While the historical context of special education law and policy makes clear the importance of district accountability, high standards for students' progress, compensatory education, and parents' rights, the initial response to COVID-19 related school building closures was not a federally coordinated effort. Rather, individual districts and schools were left with questions regarding their responsibility to educate children with disabilities during a time of crisis. The uneven application of policy based on local knowledge and resources led to very different experiences for children with disabilities based on where they lived during the pandemic.

As schools began to close, many districts turned to remote models of learning to continue students' education (Goldstein, 2020). However, it was unclear to what extent schools were responsible for complying with federal special education law in light of the pandemic. The federal government issued initial guidance in mid-March of 2020, noting that "If an LEA [local education agency] closes its schools to slow or stop the spread of COVID-19, and does not provide any educational services to the general student population, then an LEA would not be required to provide services to students with disabilities during that same period of time" (U.S. Department of Education, 2020a, p.2). In response to this guidance, teachers in some contexts, such as those in the School District of Philadelphia, were forbidden to engage in remote instruction for *any* students when the district first closed in mid-March, due to district leaders' concerns with "equity" regarding the provision of FAPE for students with disabilities (Wolfman-Arent & Mezzacappa, 2020). In response to these different local directives, the United States Department of Education (2020b) clarified expectations for addressing the risks of COVID-19 while serving students with disabilities, stating in late March, 2020, that "ensuring compliance

with the Individuals with Disabilities Education Act (IDEA)...should not prevent any school from offering educational programs through distance instruction" (p. 1). According to the United States Department of Education (2020b), a FAPE could be provided for students with disabilities with some mix of flexibility, creativity, and compensatory special education services once schools reopened.

Given this limited federal guidance, States led the charge in creating their own policies and directives to address how children with disabilities were to be educated during the COVID-19 pandemic in response to guidance from the Department of Education. Nearly every state developed policy regarding the provision of a FAPE for students with disabilities during school closures (Reich et al., 2020). However, the responsibility to redress these potentially inequitable learning conditions in a time of crisis was left to local districts and schools as they worked to interpret and enact broad state policies. In Massachusetts, for example, federal policy was first interpreted at a state special education directors meeting on March 26, 2020. District special education leaders were told by the state that: (1) all students must receive an education, (2) the district must comply with IDEA, (3) districts must provide a FAPE, and (4) remote service delivery should include what the state called "supports and resources", on one hand, and "instruction and services" on the other. While some guidance was provided during this initial meeting, figuring out how to enact these new policies was largely left up to local districts. The challenge of making sense of these state policies was exacerbated by the need to attend to a slew of other student needs including access to food, healthcare, mental health support, and broadband internet (Reich et al., 2020).

Given this novel policy context, there were significant risks to the rights of students with disabilities, rights that had been painstakingly won over the last 60 years. That is, in this time of national crisis, students with disabilities faced the possibility of discrimination by not having

access to the educational services they were entitled to—something that disability rights activists have fought to secure since the Civil Rights era (US Department of Education, 2007). It is clear that there is a need for research about the special education policies states created in response to COVID-19, and how those policies were enacted by districts and schools, so that policymakers and educators can learn more about how to teach and protect the rights of students with disabilities in times of crisis, such as extended national weather emergencies, natural disasters, school shootings, or future pandemics.

Massachusetts & City District: A Strategic Site for Study

To investigate the unique special education policy context that emerged during the COVID-19 pandemic, this dissertation focused on the Commonwealth of Massachusetts, and one district within the commonwealth, what I call City district[2], as a strategic research site. This is the case for several reasons. First, Massachusetts is widely regarded as having the best public school education system in the United States, based on top scores on both national (The Nation's Report Card, 2019) and international assessments (OECD, 2016). Performance on these assessments sets Massachusetts apart from other states as a high-achieving and exemplary context for public education across grade levels and disciplines. Second, Massachusetts students with disabilities earned higher scores on the national assessment mentioned above, and graduated high school at higher rates than students with disabilities in other states (Hehir et al., 2012). This suggests that students with disabilities in Massachusetts may have access to a more rigorous education than students with disabilities in other states. Third, in an early analysis of remote learning policy in the United States in response to COVID-19, Massachusetts has been highlighted as a valuable model (Reich et al., 2020). Specifically, Massachusetts was found to

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[2] City district, and all other names hereafter, are pseudonyms.

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provide model resources related to both remote learning recommendations and ways to include a variety of stakeholders' voices in published guidance. Together, these characteristics of Massachusetts as a leader in general education, special education, and COVID-19 education policy provide justification for the examination of special education policy during the COVID-19 pandemic within the context of the Commonwealth. By investigating these policies in a state that has been positioned as exemplary, important lessons can be learned to inform the work of educators, researchers, and policymakers during future times of crisis.

Research Purpose and Research Questions

The purpose of this dissertation was to examine how special education policy was constructed and implemented in response to the COVID-19 pandemic. Specifically, this dissertation involved an in-depth and multi-layered analysis of policies and directives issued in response to COVID-19 in Massachusetts, and how those policies were actualized and interpreted in one district and one school within the Commonwealth. To do this, the dissertation addressed the following research questions:

1. What state-level policies related to students with disabilities emerged in Massachusetts in response to COVID-19?

    a. How was the problem of COVID-19 in relation to students with disabilities constructed in policies and directives? Did problem construction and language shift over time? If so, how?

    b. What were state-level policies in relation to students with disabilities aimed do?

    c. How were state-level policies interpreted in policy documents and directives at the district and school level?

2. How did educators (including district leaders, school leaders, and teachers) "make sense" of these new policies? That is, what did they think was most important? How, to what extent, and under what conditions did they recall enacting these policies in practice?

3. In school committee meetings focused on special education, what issues regarding educating students with disabilities were raised by parents, caregivers, and community members? What controversies emerged?

Arguments

The central argument of this dissertation concerns how educators and caregivers made sense of special education policy in City district during the pandemic. First, I argue that three key forces acted on how special education policies played out during the COVID-19 pandemic: (1) legal and regulatory forces, (2) structural forces, and (3) local forces. As a result, I suggest that educators, caregivers, and students navigated complex and at times contradictory forces as they attempted to maintain the rights of students with disabilities during a time of emergency. Additionally, I argue that three key factors mediated how the forces named above acted on special education policy implementation: (1) *congruence* with initiatives in place before the pandemic and/or actors' existing worldviews and assumptions; (2) the degree of *coherence* among policy messages at the state and district levels; and (3) the perception of *legitimacy* of policies or innovations among stakeholders.

Overall, based on my analysis of how the education of students with disabilities unfolded during the COVID-19 pandemic, I argue that educators and caregivers in City district engaged in a process of *equilibration* as they navigated the complex, ambiguous special education policy context. These actors pushed back against policy messages that did not align with their collective beliefs and values to create greater stability in the special education policy environment. The *equilibration* process among actors in City district involved collectively transforming and

reshaping special education policies to achieve greater balance among new and existing practices.

Organization of Chapters

The following chapters build toward the arguments described above. Chapter 2 provides a review of the literature that informed my research. I begin with a discussion of the two theoretical orientations that framed my study: policy as discourse and sensemaking theory. These theoretical frames informed the related literature explored in this dissertation, which includes research on education in times of emergency and research on special education policy implementation.

In Chapter 3, I detail the research methodology that guided my dissertation. First, I define case study research for this study and explain why a multi-layered, qualitative case study approach best matched my exploration of special education policy during the COVID-19 pandemic. Second, I provide a brief overview of the case study district and focal school. Third, I describe the data collection process and review the multiple sources of evidence I drew upon as part of the dissertation study. Finally, I discuss how I analyzed and interpreted the data.

In Chapter 4, I present the findings of this case study of special education policy during the COVID-19 pandemic and make the two arguments described above. Specifically, I describe the legal and regulatory, structural, and local forces that acted on the special education policy context during the pandemic, and the mediating factors that influenced if and how policies were implemented. This chapter also describes the ethic of care that emerged in City district, a phenomenon that surrounded the special education policy landscape.

Next, in Chapter 5, I the discuss the findings above in the context of the existing literature. I also introduce the concept of *equilibration* to describe how educators and caregivers

made sense of special education policy during the COVID-19 pandemic. Finally, in Chapter 6, I

provide implications for research, policy, and practice, as well as concluding thoughts.

CHAPTER TWO: "The Cracks Widened into Chasms": Policy Windows, Theoretical

Frameworks, and Related Literature

The COVID-19 pandemic presented a unique policy context within which to examine special education policy. This section of the dissertation first explores the idea of policy windows to situate the convergence of events during the pandemic that created a unique condition for policy implementation. Next, this section provides an overview of different approaches to examining policy implementation, with the goal of situating a sensemaking theory perspective on understanding policy implementation. Then, this section introduces the idea of policy as discourse and sensemaking theory, describing important concepts from these perspectives and applications to the dissertation. Last, this section analyzes research on education in times of emergency and special education policy implementation to situate the dissertation within the wider research landscape, and highlight key facets of existing research that are of particular importance to the dissertation.

Policy Windows: From Slow and Steady Progress to Seizing Opportunities

How did reimagining approaches to educating students with disabilities become a policy priority during the spring of 2020? Prior to the pandemic, change in special education policy was slow and steady, with some laws remaining unchanged for decades (e.g., Education for All Handicapped Children Act, 1975) or interpreted through the slow and arduous judiciary system (e.g., Rowley, 1982; Endrew F., 2017). During the spring of 2020, a new problem, the COVID-19 pandemic, captured national attention and opened what Kingdon (1984) calls a policy window. Policy windows open for one of two reasons: either a pressing problem emerges—in this case, the COVID-19 pandemic—or there is a change in politics (Kingdon, 1984). While policy windows create opportunities for major change, they are also fleeting, and require quick

action by policy-makers and other stakeholders (Kingdon, 1984). Solutions that couple problems, policies, and politics are most likely to be taken up while policy windows are open (Kingdon, 1984). In the case of the pandemic, the coupling of three major factors created a unique opportunity for unprecedented shifts in education policy. First, as described previously, widespread school buildings closures across the United States posed a unique problem for policy-makers, educators, caregivers, and students. Second, advocates for increased technology in education and Universal Design for Learning prior to the pandemic had proposals at the ready to leverage new, increased opportunities for online learning. Third, the political climate during this time was increasingly conversative under the leadership of President Trump, and valued choice, personalization, and autonomy in schooling. Together, these factors created circumstances related to policy production and implementation that were atypical for the education sector. The dissertation will more closely examine how this confluence of events and conditions informed how policies were developed and enacted during this time.

Policy Implementation: Technical-Rational, Mutual Adaption, and Co-Construction

Once a policy window has opened, and new policies have been developed, they need to be implemented. Datnow and Park (2009) identified three approaches to studying education policy implementation: technical-rational, mutual adaptation, and co-construction. Each of the approaches to education policy implementation holds unique assumptions about how policies should be implemented and who is responsible for the success or failure of a policy.

Studies of education policy have historically been rooted in a technical-rational view of policy implementation (Datnow & Park, 2009). Rationalist perspectives conceptualize policy-making as a hierarchical, value-neutral, and logical endeavor, in which policymakers select from a number of policy options to meet fixed goals (Cochran-Smith et al., 2013). The technical-

rational perspective is concerned with how policies, which are developed by the state, are transmitted to passive implementers on the ground (Stone, 2002). With a focus on planning and control, rationalists are much more concerned with framing the local context as a barrier to successful implementation, rather than problematizing policy formulation or design. Many key education policies exemplify a technical rational perspective, including the Educational for All Handicapped Students Act, which was designed by policymakers to be enacted by passive, local actors (Datnow & Park, 2009). Local variation in policy implementation is a source of dilemma for rationalists, and a focus on compliance with procedures overrides any potential influence of local actors or context on the success of reform initiatives (Snyder et al., 1992). Successful policy implementation, according to rationalists, is measured in terms of fidelity to procedures, regardless of whether such adherence produces the intended outcomes (Ball, 1993).

A technical-rational perspective neglects two important features of policy implementation. First, this approach does not consider the assumptions, values, and politics inherent in policy design. That is, the design phase of the policy process is left unproblematized (Datnow & Park, 2009), with policy problems considered "given" and policy-makers considered unbiased (Cochran-Smith et al., 2013). Second, the technical-rational perspective gives little attention to the local actors charged with implementing new policies. Implementers are perceived as getting in the way of fidelity to policy design, rather than valued for their diversity of beliefs, values, and prior experience (Datnow & Park, 2009).

A mutual adaptation perspective on education policy implementation represented a departure from the uni-directionality of technical-rational approaches (Datnow & Park, 2009). From this perspective, a bi-directional relationship existed between the policy and the implementation site, with the culture of schools and daily lives of educators taken into account

(Datnow & Park, 2009). Mutual adaptation addressed the importance of the local context and culture to the implementation of a policy, and recognized the need for adjustment, negotiation, and variation in outcomes across local contexts (Snyder et al., 1992). While a mutual adaptation lens on educational policy implementation privileges the local context as key to understanding how policies are enacted, it does not take into account the various stakeholders and agencies that play critical roles in the policy process (Datnow & Park, 2009). Some critics have claimed that mutual adaptation perspectives, like technical-rational approaches, place too much stock on local policy implementors as responsible for the success or failure of a policy (Snyder et al., 1992). Another challenge with this perspective is the focus on policy implementation as inherently separate from policy design (Ozga, 2000).

Co-construction models emphasize the multi-directional nature of relationships among policy designers, implementers, and other actors (Datnow & Park, 2009). This perspective focuses on the role of actors in shaping policy and acknowledges the important contributions of relationships between multiple institutional layers in policy implementation (Cohen et al., 2007). Co-construction perspectives view the policy process as interactive, with different actors and agencies mutually informing each other (Matland, 1995). Rather than privileging the voices of policy makers, as in the technical-rational perspective, or policy implementers, as in the mutual adaptation perspective, co-constructive perspective focus on the relational sense of context (Datnow & Park, 2009). This means that research from this perspective must consider how implementors are both subjects and agents of change in the policy process—they draw on their beliefs, values, and experiences to shape and transform policy at the local level (Coburn, 2001; Datnow & Park, 2009).

This dissertation takes a more critical stance toward policy implementation, viewing policy as iterative, relational, and recursive in nature. Thus, it will draw on ideas from a co-construction perspectives of policy implementation. Specifically, the dissertation highlights the interconnectedness of various actors and institutions, as well as the interactive and mutually-informing relationship that existed between policy designers and implementers during the COVID-19 pandemic. This dissertation draws on sensemaking theory to understand both how policy instruments and tools were constructed during the pandemic, and how different stakeholders interpreted and enacted policies within their virtual classrooms, homes, and school buildings.

Theoretical Frameworks

In this dissertation I used two distinct but complementary theoretical frames to analyze the emergence of new special education policies during the COVID-19 pandemic: notions of policy as discourse and sensemaking theory. These two theoretical frames are complementary in several ways. First, both policy as discourse and sensemaking theory are useful in the examination of policy development and implementation as an interpretive process. That is, using these frameworks allows for policy analysis that moves beyond top-down approaches focused on the words of a policy text or fidelity to an implementation plan, and toward a more nuanced understanding that acknowledges the multidirectional nature of policy implementation. Second, the two frameworks take up an interactive approach to policy development and implementation. Policy as discourse does this by acknowledging the role actors play in engaging with and assigning meaning to policies, while sensemaking theory is interactive in that policy implementers interact with others and their context as they come to understand new policies. Third, policy as discourse and sensemaking theory are complementary frameworks because they

support the analysis of different data sources in this dissertation. On one hand, policy as discourse will provide important theoretical grounding when considering the policy instruments and tools that were developed by state and district leaders in response to the pandemic. On the other hand, sensemaking theory grounds an examination of how educators and caregivers together came to understand these new policies, while also enacting new ways of supporting student learning. Together, these theoretical frames provided a lens through which to examine and analyze the unique special education policy context that emerged in response to the COVID-19 pandemic. Figure 1 outlines the purposes each framework served in this dissertation and key ideas from each framework.

Theoretical Framework	Policy as Discourse			Sensemaking Theory	
Purpose	To examine policy instruments and tools developed by state and district leaders			To understand how educators and caregivers came to understand and enact new policies	
Key Ideas	Problem framing and construction	Beliefs and values of multiple actors	Use of metaphors and symbols	Sensemaking as collective	Sensemaking as situated

Figure 1. The two theoretical frameworks that informed this dissertation.

Policy as Discourse

Policy as discourse is an interpretive approach to analyzing policy texts that focuses on not only the written text, or "what," of policy, but also the discourses that encompass the "how" and "why" of a policy (Gale, 1999). According to Bacchi (2000), policy as discourse involves (1) construction or framing of a problem and (2) power derived from institutional practices, social relations, and social position. This approach stands in contrast to more dominant perspectives on

policy development and interpretation, such as the rational perspective, which frames policy as a

top-down, linear process in which the influence of context is largely ignored (Gershuny, 1978).

This perspective also responds to views of policies as authoritative and bias-free texts in which

state actors are largely in control (Joshee, 2007). Further, from the perspective of policy as

discourse, there is emphasis on what Ball calls "peopling policy" (1993, p. 270) or moving

beyond the notion that policy is something that is done *to* people, and rather considering the

many voices that inhabit policy texts, and how different actors are engaged in the policy process.

Discourses are about "what can be said, and thought, but also who can speak, when, where, and

with what authority" (Ball, 1993, p. 14). A policy as discourse approach situates multiple actors

as important to the policy process, including all of those involved in making meaning from

policy through statements, actions, and inactions in response to a problem (Joshee, 2007).

In addition to expanding the notions of *who* is important to policy interpretation, the

perspective of policy as discourse emphasizes that language and metaphors are linked to the

ideas used to define a policy problem (Joshee, 2007). Stone (2012), for example, notes the

importance of symbols and stories in politics and policy-making. Symbols are "means of

influence and control…[that] shape our perceptions and suspend skepticism" (Stone, 2012, p.

160). The use of language, stories, and symbols, then, is an important policy lever in the

construction of policy problems by both state and local actors. Understanding how language is

used to construct policy problems and frame policy directives will be key to this dissertation.

Further, this approach acknowledges that policy-making is a messy and iterative process.

This process occurs within the context of ongoing struggles over time, and brings to light tension

among the diverse ideas and worldviews among multiple actors and at multiple levels (Cochran-

Smith, et al., 2013). Cochran-Smith and colleagues (2013) outlined four areas to understand

teacher education policy in the United States: discourses and influences, construction of the problem, policy in practice, and impact and implementation. These four areas are also relevant to other topics in education policy, in particular policy that is developed in a time of emergency, because of the focus on all stages of the policy-making process. Considering all stages of the policy-making process provides more opportunities to uncover the features that create the "messiness" inherent in policy design and implementation. In addition, Cochran-Smith & Fries (2001) suggested the importance of considering the underlying assumptions, values, and political purposes of new policies and initiatives. These concepts are crucial to the understanding of new special education policies that were developed in response to the pandemic.

Applied to this dissertation project, a policy as discourse theoretical frame provided guidance for both analyzing literature related to special education policy, and for determining which policy instruments and policy tools should be collected and analyzed. Policy as discourse allowed for a movement away from an interpretation of the *text* of policy instruments that were designed and disseminated within the context of the COVID-19 pandemic, and toward the "peopling" of these policies. This means that policy instruments were analyzed through the lens of arguments made, problems constructed, underlying assumptions, values, political-purposes, actors involved, and symbols invoked in different policy documents. These concepts influenced decisions around both selecting data sources and analyzing data related to state- and district-level policies.

Sensemaking Theory

In order to understand the processes by which educators and caregivers made sense of messages about special education policy during the COVID-19 pandemic, I drew on theoretical and empirical work in sensemaking theory. Sensemaking theorists are concerned with the ways

that social structures and cultures of organizations develop and change over time (Coburn, 2001). Like policy as discourse, sensemaking theory aligns with an interpretive turn in the study of policy implementation, and complements the co-construction perspective of policy implementation research (Datnow & Park, 2009). A sensemaking perspective positions policy implementation as a multidirectional process is which multiple actors across multiple levels of an organization shape policy and how it plays out in practice (Datnow & Park, 2009). Unlike the top-down, hierarchical nature of technical-rational assumptions of policy implementation, sensemaking theory acknowledges that new policies are carried out in an open, multi-layered system where adjustment and negotiation in the implementation process are welcomed and valued (Datnow & Park, 2009). Sensemaking is concerned with how people notice or select information from the environment, derive meaning from that information, and then act on their interpretations, developing new social structures and routines over time (Coburn, 2001). Thus, the meaning of new information—or in this case messages about special education policy in response to the pandemic—is not given, but inherently problematic. Individuals and groups must actively construct their own understandings of new messages and will do so in different ways.

Constructing these new understandings is a cognitive process, and involves what Spillane, Reimer, and Reiser (2002) term individual cognition, situated cognition, and the role of representations. Individual cognition involves the prior knowledge, experience, beliefs, emotions, and practices a person brings to an encounter with a new policy message. Situated cognition is concerned with the organizational structures and context, social interactions, professional affiliations, social networks, traditions, and historical context that shape how an individual comes to understand and enact a new policy within the context of an organization. The role of representations involves the problem a policy seeks to address, the rationale for a reform,

the language of a policy text, learning opportunity to support policy communication, and the alignment of a policy with implementers' prior knowledge (Spillane et al., 2002). As they encounter new information, educators and caregivers notice and construct understandings through the lens of their existing values, assumptions, worldviews, and practices, often changing and restructuring this information along the way.

Sensemaking theory focuses on the "incremental, fluid, and recursive" nature of policy implementation (Datnow & Park, 2009, p. 351), and thus a person's prior experiences play an important role in the sensemaking process. In a study of the institutional pressures associated with shifts in reading instruction, for example, Coburn (2004) found that educators made sense of new policies in five ways: through rejection, decoupling/symbolic response, parallel structures, assimilation, and accommodation. When rejecting policies, teachers dismissed new ideas about reading instruction once they came to understand the associated policy messages. The decoupling/symbolic response involved teachers taking actions that were symbolic (e.g., hanging a curricular artifact on the classroom wall) but that they did not use in their practice. Teachers drew on parallel structures when they received conflicting policy messages, balancing different instructional demands by implementing two conflicting approaches simultaneously. Assimilation involved how teachers integrated new policies into their own worldviews and assumptions, often understanding policies in ways that drastically differed from policymakers' intentions. Finally, teachers responded to new reading policies by accommodating, or transforming, their own assumptions about the nature of reading to better align with new policies (Coburn, 2004). In this dissertation, it was important to consider if and how educators and caregivers drew on similar cognitive approaches to make sense of new special education policies during the pandemic.

Coburn's (2004) work revealed that as teachers enact interpretations of policies in their classrooms, they also create new patterns of meaning, new practices, and new ways of thinking that may become internalized over time. This means that teachers' past responses to interpreting a policy sets the stage for future responses to new policies. In the case of interpreting and enacting special education policy in response to COVID-19, educators and caregivers, from a sensemaking perspective, draw on what they already know about teaching and learning as they construct new meaning during a time of emergency. This new learning would, in theory, lead to new ways of teaching, learning, and supporting students that last beyond the bounds of the global pandemic.

Sensemaking theory also emphasizes the social nature of making sense of policy messages. This perspective involves recognition of the role of multiple actors in policy implementation and the reciprocal role among these actors (Coburn, 2001). Specifically, sensemaking is characterized as *collective*, in that it is interactive and involves constant negotiation among implementers (Weick, 1995; Coburn, 2001). Sensemaking is also characterized as *situated*, because it is embedded within a context that shapes patterns of interactions based on traditions, work culture, and larger belief systems (Coburn, 2001). Considering the unique policy context that developed during the COVID-19 pandemic, and the new roles that educators and caregivers took on during this time, it will be crucial to understand the social nature of sensemaking among actors at the case study site. Sensemaking theory provides an important framework for closer analysis of the give and take between policy directives and policy implementers that unfolded during the pandemic.

Review of Related Literature

Along with the theoretical frameworks described above, the following two bodies of related literature informed my work: research on education in times of emergency and research on special education policy implementation. In this section, I first describe research on education in times of emergency, highlighting major insights from this body of literature before focusing on research in response to two specific emergency situations in the United States: Hurricane Katrina and the COVID-19 pandemic. Next, I uncover trends in research on special education policy implementation, paying special attention to how elements of the Individuals with Disabilities Education Act have been interpreted and enacted in the United States. Within each section below, I illuminate connections between these areas of research and this dissertation. Figures 2 and 3 provide an overview of each of the two bodies of literature reviewed and the groupings of articles that I identified in each area of research.
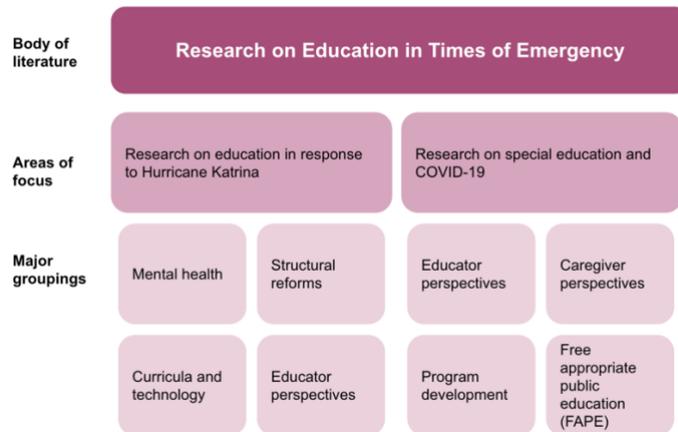
Figure 2. Research on education in times of emergency.

Figure 3. Research on special education policy implementation.

Research on Education in Times of Emergency

"Emergency education" as an area of study is concerned with education during and after complex humanitarian emergencies, rapid educational responses during crises, and reconstructing education post-crisis (Chand et al., 2004). The field of education in times of emergency takes up issues related to the education of children in places affected by war, conflict, or extreme criminal violence (World Bank, 2016) or climate-related disasters and earthquakes (Laframboise & Loko, 2012). While education for people affected by conflict or extreme criminal violence constitutes a significant area of concern in emergency education research (UNHCR, 2002), this dissertation is concerned with emergency education in situations of natural disaster—such as earthquakes, floods, droughts, or hurricanes—because these events are most closely linked to the types of issues faced in the education field during the COVID-19 pandemic. In the following sections, I synthesize research on education in response to climate-related emergencies. Next, I provide an overview of the current trends in research on education in response to the COVID-19 pandemic. Last, I describe the recent literature focused on special education in response to the pandemic.

Education in Response to Climate-Related Emergencies

Climate-related disasters and earthquakes can lead to millions of children being denied their fundamental right to an education. The longer children are not in school, the less likely they are to return, putting vulnerable children at risk for a variety of negative outcomes (Anderson, 2006). The temporary denial of education is a global concern—millions of children around the world have been affected by school closures following climate-related disasters and earthquakes. For example, hurricanes Harvey and Irma in the United States in 2017 left 1.7 million children without an education for a week. A 2010 earthquake in Haiti led to three months of school

closures, affecting more than 2.5 million children. These and other emergencies have led to a variety of temporary changes made to education, including "schools in a box" in Thailand following floods in 2011, the construction of temporary learning spaces following Typhoon Haiyan in 2013, and the use of "back to school kits" following the 2017 floods in South Asia. These changes often occurred as local infrastructure and school buildings were rebuilt, which could take weeks or months depending on the nature and severity of the natural disaster (Save the Children, 2014, 2015, 2017).

When natural disasters lead to temporary school closures, local governments need to respond quickly to ensure the least disruption possible in educational services. However, these crises can affect educational infrastructure in several ways that make providing access to education a challenge. First, climate-related disasters and earthquakes may damage school buildings so that they cannot be occupied for months (Naja & Baytiyeh, 2015). While school buildings are rebuilt, leaders need to look for alternate locations to convene students or alternate formats through which children can engage with learning materials. Second, these crises may necessitate the alternative use of school buildings as shelters for displaced people (Convention on the Rights of the Child, 1989). Although in these instances school buildings may be structurally sound, they are inaccessible for purposes of learning while other essential human needs are met. Third, such disasters often have severe physical and psychological effects on children (Center on Conflict and Development, 2016). This means that, following a natural disaster, children may need different supports and resources that attend to their trauma and help them to access their education. These impacts of school closures on children's education following a natural disaster are similar to what students experienced during the COVID-19 pandemic. School buildings were closed for months to prevent disease transmission, requiring

both disruptions in educational experience and the need for alternative modes of instruction. Additionally, while there was no structural damage to buildings because of the pandemic, there was a need to build infrastructure to support a sudden shift to remote and virtual learning, including the need for widespread access to broadband internet and computers. Further, many children endured the physical and psychological effects of illness, death of family members, and long-term isolation as a result of the pandemic. Thus, there is much to be learned from education in response to climate-related emergencies when considering school closures and education policy during the pandemic.

To respond to the challenges presented by school closures, scholars have investigated and called for different approaches to support education following natural disasters. One study, which involved interviewing head teachers following a major flooding event and subsequent school closure in England, found that using "circle time" to discuss flood-related issues and anxiety proved helpful and therapeutic to children and teachers (Convery et al., 2010). This suggests the importance of rebuilding community among students and educators as they begin to return to school. In a conceptual paper, Baytiyeh (2017) proposes the use of online delivery methods to maintain education during disasters. Specifically, this article calls for preventative and proactive measures that schools can implement in the aftermath of a disaster, including (1) maintaining instant communication through email, phone, or WhatsApp; (2) maintaining access to learning materials using digital platforms; and (3) maintaining access to data through Cloud computing and backing up information in locations other than schools. Baytiyeh proposes that schools and educators can respond to crises proactively by having the technological resources and infrastructure in place to limit disruptions to education following a natural disaster. Applied to the COVID-19 pandemic, these findings highlight the need for states and districts to have

plans for both caregiver communication and online learning in place to assure they are prepared for unexpected emergencies leading to school closures.

Other scholars have recommended explicitly preparing people with disabilities to respond to natural disasters due to their increased vulnerability in the face of such events (Twigg et al., 2011). During a natural disaster, households that include people with disabilities tend to evacuate affected areas at lower rates, or delay their evacuations altogether (Van Willigen et al., 2002). Further, those preparing for disasters within communities often do not consider the needs of children with disabilities when developing emergency procedures, making these children even more vulnerable during natural disasters (Murray, 2011). Following a natural disaster, many people with disabilities experience additional barriers, including loss or diversion of care providers (World Health Organization, 2005), strains on physical and mental health (Stough, 2015), and loss of communication, socialization, and other skills (Valenti et al., 2012). These barriers are similar to those encountered by many people with disabilities during the COVID-19 pandemic, in particular the challenges people experienced with obtaining medical care, having access to support people and service providers, and maintaining important academic and social skills while school buildings were closed.

Education Following Hurricane Katrina. Schools in New Orleans, Louisiana closed for approximately three months following Hurricane Katrina. This disruption in schooling has been widely examined in the research literature, and provides an important point of comparison for school closures and changes to education following the COVID-19 pandemic. While the educational infrastructure in New Orleans was affected by a natural disaster rather than a global pandemic, there are important lessons that can be learned from this event for studies of the effect of the pandemic on education systems across the United States.

Mental Health. Studies and conceptual articles focused on education following Hurricane Katrina in the United States have explored a range of topics, with mental health issues being the most widely examined (Cohen et al., 2009; Hensley & Varela, 2008; Lowe et al., 2013; McLaughlin, 2010; Nelson, 2008; Scheeringa & Zeanah, 2008; Weems et al., 2007). This focus makes sense, given the widespread psychological effects of natural disasters mentioned previously. These studies primarily used survey methods (e.g., Hensley & Varela, 2008; McLaughlin, 2010) or screening tools (e.g., Nelson, 2008; Weems et al., 2007) to assess either children's symptoms of post-traumatic stress disorder, emotional disturbance, or their general psychosocial profile, or parent reports of such symptoms. In general, these studies of mental health found that, following Hurricane Katrina, children were increasingly vulnerable to psychological conditions, such as depression, anxiety, and/or post-traumatic stress disorder; and demonstrated decreased traits associated with resiliency, such as maintaining a positive attitude, asking for help, and problem solving. The topic of mental health is also crucial to consider in research focused on education during and after the pandemic. At the time of this writing, children's experiences in schools are still affected by the COVID-19 pandemic, and the impacts of these events on children's mental health is yet to be determined. While this dissertation did not measure students' mental health outcomes specifically, it did attend to policies related to mental health that were established at the case study site, and examined if and how such policies were enacted by educators and caregivers.

School reform. A second issue examined by research on the state of education following Hurricane Katrina focused on school reform. These studies concerned structural reforms (Beabout, 2007; Davis, 2007; Johnson, 2008), Catholic schools (MacGregor & Fitzpatrick, 2014), the emergence of charter schools (Kohler et al., 2013), school choice and school quality

(Welsh et al., 2016), the role of markets and regulation in how the education system responded to Katrina (Jabbar, 2016), and issues of student achievement (Harris, 2015; Lamb et al., 2013). These studies had different findings that were influenced by the perspectives from which policy implementation was analyzed. Some studies took up a co-constructive perspective on policy implementation, in which researchers considered the role of local actors, the new policies introduced, and the social and political context at the time, and found widespread, continued inequality in the post-Katrina education system (Cook, 2014; Jabbar, 2016; Johnson, 2008; Lamb et al., 2013; Welsh et al., 2016). Other studies took on a more technical-rational perspective focused on the success of new policies as measured by adherence to the policies as designed, and found benefits from the reform efforts enacted post-Katrina (Beabout, 2007; Harris, 2015; Kohler et al., 2013; MacGregor & Fizpatrick, 2014). These divergent findings and perspectives pose important lessons for research on education during the COVID-19 pandemic. One lesson is that these studies highlight the critical importance of the analytical lens taken up by researchers as they examine policy implementation following a time of emergency. A second lesson is that these studies emphasize the value in understanding educational reforms and issues that emerge following a crisis in order to uncover the potential for disasters and emergencies to exacerbate existing inequalities in education. In this dissertation, these lessons highlighted the need to understand both the nature of the new policies that emerged in response to COVID-19, and how these policies were interpreted and enacted at the local level and within a unique policy context.

Curricula and technology. Third, some research examined the issue of curricula and technology in response to changes in schooling following Hurricane Katrina. This research was both conceptual and empirical in nature, and included recommendations for transitioning to online learning (Hinson et al., 2007), more progressive science education (Gonzales, 2008),

Montessori education (Selvidge, 2008), physical education (Carson, 2008; Martinek et al., 2006), the need for multiliteracies (Silvers et al., 2010); and play and the creative arts in early childhood (Frost, 2005). Writings on this topic highlighted the curricular (e.g., more emphasis on child-centered approaches) and technological (e.g., the move to online learning) changes necessary to address students' evolving needs during and after a natural disaster. Together, this literature suggests the need for better understanding of how districts and schools have shifted approaches to curriculum and how they have utilized technology in response to COVID-19.

Educator perspectives. A fourth issue in the research on the impacts of Hurricane Katrina on education concerns educators. These studies used methods such as surveys (Lowrey & Burts, 2007; Weixler et al., 2018), interviews (Alvarez, 2010; Beabout, 2010), and policy analyses (Buras, 2016; Cook & Dixon, 2013; Lincove et al., 2018) to uncover how Hurricane Katrina affected teachers and principals. It is important to note here that prior to Hurricane Katrina, the student population (93%), school administration (89%) and teachers (73%) in New Orleans public schools was predominantly Black (Cook & Dixon, 2013). Following the hurricane, 7,500 New Orleans public school teachers were placed on Disaster Leave without pay, and then 4,500 teachers lost their jobs. Thus, many studies in this sub-set take up the issue of the mass firings of veteran, predominantly Black teachers during comprehensive school reform processes (Buras, 2016; Cook & Dixon, 2013; Lincove et al., 2018). Together, these studies found that educators were negatively impacted by the hurricane, and teachers continued to be affected even years following the event. Further, studies of the mass firings of Black teachers spoke to ways that school reform in response to Hurricane Katrina disproportionately and negatively affected educators of color—perpetuating inequalities that were historically part of schooling in New Orleans. Educators' perspectives on crises such as Hurricane Katrina are highly relevant to this

dissertation, because they (1) center the voices of teachers, (2) involve both direct reports from educators and analysis of district and local policy, and (3) historically situate the experiences of educators from marginalized backgrounds.

Special education. A fifth issue involved special education following Hurricane Katrina. Studies in this group focused on special educators' perceptions of the school system after Hurricane Katrina (Alzahrani, 2018), designing resources for children with Autism Spectrum Disorders (Edmonds, 2016), discipline of students with disabilities post Hurricane Katrina (Jeffers, 2014), and charter school access for students with disabilities (Morse, 2010). These studies concluded that several factors could help to support the education of students with disabilities in times of emergency, including: (1) specific strategies and supports for students who are considered more at-risk, (2) collaboration among school leaders and special educators, and a (3) strong emergency preparedness, response, and recovery plan to support students with disabilities during emergencies. These findings echo the recommendations regarding response to natural disasters globally, and point to the unique challenges and needs that children with disabilities may encounter, as they are educated during and after emergencies, including global pandemics.

Special Education and the COVID-19 Pandemic. Research focused on K-12 education and COVID-19 broadly conceived has addressed a variety of important issues to date. Scholars have paid much attention to the impact of the pandemic on K-12 education for the last several years, and have written conceptual articles, empirical articles, essays, and position statements on this topic. This review will not include all of these important trends in education research related to COVID-19. Rather, it will focus on issues related to special education and the COVID-19 pandemic, as lessons from this body of research are most relevant to this dissertation.

The nature and content of special education services afforded to children with disabilities shifted in response to the COVID-19 pandemic. Interpretations of special education policy, which were not fully settled before the pandemic, became even less clear as state departments of education, school districts, and educators worked to discern what it meant to provide a FAPE in the least restrictive environment during a global health emergency. Children with disabilities, who had previously been predominantly learning and receiving related services in-person at their schools, were forced to access special education services in remote or hybrid formats at different points throughout the pandemic. Uncertainty and ambiguity about special education abounded during this time, and scholars have begun to try to understand some of the most basic components of special education in light of the pandemic.

A new body of literature has begun to emerge that is focused on four key topics: (1) educator perspectives on special education during the pandemic, (2) caregiver perspectives on special education during the pandemic, (3) special education program development in response to the pandemic, and (4) legal interpretations of the provision of a FAPE during the pandemic. Below, I review empirical research, conceptual scholarship, and legal analyses related to these topics in more detail, uncovering how problems are framed in relation to these topics, the methods employed in scholarship focused on each topic, and the findings and implications relevant to the four topics. Then, I turn to the relevance of this body of research to this dissertation.

Educators' Perspectives on Special Education during the Pandemic. To date, most of the studies of special education and the COVID-19 pandemic have focused on educators' perspectives. This research has framed the problem that needed to be addressed as primarily the shift from in-person to remote schooling that took place as shelter-in-place orders were mandated

to mitigate the spread of COVID-19. Some scholarship framed the problem from a deficit perspective, claiming that educators lacked the knowledge and skills necessary to effectively use technology to provide education (Rice, 2022; Steed & Leech, 2021). Other studies identified problems focused on the challenges likely experienced by specific groups of learners, including children with emotional behavioral disorders (Hirsch et al., 2021), autism spectrum disorders (Hurwitz et al., 2022), and those in early childhood settings (Steed & Leech, 2021). Two additional studies focused on potential barriers people might experience when shifting to remote learning, including special educators' vulnerability to experiencing stress and burnout (Cormier et al., 2021) and the accessibility challenges that people with disabilities encountered as education moved online (Long et al., 2021). One study (Schuck et al., 2021) framed the research problem as a need for teachers to give up instructional control and rely more on parent support when shifting to remote instruction.

To address these and other problems, research that investigated educators' perspectives on special education during the pandemic drew on two different methods. The most commonly used method was survey of educators (Cormier et al., 2021; Hirsch et al., 2021, Hurwitz et al., 2022; Steed & Leech, 2021), with sample sizes ranging from 106 to 1107 participants. Surveys of educators were shared widely using social media during the pandemic when face-to-face interactions were not permitted. Several of the studies reported on in this category were part of larger studies of teachers' experiences outside of the pandemic that shifted focus in response to COVID-19. For example, Steed and colleagues (2021) surveyed early childhood educators more broadly, and examined the experiences of early childhood special educators for the article included in this topic. The other studies that investigated educators' perspectives employed qualitative research methods, using semi-structured interviews (Long et al., 2021; Schuck et al.,

2021) or narrative inquiry approaches (Rice, 2022) to collect data. These studies had much smaller sample sizes, ranging from four to 11 participants, but provided rich descriptions of educators' experiences.

The most common finding from research on educators' perspectives on special education during the pandemic was that there was a need for increased support for teachers (Cormier et al., 2021; Rice, 2022), caregivers (Steed & Leech, 2021) and students (Hirsch et al., 2021; Schuck et al., 2021). The nature of this support varied, but included specific calls for more virtual meetings and individualized check-ins (Hirsch et al., 2021; Schuck et al., 2021), a need for mental health supports (Cormier et al., 2021; Hurwitz et al., 2022), and a need for technology-focused professional learning (Steed & Leech, 2021). Only two studies focused on the provision of special education services specifically: one examined the changes that were needed when implementing individualized education plans during a shift to remote learning (Hurwitz et al., 2022) and the other focused on the need to explicitly consider inclusion plans in remote learning contexts (Steed & Leech, 2021).

Emerging research on educators' perspectives on special education during the COVID-19 pandemic has begun to uncover some of the challenges educators experienced during this time. What is most relevant to this dissertation is the emphasis on including educators' voices in studies of the pandemic; this dissertation included educators as key interview participants in the study to address this need. This body of research also illuminates the need for more research focused on how educators actually provided special education supports and services during remote learning periods and as schools began to re-open. To address this need, this dissertation investigated how educators learned about and enacted specific policies related to the education of students with disabilities as the pandemic unfolded.

Caregiver Perspectives on Special Education During the Pandemic. A second common

area of focus for studies of special education during the pandemic was focused on the caregiver

perspective. The research in this area constructed two key problems that needed to be addressed.

The first problem was framed as the new stress caregivers experienced as they educated their

children at home (Briersch et al., 2021; Manning et al., 2020; Somenschein et al., 2022). This

stress was described as related to children's specific disability labels (e.g., Autism Spectrum

Disorders) or the new roles caregivers took on as they helped their child(ren) access remote

learning. The second problem concerned children with disabilities and the disruptions in services

and supports they encountered due to the pandemic (Averett, 2021; White et al., 2021).

To address these problems, researchers predominantly drew on survey methods to learn

more about caregivers' experiences during the pandemic (Briersch et al., 2021; Manning et al.,

2020); Somenschein et al., 2022; White et al., 2201). These surveys had sample sizes ranging

from 153 to 3,502 participants, and focused on caregivers' general experiences with remote

learning (Briersch et al., 2021; Manning et al., 2020; White et al., 2021) and their experiences

with stress (Manning et al., 2020). One study used interviews of 31 caregivers to better

understand both caregivers' challenging and positive experiences during periods of remote

learning (Averett, 2021).

Across the studies focused on the caregiver perspective, there were three key findings.

First, this group of studies found that remote learning is stressful for families of children with

disabilities (Somenschein et al., 2022; White et al., 2021), especially for families of younger

children and those with more intensive support needs (Averett, 2021; Manning et a l., 2020).

Second, these studies found that the there was widespread disruption in special education and

related services during the pandemic (Averett, 2021; White et al., 2021). Third, these studies

emphasized that there is a need to view caregivers as partners in the education of children with disabilities, and to streamline two-way communication between home and school (Briersch et al., 2021).

Caregivers have been essential partners in the education of students with disabilities throughout the COVID-19 pandemic. Two aspects of this research are particularly relevant to this dissertation. First, including caregivers' perspective when examining issues of special education during the COVID-19 pandemic is essential. The dissertation takes this perspective into account and builds on the findings of survey studies by including the voices of caregivers as participants by observing caregiver interactions with members of the school committee and the school department in public meetings. Second, existing research points to the considerable challenges caregivers experienced when supporting their children with disabilities during school closures, such as navigating children's intensive support needs (Manning et a l., 2020) and maintaining communication with schools and teachers (Briersch et al., 2021). The dissertation examined how specific state and district policies affected caregivers of students with disabilities during the pandemic. This level of specificity builds upon current understandings of the general difficulties caregivers experienced.

Special Education Program Development in Response to the Pandemic. A third topic within the emerging body of literature on special education and COVID-19 has focused on program development in response to the pandemic. Two of the three articles in this category were conceptual in nature (Baweja et al., 2021; Frederick et al., 2020), and one article reported on empirical research (Kim & Fienup, 2022). The purpose of this group of studies was to provide guidance and recommendations for special education practitioners. Articles in this group focused on different sub-topics, including best practices for providing applied behavioral analysis

supports online (Frederick et al., 2020), how to increase attendance and engagement for students with disabilities who are learning remotely (Kim & Fienup, 2022), and best practices for supporting children with Autism Spectrum Disorders (Baweja et al., 2021). What distinguishes this group of studies is that authors paid less attention to understanding the experiences of educators, caregivers, or students affected by the pandemic, and rather concentrated on formulating recommendations for special education programming, assessment, and practices that educators could implement to better support and identify students with disabilities.

The articles in this group had a range of recommendations regarding what special education professionals should consider and should do when developing programming during the pandemic. Based on in-person models of applied behavioral analysis, Frederick and colleagues (2020) developed a new model to provide applied behavioral analysis services for children with Autism Spectrum remotely in partnership with caregivers. This model included (1) parent interview and accessibility assessment; (2) board certification behavior analyst program preparation; (3) behavior interventionist training in distance support strategies; (4) distance support intervention sessions; and (5) board certified behavior analyst supervision and parent support. A key message in this article was the importance of collaboration in this model—between caregivers and interventionists as well as interventions and supervisors. In another study, Kim & Fienup (2022) examined an intervention for children with disabilities who had the necessary technological resources to engage with online learning but engaged less than expected. These researchers collected baseline data on how three second-graders engaged with Google Classroom, Google Meet, and Flipgrid activities during remote learning. The researchers then designed an intervention that included a student preference assessment to discern students' interest, followed by a task analysis activity and virtual reward. This study found that task

analyses coupled with virtual rewards helped students access educational curricula and learning opportunities. Baweja, Brown, Edwards, and Murray (2021) provided a commentary overview of the impact of the COVID-19 pandemic on the Autism community. They noted that children with Autism Spectrum Disorder experienced challenges with their education, vocational experiences, home and leisure activities, behavioral health services, special education service delivery, and telehealth appointments. The authors note that the pandemic had revealed existing weaknesses in the system that supports children with Autism Spectrum Disorders, and they called for innovation in the field that centers the voice of Autistic children and their caregivers.

  The Provision of a Free Appropriate Public Education During the Pandemic. Finally, two researchers to date have focused on the provision of a FAPE during the pandemic. Both of these articles have a legal focus, and they point to the fact that the Individuals with Disabilities Education Act (2004) does not provide explicit guidance for extended school closures. Below, I describe each of these articles in more detail.

  Easop (2022) examined district re-opening plans to understand how districts planned to support students with disabilities during the pandemic. Specifically, this article used critical race theory and DisCrit theoretical frameworks, which focus on the ways that racism and ableism circulate independently to uphold notions of normality, to evaluate in-person priority policies. The article argued that in-person priority policies can perpetuate systemic inequities for students with disabilities, in particular students of color with disabilities. Specifically, Easop (2022) argued that policies that prioritized bringing English learners and students with disabilities back to in-person learning before their peers raised equity concerns regarding the development of segregated classrooms and discrepancies in disciplinary experiences. This meant that students who were supposed to have access to inclusive classrooms were instead learning only with

students with disabilities, given that this group of students was categorically prioritized for in-person learning. More alarmingly, Easop (2022) also found that many district policies stipulated that local policy and/or school resource officers were responsible for enforcing COVID-19 related safety guidelines in school. This meant that students with disabilities were more likely to have their behavior policed and to experience harsh disciplinary policies than their peers who were learning at home. To ameliorate these inequities, Easop (2022) made four recommendations. First, this article recommends that districts need to build accessible virtual learning programs. Second, this article urges districts to adopt trauma-informed non-exclusionary disciplinary policies. Third, this article suggests that districts need to develop an individualized approach to in-person priority policies that do not use disability, language, or low-income status as a proxy for need. Finally, Easop (2022) recommends that districts expand compensatory education and extended school year services for students to meet their individual needs.

Like Easop, Gagnon and Benedick (2021) were also concerned with issues related to the provision of a FAPE for students with disabilities during the pandemic. Gagnon and Benedick (2021) focused on the provision of a FAPE for a group of incarcerated youth in Washington, D.C. who had been part of a recent lawsuit, *Charles H. et al., v. District of Columbia et al.* This lawsuit argued that the education of incarcerated youth "should be comparable in quality, program selection, and rigor to the education provided to the public" (p.5) and, during the pandemic, each student in D.C. should have had an individualized distance learning plan based on district policy. Drawing on confidential student files and video interviews, the researchers described the youth who were part of the lawsuit as having a range of learning, emotional, and health-related disabilities. During the pandemic, the youth were provided with approximately two hours of schoolwork every two weeks in the form of paper packets and/or tablets preloaded

with worksheets, often drawing on content well above their reading levels. Further, these youth did not receive any feedback from educators or any virtual learning opportunities. The youth were denied counseling services and access to behavioral supports. Gagnon and Benedick (2021) argued that the provision of a FAPE as outlined in the Individuals with Disabilities Education Act (2004) had been violated in terms of (1) instruction and monitoring of youth academic progress, (2) related services, and (3) Office of the State Superintendent of Education supervision and oversight. The researchers argued that harm incurred by these youth included disrupted progress toward earning their high school diplomas, a negative impact on their motivation and focus, and social/emotional harm due to lack of related services. To remediate this harm, Gagnon and Benedick (2021) recommended a compensatory education for incarcerated youth that extended beyond the age of 22 when services would typically discontinue, including transportation to services once youth were released from prison, and building academic and job-readiness skills.

Research focused on the provision of a FAPE for students with disabilities during the COVID-19 pandemic is perhaps most relevant to the dissertation. These studies closely examined issues of equity and inclusion for students with disabilities, and the impact of state and district decision-making on the education students with disabilities had access to during this time. Like the articles in this category, this dissertation traced policies from the Individuals with Disabilities Education Act to the local level to see if and how students with disabilities received a FAPE in the least restrictive environment during the pandemic. Further, these studies suggest the importance of compensatory services. The dissertation examined how compensatory services were taken up as a policy at the state and local level in one school district.

Research on Special Education Policy Implementation

A second body of research that is relevant to the work of my case study of special education policy in response to COVID-19 is the existing empirical research and policy analyses focused on special education policy implementation. For the purposes of this review, special education policy implementation included the enactment of all aspects of the Individuals with Disabilities Education Act in states, districts, or schools; as well as guidance for implementing aspects of the Individuals with Disabilities Education Act following interpretation by the courts from 2012-2023. Research about the implementation of specific instructional strategies for students with disabilities was not included, as this encompasses a large body of work that is beyond the scope of this review. International research on special education policy implementation was also not included in this review, because of the focus on implementation of the Individuals with Disabilities Education Act, which is specific to the United States. My analysis of the 41 articles I located reveals three orientations toward special education policy implementation: (1) technical perspectives, (2) legal perspectives, and (3) interpretive and/or critical perspectives.

Technical Perspectives

Technical perspectives of special education policy implementation focused on how states, districts, or schools enacted components of the Individuals with Disabilities Education Act with fidelity to the law. This group included the most articles reviewed, with 20 of the 41 studies drawing on technical perspectives of special education policy implementation. These studies explored a range of topics, including response to intervention (Albritton & Truscott, 2014; Berkeley et al., 2020; Hollenbeck & Patrikakou, 2014; Nagro et al., 2019; Savitz et al., 2018), issues related to Autism Spectrum Disorders (Parsons, 2018; Ruble et al., 2013), college and career readiness (Edgerton et al., 2020; Gothberg et al., 2019), special education service

provision (Davis et al., 2013; Lownman & Kleinert, 2017; Moreno et al., 2017); inequality

(Conlin & Jalilevand, 2015); Gotherberg et al., 2019), and issues related to educators (Johnson &

Semmelroth, 2015; Sanders, 2015; Schaaf et al., 2015; Shriner et al., 2017; Steinbrecher et al.,

2013).

Research focused on technical perspectives on special education policy implementation

constructed research problems in four key ways. First, five studies highlighted the issue of

increased accountability in education policy and the need for high quality teachers for students

with disabilities (Edgerton et al., 2020; Johnson & Semmelroth, 2015; Lownman & Kleinert,

2017; Moreno et al., 2017; Schaaf et al., 2015; Steinbrecher et al., 2013). Similarly, a second

group of studies constructed research problems by using deficit views of educators (Gothberg et

al., 2019; Nagro et al., 2019; Sanders, 2015; Shriner et al., 2017). Specifically, these studies

claimed that the persistent failures of students with disabilities, the complex nature of policy

directives, and a lack of teacher knowledge contributed to issues with consistent policy

implementation. A third group of studies positioned inconsistent policy implementation among

states and local districts as a barrier to successful policy enactment (Berkeley et al., 2020; Conlin

& Jalilevand, 2015; DeMatthews & Knight, 2019; Savitz et al., 2018). The fourth group of

studies in this group located the problem with policy implementation with the increased number

of students with specific needs related to their disabilities (Davis et al., 2013; Parsons, 2018;

Ruble et al., 2013) and new approaches to determining those disability labels (Albritton &

Truscott, 2014; Hollenbeck & Patrikakou, 2014). Framing research problems in these ways

reiterates the hierarchical nature of technical-rational approaches to policy implementation,

rationalists' desire to decrease variability in implementation among local actors, and the

tendency of policy developers to locate issues with policy implementation with implementers, rather than the policies themselves.

To address these problems, researchers primarily drew on survey methods (Albritton & Truscott, 2014; Davis et al., 2013; Edgerton et al., 2020; Gothberg et al., 2019; Hollenbeck & Patrikakou, 2014; Lownman & Kleinert, 2017; Moreno et al., 2017; Nagro et al., 2019; Parsons; Sanders, 2015; Schaaf et al., 2015; Shriner et al., 2017). Surveys were used to better understand how educators in local districts implemented a range of policy directives related to students with disabilities in their classrooms and schools, and if their implementation was effective. A smaller sub-set of studies used policy analysis and/or analysis of publicly available IDEA reporting data (Berkeley et al., 2020; Conlin & Jalilevand, 2015; DeMatthews & Knight, 2019; Savitz et al., 2018; and Steinbrecher et al., 2013). These studies aimed to understand larger trends in policy implementation, including how implementation varied across states and localities (Berkeley et al., 2020; DeMatthews & Knight, 2019; Savitz et al., 2018; Steinbrecher et al., 2013) and how resources were allocated (Conlin & Jalilevand, 2015). One study in this group involved the analysis of teaching videos using an observation protocol to understand if and how special educators used evidence-based practices in their instruction, with the goal of improving teacher quality (Johnson & Semmelroth, 2015). The final study in the group employed a randomized, single-blind, pre-post group design to measure the implementation fidelity of an intervention with teachers (Ruble et al., 2013). These methods all align with a technical perspective on special education policy implementation, given that this lens is focused on a unidirectional flow of information, in which educators are implementers of policies that trickle down from above.

Across studies focused on technical perspectives of special education policy implementation, there were two key findings. First, nine studies found variation and

inconsistency in policy implementation were widespread across states and local districts (Berkeley et al., 2020; Conlin & Jalilevand, 2015; DeMatthews & Knight, 2019; Lownman & Kleinert, 2017; Moreno et al., 2017; Savitz et al., 2018; Shriner et al., 2017; Steinbrecher et al., 2013). Second, eleven studies found that educators played an important role in policy implementation, and often did not have the knowledge or skills to implement special education policies successfully (Albritton & Truscott, 2014; Davis et al, 2013; Edgerton et al., 2020; Gothberg et al., 2019; Hollenbeck & Patrikakou, 2014; Johnson & Semmelroth, 2015; Nagro et al., 2019; Parsons, 2018; Ruble et al., 2013; Sanders, 2015; Schaaf et al., 2015). These findings again emphasize a technical orientation toward policy implementation, with goals of decreasing variability and inconsistencies among implementers. However, this group of studies also reveals the partial picture of policy implementation that is constructed when using a technical perspective. There is a need to more deeply understand what aspects of federal special education policies are interpreted and taken up at the state and local levels, and the nature of educators' role in policy implementation, something that is challenging to fully examine using a technical lens.

Legal Perspectives

Seven of the 41 articles reviewed represented legal perspective on special education policy implementation. These articles addressed updates to special education law and policy (Yell & Bateman, 2020; Zirkel, 2013.; Zirkel, 2020) and examined procedures related to the Individuals with Disabilities Education Act (Blackwell & Blackwell, 2015; Blackwell et al., 2019; Heintzelman & Bothan, 2017; Zirkel, 2016). Articles in this group were not research oriented, but rather served the purpose of communicating changes in special education policy and/or recent legal interpretations of special education law back to educators and caregivers.

Zirkel (2013; 2020), for example, shared legal updates to special education law for educators following reauthorization of the Individuals with Disabilities Education Act. In the first of these updates, Zirkel (2013) highlighted important legal developments related to parental consent, response to intervention, the use of peer-reviewed research, Autism Spectrum Disorders, and student discipline. In the second update, Zirkel (2020) wrote a primer for teachers and parents, focused on key areas of special education law, including child find and eligibility; substantive, procedural, and implementation issues related to the provision of a FAPE; related services; least restrictive environment mandates; student discipline; and remedies. Along similar lines, Yell & Bateman (2020) interpreted and communicated updates to special education law following the *Endrew F. v. Douglas County School District* (2017) Supreme Court decision. This article proposed implications of the *Endrew F.* case for the education field, including that expectations for providing educational benefit will no longer vary based on geography; more ambitious programming will be available for students with disabilities; and that districts, not parents, will now carry the burden of proof for the provision of a FAPE (Yell & Bateman, 2020). According to the articles in this group, the language of special education law was too complex for educators and caregivers to understand on their own, and required interpretation by an expert in more accessible language. This notion has important implications for any future examinations of nation-wide shifts in special education policy. Specifically, it will be critical to understand if and how states and districts draw on experts to interpret shifts in policy, and any impact such communications have on local enactment of new policies.

The second set of articles taking on a legal perspective on special education policy implementation focused on procedural issues related to the Individuals with Disabilities Education Act. These articles concerned video surveillance in special education (Heintzelman &

Bathon, 2017), dispute resolution procedures (Blackwell & Blackwell, 2015), due process for

students with emotional and behavioral disorders (Blackwell et al., 2019), and manifestation

determinations (Zirkel, 2016). Similar to the articles focused on updates to special education law,

articles focused on procedural issues related to the Individuals with Disabilities Education Act

aimed to interpret complex legal cases for educators and caregivers. Unlike articles focused on

updates to the law, articles in this group addressed more specific issues, tracing developments

from the letter of federal law to implementation in specific states (Blackwell & Blackwell, 2015;

Blackwell et al., 2019 Heintzelman & Bathon, 2017; Zirkel, 2016). Overall, articles focused on a

legal perspective on special education policy implementation underscore the importance of

understanding how policies at the federal level are taken up and interpreted differently in

different states. The legal perspective suggests the need for experts to interpret and communicate

developments in special education policy due to their complexity. This perspective further

illuminates the challenges inherent in the changing special education policy landscape, given that

new developments occur both due to updates in special education law, and due to substantive and

procedural interpretations in the courts.

Interpretive and/or Critical Perspectives

Most relevant to this dissertation, interpretive and critical perspectives on special

education policy implementation were concerned with how educators enacted a variety of

reforms in their states, schools, and classrooms. Fourteen of the of the 41 articles reviewed

involved interpretive and/or critical perspectives on special education policy implementation.

These studies addressed topics including response to intervention (Cowan & Maxwell, 2015;

Printy & Williams, 2015), the transition from early intervention to early childhood special

education (Votava & Chiasson, 2015; Voulgarides & Burrio, 2021), issues of accountability and

compliance with special education law (Bray & Russell, 2018; Kramarczuk et al., 2021; Pazey et al., 2015; Russell & Bray, 2013), inclusion (Brown, 2012; DeMatthews & Mawhinney, 2013; McCarthy et al., 2012), and key provisions of the Individuals with Disabilities Education Act (O'Laughlin & Lindle, 2015; Rosetti et al., 2021; Sumbera et al., 2014).

The most common problem constructed by articles in this group centered on issues of inequality, segregation, and exclusion (Brown, 2012; DeMatthews & Mawhinney, 2013; Kramarczuk et al., 2021; McCarthy et al., 2012; Rosetti et al., 2021; Voulgarides & Burrio, 2021). Specifically, studies drawing on this problem frame noted the longstanding issue of inequality for students with disabilities, and how systematic segregation or exclusion of these students disproportionately affected students with additional marginalized identities. A second problem posed by articles in this group involved increased accountability due to federal legislation, and the importance of understanding the impact of this accountability on educators and/or caregivers (O'Laughlin & Lindle, 2015; Pazey et al., 2015; Printy & Williams, 2015; Russell & Bray, 2013; Sumbera et al., 2014; Votava & Chiasson). This problem frame was distinct from problems constructed in articles with a technical perspective described above, in that the authors took on an asset perspective of educators, and aimed to learn from them and share practices with others. A third group of interpretive and critical studies positioned incoherence with policy interpretation as a problem requiring investigation (Bray & Russell, 2018; Cowan & Maxwell, 2015). Like studies addressing increased accountability, these studies took an asset perspective of teachers, and aimed to hear from educators on the ground in order to better inform policy development.

Given the interpretive or critical nature of studies in this group, it is not surprising that all studies used qualitative research methods in their investigations. Six studies drew on multiple

data sources, including interviews, observations, and/or policy documents (Bray & Russell, 2018; Brown, 2012; Cowan & Maxwell, 2015; DeMatthews & Mawhinney, 2013; Kramarczyk et al., 2021; Russell & Bray, 2013). Five studies used interviews as the sole data source (McCarthy et al., 2012; O'Laughlin & Lindle, 2015; Pazey et al., 2015; Printy & Williams, 2015; Rossetti et al., 2021; Votava & Chiasson, 2015), and one study used ethnographic observation as a data source (Voulgarides & Burrio, 2021). One additional study involved a metasynthesis of qualitative studies focused on principals' understanding of the FAPE provision of the Individuals with Disabilities Education Act. Together, these methods speak to the power of qualitative studies to uncover how educators and caregivers interact with and interpret special education policies. These research designs also speak to the value of drawing on policy documents, interviews, and observational data, data sources included in this dissertation.

There were three key findings across studies in this group. First and most importantly findings involved the effects of special education policy on students (Brown, 2012; Cowan & Maxwell, 2015; O'Laughlin & Lindle, 2015; Pazey et al., 2015) and teachers (McCarthy et al., 2012; Russell & Bray, 2013). These studies revealed real challenges students and teachers experienced related to graduation requirements, discipline outcomes, inclusion mandates, and segregation, and underscore the need to consider the effects that policies have on educators and students. Second, studies in this group found that special education policy implementation was highly complex (Bray & Russell, 2018; DeMatthews & Mawhinney, 2013; Rosetti et al., 2021) and varied across contexts (Printy & Williams, 2015; Votava & Chiasson, 2015). These findings reiterate the need to disentangle this complexity by better understanding how federal and state policy directives are translated by district and school leaders, and how different stakeholder interpret these policies. The third finding among studies in this group involved issues related to

compliance with special education policy (Kramarczuk et al., 2021; Sumbera et al., 2014; Voulgarides & Burrio, 2021). Issues of compliance are critical to this dissertation, particularly because compliance mandates were temporarily relaxed during the COVID-19 pandemic.

Conclusion: Theoretical Frames and Related Literature

This chapter described the two theoretical frames that underpin this dissertation study: policy as discourse (Bacchi, 2000) and sensemaking theory (Coburn, 2004; Spillane et al., 2002). Together, policy as discourse and sensemaking theory shaped both the design of the case study and informed how data in the case study were analyzed. In addition to these theoretical frames, this chapter also put forth two bodies of literature on which this dissertation builds. Research on education in times of emergency, and in particular research following Hurricane Katrina and the COVID-19 pandemic, influenced the conceptualization and analysis of this case study. Research on special education policy implementation, with previous emphases on technical, legal, and interpretive and/or critical perspectives, provided a strong foundation for understanding special education policy implementation during the pandemic. In the next Chapter, I further describe how these theoretical frames and bodies of research inform the research design and methods used in this study.

CHAPTER THREE: Research Design and Methods

Approach: Multi-Layered Case Study

This dissertation investigated questions related to (1) state- and district-level policies related to students with disabilities in response to COVID-19, (2) how educators made sense of these new policies, and (3) which issues caregivers and community members raised related to these policies in a public forum. To investigate these questions, I employed a multi-layered case study approach. Broadly speaking, case study research involves triangulating information in ways that allow researchers to describe and offer interpretations of phenomena in ways that are bounded and context-specific (Maxwell, 2012; Merriam, 1998; Stake, 1995). Case studies aim to answer "how" and "why" questions using data from a variety of sources. However, the nature of such data can vary widely (Merriam, 1998; Stake, 1995; Yin, 2013). The case study in this dissertation positions the researcher as an interpreter and generator of knowledge constructed by different actors, with epistemological commitments rooted in constructivism (Merriam, 1998; Stake 1995). These commitments are distinct from what can be characterized as more positivist perspectives, or those focused on objectivity (Yin, 2013). In this dissertation, I relied on document analysis, interviews, and observation to make meaning of actors' experiences during the pandemic. Using these approaches yielded a rich data set that served as a basis for understanding what happened regarding special education policy in the case study site. In particular, by pairing interviews with teachers and leaders and video observations of caregivers and community members in a public forum, I was able to explore the ways in which sensemaking both affected and was affected by individual and collective experiences. More broadly, the ecological nature of the case study approach (Maxwell, 2012) proved well suited to

studying the particular situation that arose in the district and school related to special education

in light of the ongoing pandemic.

A unique feature of the design of the dissertation was the multi-layered nature of the case.

To address this aspect of the design, I adapted ideas from Barlett and Vavrus' (2017)

comparative case study approach, specifically the three axes they propose: vertical, horizontal,

and transversal. While this dissertation is not comparative in nature, it does have a multi-level,

multi-layered, and multi-scalar focus, which is essential to the comparative case study approach.

Below I describe which elements of the comparative case study approach I took up in this

dissertation, which is also shown in Figure 4 below.
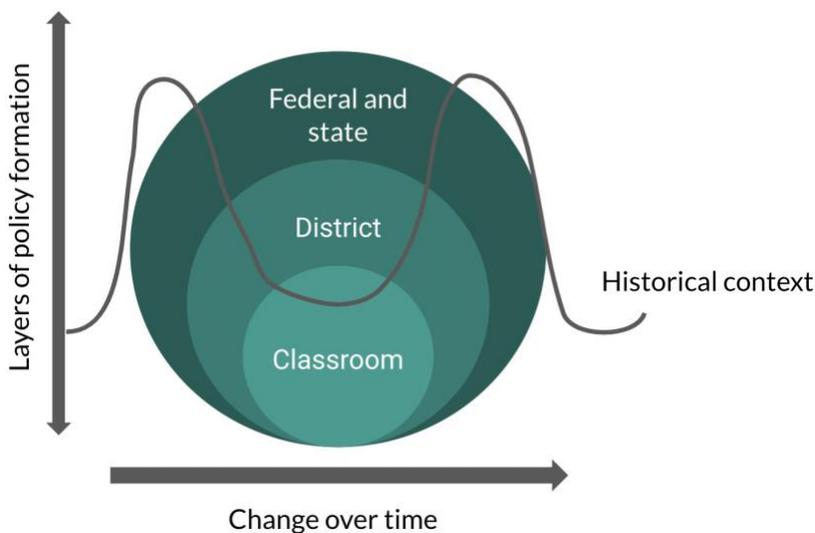
Figure 4. Model of the multi-layered case study.

First, along the vertical axis I considered three layers or scales of policy formation and

implementation. Specifically, the outermost layer of the case study focused on which policies

were enacted at the federal and state levels and how those policies were communicated to the

local level. The middle layer of the case study is the district level, which focused on which

policies were taken up from the state level and how leaders shared those policies with local

schools, teachers, and community members. The innermost layer of the case study is the school

and classroom level. This layer is concerned with how individual leaders and teachers made

sense of policies in their local context both as individuals and in community with one another.

To address this layer, I both asked participants to recall how different policies played out in their

school and classroom, and drew on video observations to see how policies played out based on

actors' reports in a public forum in real time.

Second, along the horizontal axis, I considered how policy formation and enactment

shifted and changed along the vertical axis over time (Barlett & Vavrus, 2017). During the

period of the study, special education policy in response to COVID-19 evolved rapidly, requiring

new policy tools, district interpretations of those tools, and local implementation of new policies.

This dissertation does not compare multiple schools or districts to one another, which the

comparative case study approach suggests. However, analyzing how the policy landscape shifted

over time across the vertical axis helped to uncover if and how these rapid shifts had an impact

on the vertical layers in the case

The third axis that the comparative case study approach considers is the transversal

access, or how the policy-making process is socially and historically situated over time and

across vertical scales (Barlett & Vavrus, 2017). This dissertation is concerned with the education

of students with disabilities, and how policies that came to the forefront of public discourse due

to the COVID-19 pandemic were historically and socially situated. Keeping the historical

context surrounding disability policy front of mind throughout the data collection and analysis

process was key to understanding how the policies that were formed and enacted during the time

of the study were linked to larger ideas about if and how students with disabilities should be

educated.

Case Study Site: Selection and Overview

Because this case study is multi-layered, the boundaries of the case will be drawn around three levels of the vertical axis: the state, the district, and the school. In the first chapter of this dissertation, I provided a rationale for selecting Massachusetts as a focal state for this case study. Below I provide more information about the district and school of focus for the case study, including why these particular contexts were selected for further investigation.

City District

The focal district in this study is a medium-sized urban school district located in Massachusetts. At the time of study, the vision of the district aimed to cultivate a rigorous and joyful learning experience for students (District vision statement, 2020). The district was comprised of 17 schools, including 12 elementary schools, four middle schools, and one high school. Beginning in 1980s, the district began to employ a "controlled choice" enrollment model with goals of improving schools, treating students fairly, empowering parents, promoting diversity, and bringing white families back to the public schools. At the time of this study, the district did not have neighborhood schools—rather, school assignments were made based on parent preference, open seats, and socioeconomic balance.

Controlled Choice. The controlled choice model led to elementary schools developing individual identities and areas of focus to attract students. The district included elementary schools with a focus on two-way language immersion, world language, project-based learning, extended learning time, and specific educational philosophies. These different foci led to not only distinct identities for each elementary school, but also to differences in the curricula used at each school, the approaches to teaching and learning employed at each school, and if and how policies were taken up at each school site. One example of these differences was the curricula

used for reading instruction across the district, which varied based on school leaders' decisions. Specifically, some schools employed Lucy's Calkins *Reading Workshop* approach, others used the Fountas and Pinnel *Guided Reading Collection*, and still others drew from the *Literacy Collaborative* improvement model. A second example of this variation was the expertise teachers needed to teach in each school, with some teachers required to receive training is specific pedagogical approaches, others required to hold dual teacher licensure in English and the school's target language, and still others required to be knowledgeable of project-based approaches to learning. Third, schools varied in how policies around grading were enacted. Some schools used standards-based grading, some used letter grades, and others use narrative reports of student performance. Fourth, elementary schools in the district varied in how they organized students and teachers into classroom cohorts. While many elementary schools employed traditional, single grade classrooms, some schools organized students and teachers into multi-grade classrooms. Another model employed at two elementary schools was a looping model, in which the same cohort of students stayed with their teacher for two school years. This decentralized organization in the district, in which each elementary school held a unique identity and way of "doing school," led to variability in enrollment demographics, measures of student achievement, and rates of family engagement. It also led to elementary schools interpreting how to implement special education and other policies in their own way.

Substantially Separate Special Education Programming. Another dimension of complexity at the district level was the location of substantially separate classrooms, a restrictive placement in which students with similar disabilities were educated in settings segregated from their grade-level peers for the majority of the school day. The district offered the following programs for students with disabilities: Autism Spectrum Disorders Program, Intellectual

Disabilities Program, Language-Based Learning Disabilities Program, Emotional and Behavioral

Disorders Program, and Early Childhood Special Education Program. Table 1 provides a brief

description of each program. The purpose of providing these specialized substantially separate

programs within the district was to increase the number of students whose needs for support

could be met within the district, thus reducing the need for out of district placements in

residential or separate day school settings. These programs were not offered in every elementary

school, and different elementary schools housed different programs for students with disabilities.

This is important to note, because it influenced how special education policies were understood

and enacted within each school community. One way the presence of special education programs

influenced policy implementation was that some elementary schools had to systematically plan

for the inclusion of students with disabilities with more intensive support needs into general

education classrooms, while others did not. A second way these programs influenced how

policies were enacted related to funding structures. Schools that housed substantially separate

programs received more Individuals with Disabilities Education Act (IDEA) funding, and often

had additional staffing, specialized materials, and increased leadership support. A third way

these programs influenced how special education policies were implemented pertained to the

leadership and supervision structure. Substantially separate program staff not only reported to

their building leaders, but also to district leaders from the Office of Student Services, who

offered specialized training, determined which curricula would be used in the different programs,

and managed student enrollment and placement. Together, these factors created differences in

the ways building leaders, general educators, and special educators thought about educating

students with disabilities at each school.

Table 1. Substantially Separate Special Education Programming at the Elementary Level

Substantially separate Special Education Program	Program Description
Autism Spectrum Disorders	An 11-month program for students with Autism Spectrum Disorders who require intensive, specially-designed, evidence-based, small group instruction and support to access the curriculum.
Intellectual Disabilities Program	A program for students with moderate to severe disabilities across various domains. The program focused on functional academics and social skills development using a modified, standards-aligned curriculum in a small group setting.
Language-based Learning Disabilities	A program for students who are diagnosed with a specific learning disability and who are performing significantly below grade level. The program utilized a structured, sequential, multisensory, systematic approach to instruction in a small group setting.
Early Childhood Special Education Program	An 11-month preschool program for students with Autism Spectrum Disorders or moderate to severe disabilities across various domains. The program focused on individual and small group instruction using a direct teaching approach.
Emotional and Behavioral Disorders Program	A therapeutic program for students who exhibit both internalizing and externalizing behaviors that negatively affect their educational performance and participation in general education. The program provided academic, social, emotional, and behavioral supports in a small group setting.

Student Demographics. At the time of this study, the district educated between 6,500 and 7,000 students, with each elementary school educating between 200 and 350 students depending on available seats, school popularity in the controlled choice model, and the presence of substantially separate programs. The student population in the district was more racially diverse that what was typical in Massachusetts, and was predominantly comprised of students who identified as African American, Asian, Hispanic, or Multi-Race (see Table 2).

Table 2. Enrollment Data by Race

Race	% District 2019-2020	% Massachusetts 2019-2020	% District 2020-2021	% Massachusetts 2020-2021
African American	22.6	9.2	22.8	9.3
Asian	12.9	7.1	12.3	7.2
Hispanic	14.1	21.6	13.8	22.3
Native American	0.3	0.2	0.2	0.2
White	40.9	57.9	40.9	56.7
Native Hawaiian, Pacific Islander	0.1	0.1	0.1	0.1
Multi-Race, Non-Hispanic	9.1	3.9	9.8	4.1

At the time of this study, the district enrolled more students with disabilities than the state average (see Table 3 for special populations enrollment data). The district educated more students whose first language was not English than state averages, but fewer students were identified as English Language Learners in the district than the state average. The district also educated fewer students who were considered economically disadvantaged or high needs than the state average.

Table 3. Special Populations Enrollment Data

Title	% District 2019-2020	% Massachusetts 2019-2020	% District 2020-2021	% Massachusetts 2020-2021
First Language not English	28.1	23.0	27.6	23.4
English Language Learner	7.5	10.8	5.9	10.5
Students With Disabilities	22.1	18.4	23.1	18.7

High Needs	46.7	48.7	48.2	51.0
Economically Disadvantaged	27.9	32.8	31.5	36.6

Of the students with disabilities in the district, approximately 75% of students were placed in full inclusion settings at the time of the study (see Table 4). About 11% of students with disabilities were educated in substantially separate classrooms, which is slightly lower than the state average. Nearly 10% of students with disabilities were educated in separate schools, residential facilities, or homebound/hospital placements at the time of the study. This was higher than the state average of 6.5%. Because the district was educating more students with disabilities than the state average, and so many students were educated in more restrictive placements, it is a useful case site for understanding how special education policies during the COVID-19 pandemic were interpreted and enacted.

Table 4. Educational Environments for Students Aged 6-21 with IEPs (2019-2020)

	Enrollment	**District Rate**	**State Rate**
Enrolled students with IEPs	1390	-	-
Full inclusion	1043	75.0%	66.2%
Partial inclusion	57	4.1%	13.9%
Substantially separate	153	11.0%	13.4%
Separate schools, residential facilities, or homebound/hospital placements	136	9.8%	6.5%

Townsend Elementary School

Townsend Elementary School was a Title 1, preK-5 school in the district that was first established in the late 1800s. The school served children from every neighborhood in the district, and students came from nearly every continent. Townsend students spoke over 20 different languages, and the school's focus was on world language at the time of the study. According to

the school website, Townsend had an expressed commitment to ensuring all students had access to opportunities, regardless of their race, ethnicity, nationality, gender, gender identity, disability, religion, or socioeconomic status. To do this, the Townsend principal noted that the school provided the academic, social, and emotional resources students needed to become successful, independent, and culturally proficient members of the local community and the world.

Student Demographics. At the time of the study, between 300-326 students were educated at Townsend, one of the more popular schools in the controlled-choice model in the district. Students at the school were predominantly White, which was slightly higher than the district demographics and which increased over the course of the study (see Table 5). Slightly more African American students were educated at the Townsend than at the district level. A shift in enrollment among Asian students occurred during the study, with school-level enrollment dropping despite district enrollment remaining steady. Hispanic and Multi-Race students attended the Townsend at lower rates than at the district level.

Table 5. School-Level Enrollment Data by Race

Race	% Townsend 2019-2020	% District 2019-2020	% Townsend 2020-2021	% District 2020-2021
African American	23.3	22.6	24.2	22.8
Asian	14.1	12.9	10.3	12.3
Hispanic	12.3	14.1	11.3	13.8
Native American	0.6	0.3	0.3	0.2
White	41.7	40.9	45.0	40.9
Native Hawaiian, Pacific Islander	0.0	0.1	0.0	0.1
Multi-Race, Non-Hispanic	8.0	9.1	8.9	9.8

At the time of the study, nearly half of the students enrolled at Townsend were identified by the state as students with "high needs" (see Table 6). About one quarter of students at Townsend spoke a first language other than English, which was slightly less than district enrollment at the time. Students who were designated English Language learners at the Townsend mirrored district-level designations. About one third of students at Townsend were economically disadvantaged, which was slightly more than district enrollment. Most importantly to the dissertation, Townsend enrolled more students with disabilities than at the district level. The high number of students with disabilities educated at the school was one reason it was selected for further study in the dissertation. Enrollment of students with disabilities was slightly higher at Townsend than at the district level because the school housed two substantially-separate special education programs.

Table 6. Special Populations Enrollment Data

Title	% Townsend 2019-2020	% District 2019-2020	% Townsend 2020-2021	% District 2020-2021
First Language not English	25.5	28.1	24.8	27.6
English Language Learner	7.4	7.5	6.3	5.9
Students With Disabilities	27	22.1	26.5	23.1
High Needs	49.4	46.7	49.7	48.2
Economically Disadvantaged	30.7	27.9	33.4	31.5

Special Education. As mentioned above, Townsend educated more students with disabilities than was typical for the district, in part because of the location of substantially separate programs at the school. Townsend housed two programs for students with disabilities:

the Intellectual Disabilities Program and the Early Childhood Special Education Program, which were separate programs for students with disabilities that are described in more detail above. In addition to these programs, the school offered an array of special education services, including speech and language therapy, occupational therapy, physical therapy, academic strategies support, behavior support, and counseling. Special Education at Townsend was overseen by one of three district-level Special Education Coordinators. The school also received teacher coaching and student support from an Inclusion Specialist and district Lead Teacher. The range of special education offerings, coupled with the additional administrative and coaching support available at Townsend, made it a valuable context for study as part of this dissertation.

Data Generation: Entering the Case Study Site

Initial meetings with City district were held in February 2021 to gauge interest in participating in the study. Due to the pandemic, meetings were held using the Zoom video-conferencing platform with a variety of district leaders, beginning with the Assistant Superintendent for the Office of Student Services. In this initial conversation, I shared my ideas for the project and the Assistant Superintendent invited me to present my research plan to the Superintendent's leadership team. The Assistant Superintendent also recommended potential interview participants and identified key actors in the district and community. Next, I met with members of the Superintendent's leadership team, including the Deputy Superintendent, Assistant Superintendent for Curriculum & Instruction, Director of Equity, and the Assistant Superintendent for Student Services to present my project ideas. The group provided additional feedback, recommended documents and resources to review, and shared initial insights regarding the district's response to the pandemic. The official data collection period for the case study began in March 2021, following approval from the district's internal review board, and ended in

June 2021. Collection of documents began early in the data collection period, while the video

and interview data collection occurred later. Data were stored using the qualitative research

software program, NVivo, in password-protected files.

Data Sources

As discussed earlier, case study research involves multiple sources of evidence, which

allows for triangulation and strengthens the trustworthiness of the inquiry (Merriam, 1998). This

case study was based on multiple data sources, including documents, interviews, and video

observations. Table 7 provides an overview of the data sources that were used for this case study.

A detailed explanation of each data source follows the table.

Table 7. Summary of Data Sources and Study Participants

Sources	Description	Totals
Policy tools and documents	*State policy documents* • Q&A • Fact Sheet • Resource document • Letter • Advisory • Memo • FAQ • Special Education Director Meeting PowerPoint *District level policy documents* • Special Education Weekly Updates • Office of Student Services Memos • Office of Student Services Messages to Families • Staff Expectations • Resources	120+ policy tools and documents
Interviews (60-90 minutes each)	*Leaders* • Two district leaders who each participated in one interview • Two school-level leaders who each participated in one interview	6 interviews

	Teachers • Two special education teachers who each participated in one interview	
Video observations (60-150 minutes each)	• Ten recorded sessions from special education subcommittee of school committee meetings	10 videos

Policy tools and documents were a key source of evidence in this study, and served multiple purposes, including providing context, informing interview protocols, tracking changes in policies over time, and corroborating evidence from interviews and video observations (Bowen, 2009). Like many policies, the COVID-19 response to special education was not captured in a single document, but rather diffuse throughout many policy documents and tools. This required that I review multiple documents from a variety of sources to fully understand the policy landscape. I used progressive theoretical sampling (Altheide & Schneider, 2013) to select documents for review based on my emerging understanding of special education policy during the COVID-19 pandemic. In terms of policy tools and documents, I first gathered publicly available state policy tools and documents from the Massachusetts Department of Elementary and Secondary Education, including fact sheets, memos, and PowerPoint slides. These policy tools and documents were focused on special education policy during the COVID-19 pandemic, and represented policy messages, guidance documents, and resources for local education associations. State-level policy tools and documents helped me to understand which special education policies were communicated from the State Department of Education to the local districts. After collecting state level data, I next gathered district level policy tools and documents. These data included internal documents, such as special education weekly email updates for staff, memos from the Office of Student Services, communications with families, staff expectation documents, and a variety of teaching and learning resources. Each weekly email

update included a number of internal, hyperlinked resources, templates, and guidance documents, which were also included in the data corpus. Publicly available documents from the district website were also collected.

Second, in-depth, semi-structured interviews were conducted with six leaders and teachers from the district (Merriam, 1998). I invited interview participants using a purposive sampling approach (Miles et al., 2014), drawing on recommendations from district leaders and other interview participants to identify participants with diverse perspectives and roles in the district. All interviews were between 60-90 minutes in length, took place during one to two sessions, and were structured based on the interview protocol described in more detail below. Interviews were conducted via the Zoom platform, were audio-recorded, and the audio-recordings were professionally transcribed and de-identified. All audio-recordings and transcription files were uploaded and stored in NVivo. Table 8 provides department, role, and work arrangement information for each interview participant.

Table 8. Interview Participants

Role	Department	Work Arrangement
Assistant Superintendent	Office of Student Services	Hybrid
Director of Family Engagement/former Principal	Office of Equity, Inclusion, and Belonging	Hybrid
Principal	Townsend Elementary	In-person
School Psychologist	Office of Student Services/ Townsend Elementary	Hybrid
Special Educator– Early Childhood Inclusion	Office of Student Services/ Townsend Elementary	Remote
Special Education– Substantially Separate	Office of Student Services/ Townsend Elementary	In-person

My approach to the interviews drew mainly from Seidman's (2006) recommendations for in-depth, phenomenological interviews. In this approach, interviewers draw on open-ended questions "to have participants reconstruct their experience within the topic under study" (Seidman, 2006, p. 14). This approach was particularly useful in the dissertation project, as interview participants were asked to recall their lived experiences during the pandemic and the meaning they made from those experiences. Because the interviews involved asking participants to recall their experiences, I drew on both open-ended and stimulated recall questions. The open-ended questions provided opportunities for participants to reconstruct their experiences with teaching and learning during the pandemic (Seidman, 2006). The stimulated recall questions were used to examine the thought processes and decision-making of educators during this time (Calderhead, 1981). Specifically, I showed each participant state and district documents that illustrated four key policies that were identified based on my initial impressions following the collection of document data and initial conversations with district leaders. Together, these open-ended and stimulated recall questions contributed to educators' constructions of their experiences with special education policy during the COVID-19 pandemic. See Appendices A and B for interview protocols.

During each interview, I took handwritten notes, which were later typed and organized to capture my observations. Following each interview, I wrote a reflective memo to record my initial reflections, impressions, and thoughts. These memos served as preliminary parts of data analysis, as I linked ideas from my theoretical framework and literature review with my impressions from the interview (Corbin & Strauss, 2008).

Third, I reviewed video-recorded special education subcommittee meetings from the city's school committee. Video-recorded meetings were publicly available on the district

website, and included participation from caregivers, community members, district leaders, school committee members, students, and teachers. My approach to generating data from the video recordings was influenced by Erikson's (2006) recommendations. According to Erikson, video recordings can provide researchers with powerful insights into moment-by-moment social interactions that are essential for understanding phenomena in the field of education. Shifts in the mode of meetings due to the COVID-19 pandemic created a unique opportunity in which video recordings from school committee meetings were publicly available. I leveraged this opportunity in my study design, drawing on video recordings as a "resource for data construction" (Erikson, 2006, p. 400). That is, I made decisions about the level of detail I would include in video transcription to best understand how caregivers, educators, and community members made sense of pandemic-related special education policies.

I first watched all of the video recordings to determine which portions of the meetings I would focus on in the dissertation using a structured protocol based on Altheide & Schneider's (2013) recommendations for observing media (see the protocol in Appendix C). During this initial viewing of the video recordings, I noted the topic, date, and time of the meeting, as well as the actors present, the agenda shared, the special education policies discussed, and the controversies raised in the meeting. In my protocol notes, I also included time-stamp information for portions of the videos linked to my research questions. Following each viewing, I wrote reflective memos that linked emerging impressions and observations to the theoretical frameworks and literature addressed in the study. From this initial viewing, I determined I would use the full-length meeting as part of the data corpus. To best align with my research questions, I made the decision to only include video transcriptions in my analysis. All videos were professionally transcribed, and transcriptions were uploaded and stored in NVivo.

Data Analysis

According to Merriam (1998), "data collection and analysis [are] simultaneous activit[ies] in qualitative research" (p. 9). Throughout the concurrent data collection and analysis work of this dissertation, I drew on Merriam's recommendations for qualitative inquiry. Specifically, I engaged in a constant narrowing of focus, drew on previously collected data to inform future collection activities, wrote memos about what I was learning, and explored the literature as I collected data (Merriam, 1998). Given the volume of data generated in this study, I approached the analysis process systematically, which involved three readings of the data (Miles et al., 2014). This allowed me to bring structure to my analysis and track how my thinking evolved over time.

The first stage of my analysis involved the ongoing engagement with and reflections on the data during the collection phase of the project. Specifically, I read through all of the document and interview data and watched all of the video observations as data were generated (Merriam, 1998). As I read, I first constructed a timeline of key events and communications related to special education policy during the COVID-19 pandemic. I also noted my initial impressions and emerging insights regarding how policies unfolded during the pandemic in City district. The reflective memos written at this stage of analysis focused on emergent connections between the data and the literature that informed the design of the study (Merriam, 1998).

In my second read of the data, I engaged in a more formal period of coding. From my engagement with the policy as discourse and sensemaking theory literature, I developed a provisional list of *a priori*, or deductive, codes (Miles et al., 2014). For example, I applied codes such as *actors involved, documentation and monitoring, provision of FAPE, policy salience, accountability*, and *uncertainty and ambiguity* to the data. In addition to these *a priori* codes

based on the literature, I also remained open to ideas in the data that did not fit preexisting codes. As part of this second stage of analysis, I engaged in *inductive* coding to identify emergent codes from the data (Miles et al., 2014). These codes included *caregiver advocacy, collective responsibility, information pathways, prioritizing groups of students,* and *health and safety*. Once I established my codebook, I systematically applied codes to the data corpus, working chronologically by data source type. I wrote reflective memos throughout the coding process, noting emergent themes and additional connections to the literature.

In my third reading, I aimed to further consolidate, reduce, and interpret the data (Merriam, 1998). This stage first involved creating matrix displays to organize the data and understand educators' and caregivers' interpretations of policies described in the policy documents and tools (Miles et al., 2014). I created two matrices to help me visualize the data related to my research questions: one focused on tracing policies from the state to local level and one focusing on how key policies were interpreted and enacted at the district and school level. These matrices built on the coding I engaged in with the second stage of analysis, and provided another way for me to uncover patterns and tensions in the data. From these matrices and the codes described above, I next began to engage in pattern coding, in which I consolidated the codes identified above into larger themes (Miles et al., 2014). From there, I drafted a graphical display of the three broad themes I identified in the data (Miles et al., 2014). This graphical display evolved throughout the analysis period and allowed me to show the relationships between ideas critical to how special education policy played out in City district during the pandemic.

Researcher Access, Trustworthiness, Positionality, and Limitations

One important component of qualitative research is trustworthiness. That is, qualitative research must have some accounting for validity and reliability. The dissertation is aligned with

part of Merriam's (1998) conception of validity, specifically her focus on internal validity. Internal validity is an important area of focus, because it is concerned with determining if the conclusions drawn from a study are congruent with reality. In qualitative research, reality is not fixed or static state, but rather multi-dimensional and constantly changing (Lincoln & Guba, 1985). Given the context of the dissertation, during which reality was changed and influenced by an ongoing global pandemic, internal validity is perhaps even more important to consider.

To enhance the internal validity of the dissertation, I took several important steps throughout the data collection and analysis periods. First, I used multiple data sources, multiple perspectives in interviews and observations, and data derived from multiple layers of the system responsible for enacting special education policy to triangulate the data and confirm or disconfirm emergent findings. Despite my best efforts to obtain a variety of perspectives through participant interviews, several educators who initially agreed to participate in interviews later declined participation in the study. Because of this, it was critical to obtain educator perspective in other ways, which is part of the reason why I decided to include analysis of the full school committee meeting videos. During these meetings, education leaders and teachers often presented, both formally and informally, their perspectives on key issues related to special education during the pandemic. These real time accounts supplement the interview data and provided multiple sources of educator data for the study.

Second, I engaged in member checks with key people in the district to ensure that my impressions, assumptions, and emerging conclusions resonated with participants in the study. Given that I asked participants to retrospectively reflect on how they implemented special education policies, rather than directly observe enactment of policies in real time, it was critical to check my understanding of participant responses with key stakeholders in the district. These

member checks occurred with individuals at two key points in the analysis stage: following the collection of all data, and after the development of the visual display of the key findings of the study. From the member checks, I further refined my initial findings to ensure my analysis represented the lived experiences of members of the district.

Third, I engaged in peer debriefings with members of my writing group throughout the analysis phase. I asked for comments and feedback from my colleagues on findings as they emerged. This involved asking colleagues to review samples of data and attend to evidence (or lack thereof) of educator and caregiver sensemaking of special education policy during the COVVID-19 pandemic (Lincoln & Guba, 1985). Feedback from peers helped me to identify potential blind spots in my thinking.

A fourth important consideration to enhance internal validity is to clarify my own biases and assumptions at the outset of this study. It is important to note here that I am a former special educator, and thus have a vested interest in educational policies that have an impact on special educators and their students. I also have a history working with the case study district in different capacities—as a teacher and consultant. This existing relationship is both beneficial and challenging to the work of the dissertation. On the one hand, I have existing relationships that have helped me to secure interviews, build trust quickly, and understand some of the ways that the district approaches teaching and learning for students with disabilities. On the other hand, I needed to be especially careful to not allow my prior experiences to cloud my analytical process—it was especially critical to constantly look for disconfirming evidence with regard to emerging findings and theories. I have previously consulted with the case study school when the school was led by a former principal, and I understood some of the struggles the school had faced with policies like inclusive education. This existing relationship and prior knowledge

helped me to enter the site more quickly and dig into the work of uncovering how teachers and

leaders made sense of COVID-19 policies. At the same time, it is because of these existing

relationships that an outsider's perspective, which I will obtain through peer debriefings, will be

even more critical to checking my assumptions and emergent findings.

CHAPTER FOUR: "The Pandemic Has Forced Us as Educators to Think Differently":

Case Study Findings

At the time of this study, the mission of City district's special education department was to "provide high-quality, specialized support and instruction to students with disabilities" as part of the larger district vision focused on "partnering with families to provide all students with rigorous, joyful, and culturally-responsive learning" (City district website). During the spring of 2020, these mission and vision statements were tested as City district pivoted to remote learning models to support even the most vulnerable learners in the district.

What happened with special education in City district during the COVID-19? As illustrated in Figure 5, I argue in this chapter that three key forces acted on how special education policy was interpreted and enacted during the COVID-19 pandemic: legal and regulatory forces, structural forces, and local forces. Additionally, I found that an ethic of care surrounded the education system during this time of emergency, which played out as people communicating and interacting in ways that centered other's well-being and prioritized interacting in more relational and humanizing ways in professional and public contexts. To understand how City district responded to the needs of students with disabilities during the COVID-19 pandemic, it is important to unpack the forces acting on the enactment of special education policy.
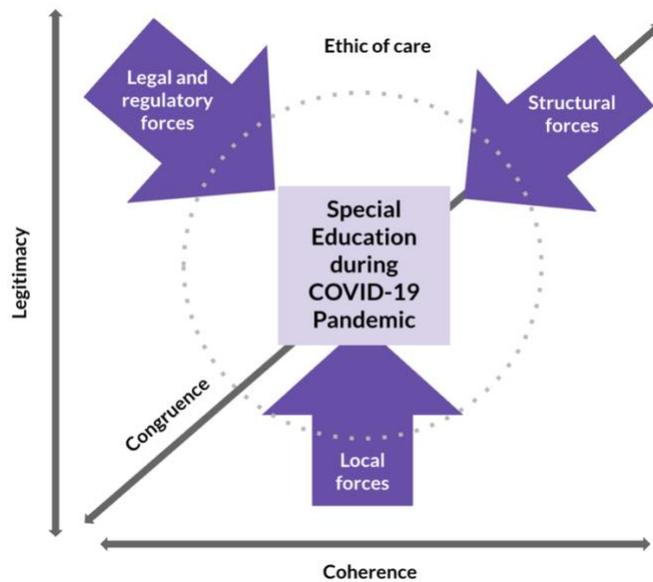
Figure 5. The policy response to special education during the COVID-19 pandemic in City district.

As a result of my analysis, I suggest that three key factors mediated how the forces named above acted on students' experiences of special education: 1) *congruence* with initiatives in place before the pandemic and/or actors' existing worldviews and assumptions; 2) the degree of *coherence* across policy messages at the state and district levels; and 3) the perception of *legitimacy* of policies or innovations among stakeholders. Spillane's (2000) and Coburn's (2003) notions of *congruence* are used to characterize how educators used their prior knowledge, experiences, and beliefs to determine which policy messages and approaches they would take up in their own practice. From this perspective, educators are more likely to "gravitate" to policies that are congruent with their existing beliefs and practices, and more likely to reject those that are incoherent with prior understandings (Spillane, 2000, p. 166). I use the term *congruent* to characterize the alignment of proposed special education policies and directives with educator's expressed beliefs and values, or existing district initiatives.

Along with the term *congruent,* I drawn on the OECD's definition of *coherence* in this dissertation. Coherent policies involve significant coordination between different organizational levels so that policy messages are aligned and mutually strengthening. Policy coherence attends to the interconnectedness between different levels of policy-making as well as the variety of actors who contribute to policy enactment. The aim of coherent policies is to both enhance synergies and reduce tensions among different policy messages (OECD, 2005; Nilsson et al., 2012). Applied to this dissertation, I identify the degree of *coherence* among policy messages as they moved through state, district, and school levels.

A final term used to describe City district's policy response is *legitimacy*. Drawing on Vaara and Tienari's (2008) conception, *legitimacy* concerns how actors create a "sense of positive, beneficial, ethical, understandable, necessary, or otherwise acceptable action in a specific setting" (p. 986). Legitimation from this perspective involves actors using specific discourses or frames to make meaning in novel situations. Applied to the special education policy response in City district during the pandemic, *legitimacy* involved the degree to which policy messages and directives were viewed as valuable, doable, and worth implementing by actors in the district and community.

Based on these definitions of the terms congruent, coherent, and legitimate, in the sections below, I detail how legal and regulatory, structural, and local forces affected how actors within City district made sense of a variety of pandemic-related special education policies. To do this, I first elaborate on the legal and regulatory forces acting on special education during this time. Second, I describe the structural forces that had an impact on special education in City district throughout the pandemic. Third, I highlight the important role that local forces play in shaping how special education was experienced during the pandemic. Last, I introduce the

concept of an ethic of care—a relational and compassionate way of interacting that rose to the forefront of public discourse during the pandemic.

Legal and Regulatory Forces

Prior to the pandemic, the importance of special education law in the United Stated could be described as generally "settled." That is, the public agreed that students with disabilities had a right to an education. While there was certainly disagreement regarding the nature of that public education, on the whole there *was* agreement that all children with disabilities had a right to be educated in school. To enact these rights, federal and state regulations mandated that districts adhere to specific guidance around documentation, student placement, and the distribution of special education funds. For the most part districts complied, and clear citations and penalties were in place to support regulatory enforcement. However, the COVID-19 pandemic opened up new questions about if and how students with disabilities should be educated, perhaps for the first time since the Civil Rights era. As described in Chapter 1, federal, state, and local governments wrestled with the very idea that students with disabilities were entitled to an education during this time. Thus, legal and regulatory forces emerged in an attempt to shape what special education could and should look like in a time of widespread emergency. I use the term legal and regulatory forces here to describe the mandates and guidance that originated from the federal or state departments of education during the pandemic, and how guidance trickled down to the district and school-levels. Legal and regulatory forces also involve the compliance and accountability mechanisms associated with each policy message.

Legal and regulatory forces that acted on special education in this time of emergency are best illustrated through three state directives: (1) the requirement to provide a free appropriate public education (FAPE), (2) the provision of compensatory services, and (3) virtual Individual

Education Program (IEP) Team Meetings. In the sections below, I trace how each of these policies traveled from state directives to local enactment.

Provision of a Free Appropriate Public Education

On March 12, 2020, the federal government issued its first guidance to the states around educating students with disabilities in a Question & Answer document. In this communication, which was shared directly with local districts and not interpreted in writing by the state, the U.S. Department of Education said that if a local education agency closed because of concerns associated with the pandemic, they were not required to provide services to students with disabilities. This policy directive was again emphasized by the U.S. Department of Education's Office of Civil Rights on March 16, 2020, saying,

> School officials have an obligation to avoid discrimination on the basis of disability under Title II and Section 504… If a student who has an individualized education program (IEP) through the Individuals with Disabilities Education Act, or is receiving services under Section 504, is required or advised to stay home by public health authorities or school officials for an extended period of time because of COVID-19, provision should be made to maintain education services… During such absences, **if the school is open and serving other students, the school must ensure that the student continues to receive a free appropriate public education (FAPE)**, consistent with protecting the health and safety of the student and those providing that education to the student (US DOE Fact Sheet Addressing the Risk of COVID-19 in Schools While Protecting the Civil Rights of Students, 3/16/2020) [emphasis added].

Federal guidance regarding a FAPE had a direct impact on City district—the district initially decided to suspend any educational programming for *all* students, which meant students with disabilities did not receive any special education services. On March 13, 2020, the last day the district was open prior to the COVID-19-related school closure, City district shared this federal message in a communication with families and caregivers of students with disabilities. This communication informed caregivers that "the district [was] not required to provide services to eligible students during this closure (as shared by Commissioner Riley on Friday, March 13, 2020)" (OSS Communication to Families email, 3/13/2020). City district did, however, provide some supplemental instructional activities for students with disabilities, requesting that parents use a curated list of resources to "maintain their child's learning" (OSS Communication to Families email, 3/13/2020). Eventually this guidance regarding the suspension of the provision of FAPE was walked back. A week later, on March 21, 2020, the U.S. Department of Education notified districts that local educational agencies did, in fact, need to provide a FAPE for students with disabilities. This guidance detailed that FAPE may "include special education and related services provided through distance instruction provided virtually, online, or telephonically" acknowledging that a FAPE may look different during a "time of unprecedented national emergency" (US DOE Supplemental Fact Sheet Addressing the Risk of COVID-19 in Preschool, Elementary, and Secondary Schools While Serving Students with Disabilities, 3/21/2020).

Initially, the Massachusetts Department of Elementary and Secondary Education (MA DESE) shared federal guidance documents directly with districts on their website rather than providing written interpretation. Shortly after this new guidance from the U.S. Department of Education was shared, the MA DESE updated district leaders during a Special Education Directors meeting, a primary forum for disseminating information related to special education to

school districts in Massachusetts. Here, state actors emphasized that "all students must be receiving an education" and "districts must provide a FAPE while protecting the health and safety of students, educators, and service providers" (Special Education Directors Meeting, 3/26/2020). The MA DESE also began to further interpret what a FAPE could look like while school buildings were closed. Specifically, they proposed two models of remote service delivery: "supports and resources" and "instruction and services". Supports and resources included the provision of strategies, assignments, projects, packets, and resources (e.g., YouTube videos, apps, WGBH) to students. Instruction and services involved telephonic or video instruction and therapies, as well as telephonic or internet-based parent consultation (Special Education Directors Meeting, 3/26/2020). Importantly, the MA DESE explicitly told special education directors that "consent [was] not required" for either supports and resources or instruction and services approaches to remote learning. Rather, districts were responsible for ongoing communication with families and notification to families when using the instruction and services model.

City district then interpreted and shared guidance from the Special Education Directors meeting with special education staff, saying:

> In line with the information from DESE, we want to stress that while we must
> provide FAPE, in light of these current circumstances, services will be provided
> differently than they are when school is fully operational. Our office is here to
> support you to effectively design and implement these services remotely. Please
> note: Before any services commence, the parent/guardian must sign a waiver (see
> second email attachment). This waiver applies to all services provided remotely.

Please have them sign and return to the student's case manager and the case

manager will upload it to EasyIEP (OSS Staff Expectations email, 4/1/2020)

While City district's interpretation of guidance surrounding FAPE mostly aligned with

messaging from the state, the requirement that parents must sign a waiver before services could

begin was a direct departure from state guidance. Although the waiver was never publicly

released, the content of the waiver focused on: (1) obtaining parental consent for remote service

delivery, (2) requiring that parents agree not to record, share, or photograph remote learning

sessions, (3) acknowledging that students' images and work may be shared with other students,

and (4) informing parents that they could be observed by educators via video features during

remote learning sessions, and could disable camera features if necessary. On April 1, 2020, City

district's Office of Student Services also shared a letter with families that said, "before any

services can commence, you must sign a waiver" (CPS Office of Student Services Remote

Service Delivery Options for Students During the COVID-19 Emergency Closure email,

4/1/2020). Then, on April 3, 2020, City district's Director of Special Education sent an e-mail to

all district school psychologists, saying,

OSS is in the process of creating a new version of the WAIVER for virtual

learning service delivery. We are requesting that all OSS staff do not proceed with

the provision of virtual learning services until they have received the new version

of the WAIVER. The new WAIVER should be then sent out to parents/guardians

for signature; as you know, parent/guardian signature is required before virtual

learning services can be provided (URGENT: Waivers email, 4/3/2020).

In a staff communication that same day, the Assistant Superintendent Services told staff, "at this

time, we ask that you pause on the delivery of instruction until you receive the new version of

the waiver and every parent/guardian signs it. We will have translations of this document available as well" (OSS Educators Expectations 2.0 email, 4/3/2020). While the waiver itself was never shared publicly or with staff, this guidance was further refined on April 7, 2020, when City district's Office of Student Services wrote to special education staff to inform them that a custom message that included language provided by the district must be sent by special education case managers to parents and caregivers. The message also included an update regarding the waiver for students' participation in remote instruction and services, sharing that "we are continuing to work with [the technology department] to create a version of the waiver allowing parents/caregivers to give consent to the delivery of instruction" (Parent notification of remote services email, 4/7/2020). This guidance changed again that same afternoon, when the Office of Student Services sent a brief email to special education staff, saying, "The district is going to provide information to all families regarding their child's participation in virtual sessions. You can proceed to provide services immediately" (Waiver + N1 email, 4/7/2020). Over two weeks after the federal government first required states to provide a FAPE as part of implementing the Individuals with Disabilities Education Act during pandemic-related school closures, and after the MA DESE had provided guidance around how to interpretate the provision of FAPE in Massachusetts, City district began providing instruction and services to students with disabilities.

Several factors contributed to how legal and regulatory forces acted on special education during the pandemic through these early FAPE mandates. First, there was and shifting guidance provided by the U.S. Department of Education. Federal special education regulation initially incentivized states to *not* move to remote forms of instruction, to protect local education agencies from the risk of potential accusations of discrimination against students based on disability status if districts were not yet prepared to deliver remote special education services. The guidance from

the U.S. Department of Education was also limited, with this regulatory body eventually requiring that local education agencies provide FAPE, but not clearly articulating what enactment should look like, or providing access to additional resources to address these shifts in service delivery. A second factor that contributed to how legal and regulatory forces acted on special education during this time was the MA DESE's responsibility for interpreting what limited federal guidance should mean for the commonwealth. Using an existing forum such as the Special Education Directors meetings, the state made sense of nebulous and succinct federal directives for district administrators. With regard to FAPE, this meant creating structure around different ways to support students with disabilities through the development of two remote learning models. The MA DESE's interpretation also involved clearly outlining specific requirements for districts, including the need for consent and expectations around communication with parents and caregivers. A third factor involved the second layer of interpretation of special education directives that happened at the district level. Once new information was received through MA DESE written notifications or Special Education Directors meetings, district administrators needed to make sense of these messages within their own context. Regarding FAPE, the district did not directly share federal or state guidance with staff and parents/caregivers. Rather, district leaders included multiple stakeholders who played important roles in policy enactment in their sensemaking process. For example, FAPE guidance involved input from district legal counsel regarding the development of the waiver, and district technology specialists regarding privacy concerns with remote service delivery. While it is beneficial to have multiple actors involved in making sense of new policy messages, their involvement also created lag time in how quickly these new policy messages could be enacted. With the FAPE guidance, this meant that students with disabilities were denied their access to a

public education while district leaders sorted out the best way to implement this policy in their context.

Characterization of FAPE. Policy directives concerning FAPE during the COVID-19 pandemic were incongruent with existing practices in City district. There was limited, if any, infrastructure in place to support remote service delivery for students with disabilities, which made interpreting and enacting FAPE directives even more challenging in City district. This incongruence contributed to an incoherent policy response related to FAPE as the policy trickled down from federal to state to district levels of implementation. Because the federal level shifted its initial stance on FAPE, and given the limited guidance they provided regarding implementing FAPE during a pandemic, much of the interpretive work was left up to the state. The second level of interpretation that occurred at the district level involved input from multiple district actors who added hurdles to implementation. Considering how important the provision of FAPE is to maintaining the rights of students with disabilities during a time of crisis, the unnecessary barriers created by this incoherence likely had lasting impacts on students. Although FAPE mandates were incongruent and incoherent within City district, this guidance was highly legitimate. The district clearly took the provision of FAPE seriously, and noted that providing students with disabilities access to an education during the school closures was not only beneficial but essential. Although somewhat messy and ambiguous in implementation, City district had a strong commitment to maintaining the rights of students with disabilities during this time.

Compensatory Services

Compensatory services are educational services that are required to make up for lost skills or learning when students with disabilities do not receive the evaluation or services to

which they are entitled (U.S. DOE Fact Sheet, 4/27/22). The first pandemic-related guidance around compensatory services was issued by City district on March 13, 2020, when the district informed caregivers that they would not be offering any compensatory services at that time (OSS Communication to Families email, 3/13/2020). The MA DESE then began alerting districts to start proactively thinking about compensatory services on March 26, 2020, when they advised districts that "providing services now is the most effective way to mitigate the need for compensatory services" (Special Education Directors Meeting, 3/26/2020). Guidance regarding compensatory service was coupled with directives related to FAPE from the start in Special Education Directors meetings, and the MA DESE's position was that districts needed to act early and get services up and running for students with disabilities as quickly as possible to avoid the need to make up missed services or evaluations later on. The MA DESE then regularly updated special education administrators in Special Education Directors meetings, with further refined guidance around the provision of compensatory services from May 2020 to June 2021. In spring and summer 2020, this guidance clarified the shared decision-making component of compensatory services (5/15/2020), differentiated between recovery, compensatory, and additional IEP services (7/23/2020), specifically noted that if a student's IEP was not fully implemented and they did not receive access to FAPE, they have a right to compensatory services (8/17/2020), and again highlighted the differences among recovery, compensatory, and additional IEP services (8/20/2020). Then, during the 2020-2021 school year, the MA DESE provided more detailed information around compensatory services mandates. During the first part of the school year, the MA DESE shared a meeting invitation template (9/3/2020) and urged districts to continue discussing compensatory services with caregivers (12/11/2020). During the winter, the MA DESE provided clarity around how students could qualify for compensatory

services (2/12/2021) and shared instructions for IEP team communication with families regarding compensatory services (3/26/2021). By spring of 2020, the MA DESE re-emphasized instructions for IEP team communication with families (4/9/2021) and informed districts that if a student's IEP was not fully implemented or if students did not access FAPE, they were entitled to compensatory services (4/9/21). As summer approached, the MA DESE once again provided clarity around what might qualify a student for compensatory services (6/11/21).

While the MA DESE emphasized the provision of compensatory services as an important consideration during the COVID-19 pandemic, City district did not prioritize this policy message in the same way. City district administrators put out two key communications regarding compensatory services. In the first communication, which was directed to staff and families, City district administrators noted that

> The district is providing your child's services as best as possible given the current circumstances, however, whether a student is entitled to receive compensatory or additional services because of the school's closure is an individualized determination to be made by the IEP team when the district reopens (FAQ #4 email, 4/17/2020).

Following expanded state guidance, the district offered a communication focused on compensatory services at the start of the school year on September 1, 2020, saying that

> There are special education instruction and services provided in addition to your child's ongoing IEP services. If your child regressed or did not make effective progress in meeting their IEP goals because of the pandemic, these services will specifically address the effects of delayed, interrupted, suspended, or inaccessible IEP services (Family Fact Sheet email, 9/1/2020)

These two communications provided high level, ambiguous guidance to educators without significant information regarding how compensatory services should be implemented uniformly across City district.

The implementation of compensatory services mandates required significant coordination and buy-in from local actors in the district. School leaders were uncertain about the more granular aspects of implementing compensatory education in their contexts. This was not surprising, given the limited guidance that district special education leaders shared from the state level. For example, one district leader recalled wondering,

> Are we out of compliance and are we gonna now add more to summer supports and services? When are they getting these [compensatory] supports? When are they starting? And how long and how are we making up some things? (Leader Interview).

This uncertainty was pervasive across multiple school sites in City district. Another district leader recollected confusion surrounding the provision of compensatory services, sharing that they remembered

> [compensatory services] mostly in the sense that people were overwhelmed by it. Our special educators were overwhelmed. I think that this fell into a category of policies that came out during the pandemic that were driven often I think, without acknowledgement of the real constraints that people experienced on the ground…I do recall that we were going through the process of how to provide compensatory services…I do recall that when there were decisions being made about how to apportion time that this came up regularly as a concern for our special educators (Leader Interview).

The primary implementers and decision-makers around compensatory services in City district were school-based special education leaders. A Townsend Elementary special education leader recalled what they did when they learned about the need to consider compensatory services for students with disabilities:

> I had a special education team meeting where all of us came together and I just went through the criteria for qualifying for [compensatory services] and I asked that everyone start reaching out to the families who already had their IEP meetings and didn't have one coming up to schedule one of these conversations. And then I made sure that [compensatory services] were in the team meeting summary form and created some language to put in the N1 for after every IEP meeting so we weren't having to reinvent the wheel each time (Leader Interview).

Despite interpreting compensatory service guidance at the school level to create some structure and uniformity in implementation of this directive, the school-based special education leader noted disappointment in how compensatory services were eventually enacted at Townsend. Specifically, they said that

> It was kind of a bummer that all this was exactly what I expected. It's like, we brought it up for every single kid and then it's the families who probably didn't need it were the ones who were ahead of the game and saying like, we need to have this discussion and we're asking for a ton of compensatory time that was really not required. And then the kids that we were offering…those kids still weren't even accessing them in the summer (Leader Interview).

The uncertainty and ambiguity around compensatory services also existed among special educators at Townsend School. When asked about policies regarding compensatory services, one

teacher recalled that if students had access to remote learning, compensatory services were not required, saying, "I'm pretty sure there was no one that we recommended for compensatory services because they all had access, but some of them didn't utilize it" (Teacher Interview). Another teacher described that students who had challenges accessing remote learning *did* qualify for compensatory services, saying, "I think we recommended it for maybe a couple of my students, especially the ones who did not access the remote learning" (Teacher Interview). However, this educator shared their confusion with how the mode of service delivery was determined, saying,

> But the confusion to me came when some of those compensatory services were offered virtually. And I said, 'what's the point if the child could not access remote learning, why are we adding more of that technology?' I thought the students would come in person and it would be an occasion for them to like really receive in-person learning. So that was confusing to me (Teacher Interview)

Despite providing special education services to students in the same school, these special educators interpreted directives regarding compensatory services differently. This resulted in inconsistencies regarding which students qualified for compensatory services, and how those services were ultimately provided.

A third place that the issue of compensatory services was raised was during the Special Education and Student Support Sub-Committee of City district school committee meetings. In these meetings, uncertainty and ambiguity continued to rise to the surface in public discourse. During public comment, caregivers wondered if students who "qualified for an IEP but had a deferred IEP because of the pandemic... [would be] entitled to compensatory services" (Caregiver, Special Education and Student Support Sub-Committee, 8/5/2020). Educators also

expressed concerns during public comment regarding the workload associated with determining compensatory service eligibility, noting that

> It just feels heavy and with all the newly mandated team meetings that we'll have to hold for the COVID compensatory services, it's just another meeting to try to fit into the day (Educator, Special Education and Student Support Sub-Committee, 10/15/2020).

Despite the uncertainty and concerns raised by caregivers and educators regarding compensatory services, district administrators did not formally present on the topic of compensatory services at a school committee meeting until February 2021. In this meeting, district administrators shared that

> We'll be offering compensatory services that address the delay and the interruption and suspension or the inaccessibility of these services during the emergency closure we had last March. These are also a team decision…we were very intentional about guiding staff around the requirement of having compensatory service meetings, working with families to think about which services would be needed to close some of those gaps (District Leader, Special Education and Student Support Sub-Committee meeting, 2/25/21).

While the MA DESE recommended acting early to avoid the need for compensatory services, City district's approach was to wait to implement services for students with disabilities and rely on individual decisions around a student's qualification for compensatory education to address gaps in programming. By May 2021, administrators claimed student needs for compensatory services should be resolved before the 2021-2022 school year, saying that

Compensatory services…for many of our students have already started, but we're gonna continue this summer…Our goal is to address and provide all of those different service hours for students by the end of the summer (District Leader, Special Education and Student Support Sub-Committee, 5/26/21)

In City district, compensatory services were not implemented in ways that aligned with the ample guidance from the MA DESE. This was characteristic of several factors related to the legal and regulatory forces acting on the provision of compensatory services during the pandemic. First, the state chose to proactively prioritize guidance related to compensatory services, despite limited directives from the U.S. Department of Education. Compensatory services were an important policy issue in Massachusetts, which seemed to be directly tied to and incentivizing of efforts to ensure FAPE for students with disabilities during the pandemic. Second, while the state provided ongoing guidance, recommendations, and supports for the implementation of compensatory services, City district leaders did not take up this guidance in their own communications and directives. Rather, City district responded with limited guidance to school leaders and educators around how compensatory services would be enacted in their context. Third, school-based personnel were ultimately responsible for interpreting and enacting a policy that the state deemed a high priority. School-level special education leaders needed to create their own structures and resources to support the implementation of compensatory services, which led to inequities in who was offered these services, who ultimately accessed compensatory supports, and in what format.

Characterization of Compensatory Services. While some existing infrastructure existed to support the provision of compensatory services in the district, this policy directive was only moderately congruent with existing practice. In the past, few students with special cases required

compensatory services. The school closures associated with the COVID-19 pandemic meant that IEP teams needed to consider compensatory services for *all* students, and the associated meetings to consider compensatory services were new for special educators. Further, there was limited to no infrastructure for remote service delivery in City district, which was challenging for both educators who were called to facilitate remote instruction, and for caregivers who would need to access compensatory services remotely. Compensatory services were also a highly incoherent policy in City district. Messages from the MA DESE, despite their repetition, were not making it down to the district level. This may have been because, while compensatory services were important to City district special education leaders, they did not require the same urgency that the need to provide FAPE or maintain student and staff health and safety did during the pandemic. This leads to the view in City district that compensatory services were only somewhat legitimate. State policy directives regarding compensatory services were all but ignored in City district's policy response until communications about summer programming were shared with families. Even then, guidance from the district was extremely limited and left up to individual schools and IEP teams to implement. This lack of legitimacy regarding compensatory services likely derived from the fact that implementing these services seemed overwhelming and not doable during a time when educators were just trying to get students to access educational programming. Given the many strains put on parents/caregivers, students, and educators during the pandemic, it seemed challenging for educators to imagine adding any additional special education services to their already full plates.

Virtual Individualized Education Program Team Meetings

One way that the U.S. Department of Education regulates special education policy implementation is by requiring documentation of how local educational agencies adhere to

elements of the special education process. One key element of the special education process that local educational agencies must document is students' Individualized Education Programs (IEPs). IDEA (2004) requires that local educational agencies must write an IEP that is "developed, reviewed, and revised" in IEP Team Meetings. IDEA regulations allow IEP Team Meetings to be held in a number of formats, including in-person, via telephone, and/or through video conference. Compliance with federal regulations related to the IEP development process is monitored and enforced by the states, and the MA DESE requires states to upload compliance documentation to a state portal on a variety of special education topics at least every six years. Prior to the pandemic, City district relied on an in-person approach to IEP Team Meetings. The constraints on in-person gatherings as a result of the pandemic required the district to fundamentally shift their approach to key elements of the special education process, including how they evaluated students, communicated with caregivers, and met with IEP teams.

The first communication regarding IEP Team Meetings was sent to parents and caregivers from City district on the last day that schools were open prior to the pandemic-related school closure. As part of a more general communication, the district stated that "all IEP meetings will be rescheduled when the district reopens" (OSS Communication to families, 3/13/2020). This initial decision made sense given that, at the time, City district believed they were embarking on a two-week closure to slow the spread of COVID-19. On March 16, 2020, the U.S. Department of Education issued their initial guidance regarding IEP Team Meetings, saying, "IEP Teams are not required to meet in person while schools are closed" (US DOE Fact Sheet, 3/16/2020). This directive from the U.S. Department of Education was consistent with the initial messaging from City district, and codified expectations at the federal level. A week later, City district shared a memo with staff, stating that

In light of school closure, the Office of Student Services will <u>not</u> be conducting

virtual Individualized Education Program (IEP) Team Meetings nor will we be

conducting Individualized Education Program (IEP) Team Meetings by telephone

at this time" (Memo to Staff: IEP Team Meetings and School Closure email,

3/20/23).

Shortly after this memo was issued, the state determined schools would remain closed until May

4, 2020. In light of the updated guidance, City district's Office of Student Services shared an

updated Frequently Asked Questions document with caregivers and staff, noting that they were

"asking all case managers to wait until school reopens to reschedule IEP meetings" (OSS Week

2 FAQ email, 3/23/2020).

By April, the MA DESE issued more specific guidance to districts concerning virtual IEP

Team Meetings. Specifically, the MA DESE encouraged districts to begin holding virtual

meetings, and provided suggestions for implementing virtual IEP Team Meetings, including

guidance that teams "prioritize transition meetings, use a team approach, and practice with a

limited number before full scale implementation" (Special Education Directors Meeting,

4/3/2020). City district responded to this guidance in a frequently asked questions document,

saying

> Even though DESE had shared that the "district may elect to convene IEP Team
>
> meetings virtually using technologies such as Zoom or phone conferences", at this
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> time, [City District] has decided to not hold IEP meetings virtually. There are
>
> concerns regarding confidentiality and considerations about the necessary
>
> technology accommodations to allow for remote participation" (OSS FAQ email,
>
> 4/16/23).

The following day, City district provided updated guidance, saying, "starting in May [City District] will begin to hold IEP meetings in a prescribed and systematic manner" (OSS FAQ, 4/17/23). The district then disseminated an updated IEP Team Meeting Process document to school psychologists that provided some uniformity and structure to the new, virtual process that was similar to existing resources to support in person meetings. This document included a statement to read prior to the meeting, as well as steps to take during the meeting. One notable difference between in-person and virutal meetings was the need to spend time to review the EdConnect platform, the platform through which caregivers would receive and sign IEP documents. Once City district began implementing virtual IEP Team Meetings, the virtual format became a new core practice in the district. One district leader reflected that the virtual IEP Team Meetings were both an innovation and benefit of the pandemic, saying

> I think some good things came from the pandemic. The way people hold family meetings, you have a choice, there's zoom or in person, there's choices. That would've been unheard of [before], if you didn't show up in person you couldn't go (Leader Interview).

Another district leader echoed this sentiment, noting that "I think they'll continue to allow the meetings to be remote, I think we'll continue to let families choose, a multimodal approach" (Leader Interview). These recollections capture reports from district contacts at the time of this writing, who confirmed that virtual IEP Team Meetings are still a common practice, years after the initial school closures in 2020.

IEP Team Meetings are a critical element of the special education process. The shift to virtual meetings during the pandemic represented a departure from how City district had previously enacted special education policy, and like compensatory services, it took time for City

district leaders to make sense of this shift in their own context. Virtual IEP Team Meetings represent how three factors related to the legal and regulatory forces acted on special education during the pandemic. First, the U.S. Department of Education waited to provide guidance regarding virtual IEP Team Meetings, prompting City district to issue their own guidance. This delay in guidance at the federal level was likely due to the fact that telephonic and video IEP Team Meetings were already permitted as part of special education policy. However, by not considering that many local educational agencies likely did not use virtual IEP Team Meetings in practice, the U.S. Department of Education missed out on a critical opportunity to support local educational agencies in preparing for this shift more rapidly. Second, in their guidance to districts, the MA DESE used language that did not create urgency around directives related to virtual IEP Team Meetings. The MA DESE described meeting structures as "recommended" and associated implementation strategies as "suggested." This further resulted in districts likely perceiving the implementation of virtual IEP Team Meetings as a lower priority. Third, City district delayed implementing virtual IEP Team Meetings until two months after the district closure began, but eventually took up this format as a key practice. It is highly likely that the delay in guidance from the federal level and the suggested implementation parameters in MA DESE communications contributed to a further delay in resuming IEP Team Meetings in City district. However, once City district had time to make sense of this new guidance and create structures and processes aligned with district expectations, virtual IEP Team Meetings became a core special education practice.

Characterization of Virtual IEP Team Meetings. The facilitation of IEP Team Meetings was a well-established practice in City District before the pandemic. Prior to the school closures, the district drew on meeting and documentation protocols to ensure IEP Team Meetings

adhered to federal special education regulations. Because these meetings were such a codified

practice in City district, it makes sense that the district would provide early guidance on how

these meetings would or would not shift to virtual formats. While it took some time, virtual IEP

Team Meetings became highly congruent with existing practices in City district. Educators in the

district were able to draw on their prior experiences with in-person IEP meetings and knowledge

of the special education process to create local structures and norms for virtual IEP Team

Meetings. This high congruence likely contributed to the strong coherence among policy

messages at the federal, state, and local level. While the MA DESE did not communicate

authoritative directives regarding virtual IEP Team Meetings, all levels of implementation

seemed to agree that IEP Team Meetings were a critical and core practice to in the special

education process, even during a time of emergency. This strong coherence can also likely be

attributed to the strong sense of legitimacy surrounding virtual IEP Team Meetings. Even when

taking place in a virtual format, IEP Team Meetings were perceived as valuable and, once a City

district-specific process was developed, these virtual meetings were also viewed as doable during

the pandemic.

Conclusion: Legal and Regulatory Forces

Legal and regulatory forces acted on special education during the COVID-19 pandemic

in City district. These included federal and state mandates related to special education that

needed to be enacted at the local level during a time of emergency. Three policy directives

illustrated how legal and regulatory forces played out during the COVID-19 pandemic in

Massachusetts: messaging around the provision of FAPE, the use of compensatory services, and

the shift to virtual IEP meetings.

Structural Forces

While legal and regulatory forces represent *what* policy messages and directives were shared during the COVID-19 pandemic, structural forces concern *how* those messages traveled through and between different levels of government agencies. Structural forces are the structures, routines, and systems in place before an emergency unfolds, and how these elements are leveraged or shifted to meet emerging needs within the policy context during a time of crisis. Prior to the pandemic, different layers of the special education policy context relied on specific structures to share policy messages and interpret how those messages would be enacted in the local context. Pandemic-related school closures highlighted the importance of these structures, as state, district, and school leaders came to rely on previously established networks to share and gather information. Elements of structural forces include the lines of communication through which policy messages are shared; organizational and interagency reporting structures; forums to support collaboration among educators, caregivers, and/or community providers; and teacher and student schedules. During the COVID-19 pandemic, it became clear the critical role these structural forces played in if and how policy messages traveled across different layers of the special education policy landscape.

To illustrate how structural forces acted on the special education context in City district during the pandemic, I share three structures: (1) existing meeting structures, (2) communication pathways, and (3) educator collaboration routines. In the following sections, each of these structures, and how they were realized in City district, are described in further detail.

Existing Meeting Structures

One of the key ways that policy messages traveled between federal, state, and local levels during the pandemic was through the existing meeting structures in place to support special education programming in districts and schools. These existing meetings varied at different

layers of the policy context, and included Special Education Directors meetings at the state level and Special Education and Student Supports subcommittee of the school committee at the city and district levels. Below, I dive deeper into each of these meeting structures, describing how the meetings already in place both shifted and were leveraged to respond to the novel special education policy context that emerged due to pandemic-related school building closures.

At the state level, the Special Education Directors meetings were a primary mechanism through which the MA DESE shared information with districts. The Special Education Directors meetings were in place prior to the pandemic, and the audience for these meetings was special education leaders in each district. Previously, these meetings were held regionally, quarterly, and in-person, with the purpose being "to keep special education directors informed of changes and updates in special education" (MA DESE website, September 27, 2019). The MA DESE allowed limited remote participation prior to the pandemic, noting

> "Due to the high interest in the remote sessions, anyone who wishes to participate
> remotely is kindly requested to register once per district and participate as a group
> to allow as many participants as possible to access the meeting in this way" (MA
> DESE website, September 27, 2019).

Following each quarterly meeting, slides and resources were posted to the MA DESE website.

During the pandemic, the MA DESE leveraged the Special Education Directors meetings to disseminate policy messages to districts. Several shifts in the meetings occurred rapidly in response to the unique challenges related to special education that surfaced because of the pandemic. First, meetings increased in frequency. Having previously met quarterly and in regional groups, the MA DESE now convened all special education leaders weekly or biweekly during most of the pandemic. Second, the MA DESE built upon and expanded the existing

remote participation option for special education directors, now allowing all participants to join

meetings using the Zoom video conferencing platform. This expanded remote access led to wider

participation—in City district, for example, several leaders concerned with special education

now attended the Special Education Directors meetings, rather than only the district Special

Education Director. Third, while state facilitators continued to share information through

PowerPoint slides and make these slides available on the MA DESE website following each

meeting as they had in the past, the guidance in these slides had shifted in content and nature.

The policy guidance and directives shared in these meetings was often not captured in more

formal state policy documents (e.g., memos, FAQ documents). Rather, the MA DESE used these

convenings as an opportunity to interpret federal and state guidance for district leaders in greater

detail, as well as highlight examples of successful special education policy directives related to

COVID-19 throughout the commonwealth.

One example of the use of Special Education Directors meetings as forums for providing

additional policy guidance occurred early on in the pandemic. On March 21, 2020, the U.S.

Department of Education released a Supplemental Fact Sheet that stated "school districts must

provide a free and appropriate public education (FAPE) consistent with the need to protect the

health and safety of students with disabilities" (US DOE Supplemental Fact Sheet, 3/21/2020).

The MA DESE interpreted this guidance in a Special Education Directors meeting on March 26,

2020, first noting key takeaways from the document, including that "in these circumstances,

services will be provided differently than they are when school is fully operational" (Special

Education Directors meeting, 3/26/2020). The MA DESE further interpreted this guidance

specific to Massachusetts by offering two approaches to remote service delivery: "supports and

resources and instruction and services" (Special Education Directors meeting, 3/26/2020). The

articulation of what these two approaches to remote learning meant in Massachusetts was ongoing, and the MA DESE highlighted examples from districts in Special Education Directors Meetings, as shown in Figure 6.
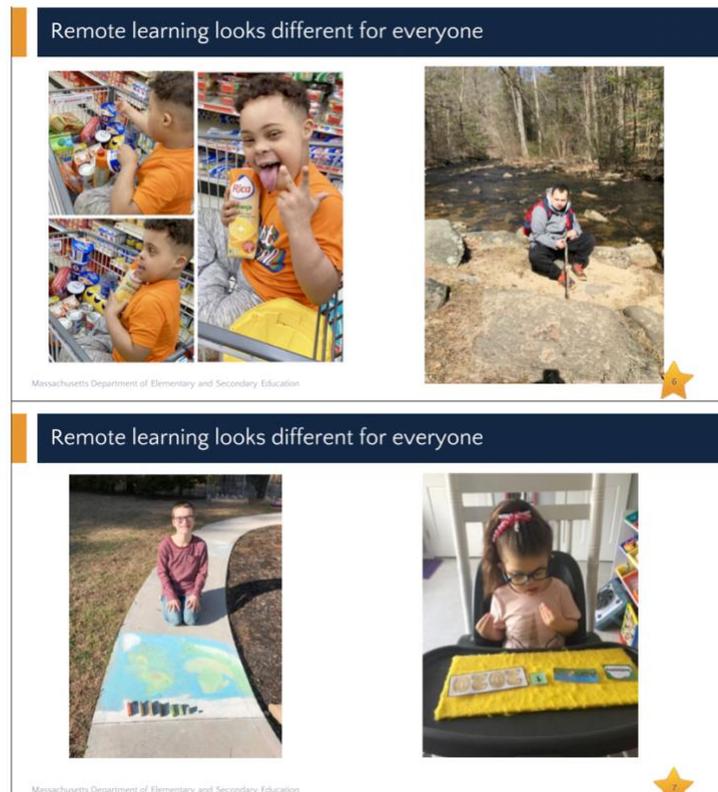
Figure 6. Remote learning looks different for everyone slides from Special Education Directors meeting.

Throughout the pandemic, the MA DESE reiterated these approaches to remote learning at nearly every Special Education Directors meeting. Facilitators provided examples of the two approaches, highlighted resources for educators, and shared caregiver communication strategies around remote learning. This consistent messaging was characteristic of many of the policy messages shared at Special Education Directors meetings during the pandemic.

These Special Education Directors meetings also informed the work related to students with disabilities that happened in City district. As one district leader recalled, "we were on those zoom calls with [MA] DESE every week, like clockwork" (Leader Interview). Another school-

based special education leader also noted the impact that the Special Education Directors meetings had at the school level, including the sense of responsibility they felt to relay and translate this information for their educator teams, saying,

> We had guidance from…people on our leadership team who would flag certain things. [Our Special Education Director] was great about highlighting certain documents and slides so that we could attend to different things that DESE was sending to us. And [the Special Education Director] was up to date with everything that was coming our way and [they] really held us accountable for reading it as [IEP Team] Chair, just so that we could relay the information to our teams (Leader interview).

The information shared at Special Education Directors meetings also made its way into City district special education policy guidance and directives. For example, in response to the messaging about remote service delivery shared at the March 26, 2020 Special Education Directors meeting, City district wrote to staff on March 27, 2020, noting

> On Thursday, March 26, 2020, the Massachusetts Department of Education issued new guidance regarding the provision of special education and related services for students with disabilities remotely in addition to traditional enrichment activity packets. In light of this new information, the Office of Student Services is working to develop guidelines for special education teachers and related service providers to support and maintain students' current level of progress as best as possible. These guidelines will be communicated to you on Wednesday, April 1, 2020.

In the upcoming days, we will communicate the different models of service

delivery and provide possible methods for educators to use. We are also working

with our district technology department to ensure that your child has the necessary

equipment to access and engage with his/her/their teacher (Provision of Services

email, 3/27/2020).

On April 1, 2020, the district then shared the two types of remote service delivery options with

parents and caregivers, including the purpose of each model, the student groups who were

eligible for the model, and what the model would look like in City district. Special Education

Directors meetings became a primary structure through which policy messages were

disseminated to and interpreted for districts. The MA DESE used and modified this existing

structure to share state-specific special education policy messages with districts, with

opportunities to expand upon more formally written guidance, highlight successful practices

across districts, and provide space for special education leaders to ask questions of one another.

At the city level, the Special Education and Student Support subcommittee of the City

district school committee was a critical forum for communicating, debating, and clarifying

COVID-19 related policy messages from the state and federal level. Prior to the pandemic, the

Special Education and Student Support subcommittee (hereafter, subcommittee) of the school

committee convened monthly and in person for about two hours. All subcommittee meetings

were broadcast on City's public access television station. Typically, a notice was posted about

two weeks prior to the meeting to inform the community of the topic of the subcommittee

meeting as well as the location. Community members needed to be physically present at

subcommittee meetings to offer public comment, and often needed to sign up to make comments

in advance. Agendas, meeting minutes, presentation slides, and a video recording of the meeting were posted to the district website following each subcommittee meeting.

Like the Special Education Directors meetings at the state level, the subcommittee shifted to a virtual format because of the pandemic. During this time, meeting frequency increased to address urgent and emerging needs, with the subcommittee first convening via the Zoom video conferencing platform on April 17, 2020. Throughout the pandemic, the subcommittee convened to address a number of topics, including out-of-school-time programming, Autism Acceptance month, spring learning and fall planning, compensatory services and transition supports, remote learning, and reports from in-person learning. Unlike the MA DESE Special Education Directors meetings, the subcommittee was designed to both facilitate City district's sharing of information with the broader community, and provide space for public discourse and debate concerning special education policy messages and directives.

District special education leaders used the beginning of nearly every subcommittee meeting during the pandemic to communicate how the district interpreted directives from MA DESE at the district level. For example, one district leader used the subcommittee platform to explain to the community why so many shifts in policy messages related to special education occurred during the first weeks of the school closuring, sharing that

> Even though there was a plan in place for that very first day of the closure, which
> was March 16, which was built on information known at that time, every week,
> probably two to three times a week, the Department of Elementary and Secondary
> Education holds meetings with special education directors across the
> Commonwealth, and, therefore, updates, revisions, expansions happen, not

because something has been wrong, but because people are learning as they're going. (District Leader, subcommittee meeting, 4/17/2020).

At another meeting, a leader shared updates on the district's development of Remote Learning Plans, informing the community about the district's work on enacting a special education documentation recommendation from the MA DESE, saying, "we've been working on the remote learning plan guidance for the past couple of weeks, that's been our primary focus for both of the [educator] working groups" (District Leader, subcommittee meeting, 8/5/2020). These updates are characteristic of the information-sharing City district leaders engaged in at the beginning of each subcommittee meeting, providing greater transparency to educators, caregivers, and community members regarding how the district was responding to state directives.

At the end of each subcommittee meeting, there was time for public comment, during which community members responded to updates from district leaders and/or raised new issues or concerns regarding the experiences of students with disabilities. One district leader recalled the important role that caregiver and educator voice played in advocating for students with disabilities during this time, saying,

I think that one of the strongest areas of parents, and one of the things they're great at, is advocacy. They're pushing on the system to make the system better, not just for their student, but for other students as well. So really findings ways to incorporate and have them leverage their voice and their expertise and what they're seeing, experiencing, taking that in addition to what our educators were seeing, and really trying to make sense of what we're working on and how we're going to do it (Leader interview).

And parents and caregivers *did* take advantage of the remote meetings format and participated in

school committee meetings at high rates, with many meetings needing to be extended for at least

an hour so that all public comments could be addressed. This was a notable departure from past

practice, when community members were required to sign up in advance for a limited public

comment portion of the meeting. Caregivers raised a variety of ideas and issues during

subcommittee meetings, including concerns about their student's experiences with remote

learning. For example, one parent shared the negative experience their child was having with

remote learning, and broader discontent with special education in the district, saying

> I have two children, one with Autism, and distance learning is not working very
>
> well for him. And I know that everybody's working really hard and I know that
>
> people think it's crazy that during a pandemic, people with children, parents of
>
> children with disabilities would think our children should get anything more than
>
> what we already get because we're the biggest funding strain in the district. But I
>
> think our kids deserve better and I think [City district] could do a lot better. And I
>
> don't understand why after 10 years of having a special education student in this
>
> district, it feels like individual teachers can do exemplary work. But there is very
>
> little investment in my children's education (Parent, subcommittee meeting,
>
> 4/17/20).

Another parent used the public comment portion of the subcommittee meeting to both express

gratitude to educators and push district leaders to think differently about how they were tracking

data related to special education, encouraging leaders to not only look at student-level data but

also to examine trends across the district. This parent said

I just want to acknowledge that this has been such a tough year, and I think people

have really had to try and be creative and think differently about how we are

connected with families and students and providing services in a way that is

helping them to continue to develop under less-than-ideal circumstances. So, I

just want to express gratitude to everybody who has been working really, really

hard this year to support our students and families continuing to navigate life and

also advocate for our children. And I also just wonder about what metrics we're

using? There's this question of transparency of data…we need to know where our

kids are and how far behind they are…how much regression? How are we going

to help them make up these skills in a short amount of time? I'm also wondering

on a district-wide level are there any metrics of how many evaluations are

late…what are some of the trends that we're seeing with learning loss? How

many students qualified for compensatory services? How many parents requested

mediation? How are we doing in terms of serving our constituents? (Parent,

subcommittee meeting, 5/26/2020).

In addition to parents, educators also had significant participation in subcommittee meetings at

high rates. Some educators were tasked with co-presenting with district leaders to share their

experiences with remote or in-person learning for students with disabilities. For example, after

the first wave of prioritized students began in-person learning in October 2020, one preschool

special educator shared their experience with the subcommittee, saying,

I felt very unprepared for in-person teaching with preschoolers. And I'm here to

tell you that, we're in our third week in person, and I do feel much better now that

things are settling in much more than I could have imagined. Which is not to say

there aren't any challenges, but I feel like the challenges are not as

insurmountable as I thought they might be. For example… I would've never

imagined preschoolers could walk through elementary hallways not holding hands

with each other. Yet we can't hold hands just because we can't. And I'm teaching

them to walk tight to the right, next to the wall. And shockingly the children are

doing it. They're all wearing masks. They're washing their hands frequently, and

they quite happily tolerate the constant squirts of hand sanitizer on their hands.

They've kept as much physical distance as possible, and I've set up my room with

solitary play areas so that children can filter in and out…and it seems to be

working well. I will say the kids seem very happy and the caregivers seem

grateful and very supportive (Educator, subcommittee meeting, 10/15/2020).

Educators also attended subcommittee meetings to receive and respond to information, just like

other members of the community. In a September 2020 subcommittee meeting, many educators

were in attendance as the topic of the meeting focused on having some students begin to return to

in-person learning the following month. One educator questioned policies around in-person

special education service delivery, saying

The way I understood it was that essentially within the building there are

essentially no limitations for how many students people could interact with in

person for push-in or pull-out [special education] services. They could

conceivably go across the entire school. I also heard that they could conceivably

go to one school one day and another school the next day. It seems concerning

that this creates a very large cohort, and the biggest concern here is that if the

special educator were to test positive, that would then close down multiple school

by the time the test caught that. I'm curious about the thinking around that

(Educator, subcommittee meeting, 9/30/2020).

Together, these public comments from caregivers and educators represent the types of community discourse that occurred in subcommittee meetings in response to information shared by district leaders.

Characterization of meeting structures. Leveraging existing meeting structures in new ways was a highly congruent practice in both Massachusetts and City district. Because stakeholders were already familiar with attending Special Education Directors meetings and school committee meetings, it was easy to shift these existing structures to a virtual format. It was also a lighter lift for attendees to simply increase meeting frequency or duration, as was the case at meetings across levels of decision-making. The congruence of the pandemic-associate meeting structures with existing meeting structures also supported increased attendance and participation in meetings related to special education. In the Special Education Directors meetings, the virtual format made it more accessible for multiple leaders to attend these information sessions and access the same information firsthand. The shift to virtual Special Education and Student Supports subcommittee meetings also supported wider participation from caregivers, educators, and community-members, giving greater voice to decision-making related to special education.

The congruence associated with existing meeting structures supported moderate coherence in policy messaging. Perhaps because information at the state level tended to flow from the MA DESE down to district leaders, most of the Special Education Directors meetings were used to reinforce the same information and policy messages over and over. However, this was not the case in City district. The district was in the position of receiving policy messages and feedback

from both the MA DESE and the community. This led to City district needing to enact shifting directives from the state, while also responding to the concerns of caregivers, educators, and stakeholders in the community. Together, this multi-directional input to City district resulted in incoherent policy messaging from the district. Coherence related to existing meeting structures varied based on the level of decision-making.

Existing meeting structures were perceived as legitimate at both the state and district levels. During meetings, valuable and actionable information was shared or discussed. As described above, this information was often different from written communication, and thus attendance at these meetings became essential for those wanting to be informed of the most up-to-date special education policy messages. Further, meetings often took a great deal of time and energy to participate in, with most meeting times extended to address issues and concerns raised by the community. As a result, educators, caregivers, and community members were recognized as working and contributing when participating in online meetings.

Communication Pathways

A second example of the structural forces acting on the special education policy context involves the communication pathways utilized by the MA DESE and City district during the pandemic. By communication pathways, I mean both how information traveled between different levels of policy landscape and the format and structure of documents and resources shared by different stakeholders within the policy layers. Below, I highlight the different communication pathways that both MA DESE and City district used during the pandemic. First, I illustrate how information flowed between the different layers of decision-making related to special education policy. Then, I demonstrate the role that information format played in shaping if and how policy messages were taken up at the local level.

Information Flow. During the COVID-19 pandemic, information related to special education was typically initiated at the state level and flowed down to the classroom. Specifically, the majority of policy messages originated with the MA DESE and were shared with district leaders, who then interpreted messages for school leaders, who in turn interpreted information for teachers, who were responsible for sharing information with caregivers. However, in City district, caregivers also played a key role in the construction of communication pathways. Once they received policy messages, caregivers and educators often pushed back on district messages. This communication from caregivers and educators often reshaped how policy messages and directives were interpreted and enacted at the local level. While this multidirectional information exchange existed, the MA DESE maintained the position of primary communicator of new information during this time. This flow of information is best illustrated through guidance related to the use of remote learning plans.

On April 3, 2020, after the MA DESE had introduced two models of remote service delivery in a Special Education Directors meeting in March, state leaders emphasized the importance of parent communication and notification of remote services. Specifically, the MA DESE told district special education leaders that parents needed to be informed of district plans regarding what services students would receive and how those services would be delivered. As they had done with other policy messages in the past, the MA DESE highlighted two examples of parental notification—a Continuation of Learning Plan document from CREST Collaborative and Student Remote Learning Plan document from Valley Collaborative.

By April 9, 2020, the MA DESE built on this initial guidance and shared a state-developed template for Student Remote Learning Plans. Guidance that accompanied the template included the caveat that the remote learning plan template was a "suggested form, not a required

form" (MA DESE Special Education Directors meeting, 4/9/2020). What is important to note here is that districts were required to develop plans for remote learning, not a specific document (which would come to be known in City district as the Remote Learning Plan). Rather, they were provided with different options for parental notification, including through N1[3] letters or email. This guidance was reiterated in red text on the sample plan shared by MA DESE, as shown in Figure 7.

Figure 7. Sample remote learning plan from MA DESE.

City district quickly responded to this guidance surrounding remote learning plans via two emails. The first communication notified special education staff and caregivers that remote learning plans would be required in City district. Specifically, this guidance shared that

> MA DESE has required that all students with an IEP have a remote learning plan. This plan must adhere to the following guidance: describes how, when, and what specialized services are being provided; dated to reflect when services began and when services are revised; is sent to parents upon initial completion and subsequent revisions (FAQ + Student Learning Plan email, 4/17/2020).

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[3] N1 letters are MA DESE required notices of proposed school district actions related to students with IEPs.

Along with this communication, City district shared their own initial remote learning plan template that reflected the "resources and supports" remote learning model employed in the district at the time. The first version of City district's remote learning plan is shown in Figure 8.

Figure 8. City district student remote learning plan, version 1.

A second communication to special education staff reinforced the original messaging from MA DESE regarding plans for remote learning. In this communication, district leaders notified staff that

> Per guidance from DESE, [City district] will give written notice to parents of remote learning plan (i.e., what to expect and how services will be delivered). Our office will do this in two ways:
>
> 1. "Family Communication Letter sent Thursday, April 2, 2020
>
> 2. N1 documentation. Case managers will create custom N1 messages and send it to the student's parent/caregiver. We request that case managers use the [linked] message our office has created in your N1 document. Your OSS coordinator will follow-up with how to create a custom N1. Please use the exact language provided in the document.

As the MA DESE directed, this second communication from City district instructed educators to directly communicate with families using an N1 letter to inform families about plans for remote learning with their student. While the MA DESE directives stated that parents needed to be notified regarding what they could expect and how services would be provided to students remotely, City district interpreted this guidance differently. City district chose to use planful redundancy in messaging, providing communication to caregivers in multiple formats and modalities. City district also chose to require educators to create both N1 letters to be sent to caregivers before remote learning began, as well as ongoing communication through the weekly sharing of remote learning plan documents using a district-created template.

Remote learning plans were intended to be a means of ongoing communication with parents and caregivers to provide clarity around remote learning. However, caregivers struggled with remote learning plans, as reported by leaders and teachers in City district. Leaders in City district actively responded to feedback from caregivers as they worked to revise remote learning plans. For example, one district leader, when speaking in the Special Education and Student Supports subcommittee meetings, shared

> We're making adjustments, on behalf of our families, to ensure that a remote
>
> learning plan is easy to follow. We've heard from you that it proved to be clunky.
>
> It was difficult to understand. It wasn't readily accessible to what we're looking to
>
> do (District leader, subcommittee meeting, 8/5/2020).

Another district leader reflected on both the format and content of remote learning plans, recalling that caregivers felt the plans were both challenging to access and not reflective of their child's needs. Specifically, this leader recalled that

People still felt it wasn't enough. We were definitely hearing from parents that

they didn't feel that their child was going to be getting enough support, they still

felt there was a void…Many [parents] were satisfied, but there were a handful that

were not satisfied, and so what were we going to do to help modify this plan or

increase this plan? (Leader interview).

In response to feedback from the community, the district shared a revised Remote Learning Plan

prior to the beginning of the 2020-2021 school year, as shown in Figure 9. The district invested

time and resources in both revising remote learning plan templates and requiring educators to

complete remote learning plans for each student on their caseload. For instance, according to a

district leader, a working group of special educators and other stakeholders spent several weeks

during the summer of 2020 revising and updating remote learning plans based on caregiver

feedback. The updated plan was formatted like a weekly calendar, and provided meeting links,

additional resources, and important contact information.
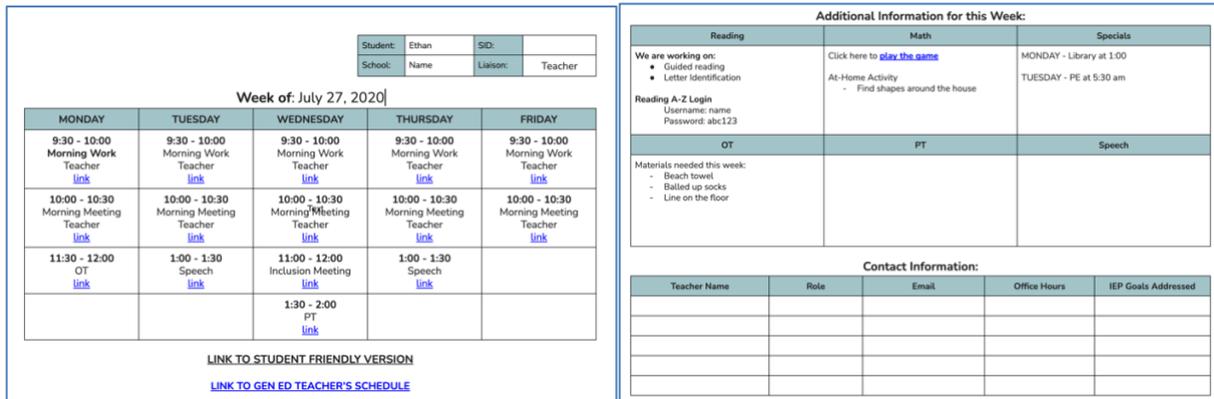
Figure 9. City District Student Remote Learning Plan, version 2.

When school-based special education leaders learned about the requirement to provide

remote learning plans for students with disabilities, they shared this guidance with school-based

special education staff. One school-based leader perceived the use of remote learning plans as a successful tool for communicating with families, noting that

"[remote learning plans] provided clarity to all of the stakeholders around what was expected, and allowed for opportunity to make it clear for families and teachers concerning how the time should be spent" (Leader interview)

Another school-based leader, who was responsible for directly overseeing and supporting special education programming at the school level, recalled the confusion from both educators and caregivers concerning remote learning plans, saying

There were a lot of questions about, 'do we put the link in or do we send it? Can we just send it through Google calendar?' There were so many questions about these plans. We had certain teachers who didn't even know how to generate links…so I'd get calls from parents being like, 'I'm in this meeting and no one's here.' There were a lot of problems to start. I just shared what I knew and requested that everyone start making the [remote learning] plans (Leader interview).

Leaders' perspectives on the success of remote learning plans, and other policy messages, varied depending on whether or not they were directly responsible for supervising the implementation of special education policy directives.

Similarly, educators were mixed in their reviews of the effectiveness of remote learning plans in communicating essential information with caregivers. One educator recalled that remote learning plans were not useful for families, and instead families needed different approaches to communication, saying

That's another added layer of confusion for families. It turns out they didn't

actually use [remote learning plans]. I had to send daily emails with the links or

call them or send them a text message to hop online. [Remote learning plans]

were a good way for them to get a snapshot of when their children would see us,

but they didn't actually click on the links or use the additional information for the

week (Teacher interview).

Another educator echoed the sentiment that while remote learning plans helped provide a big

picture view of a student's experience with learning remotely, other formats of communication

with which families were more familiar proved more useful. This educator recalled

I remember we sent [remote learning plans] out every Friday the week before. I

actually thought these were helpful in the beginning just so families could kind of

get a grasp on what the schedule would look like…I did find that I was sending

the same thing every single week. I was also sending out a newsletter, so all of the

actual information they really needed was in the newsletter. And this was just

more of a formal thing that didn't give them additional information (Teacher

interview)

To educators, the remote learning plans provided some benefit to families. However, educators

tended to rely on existing communication structures to share critical information with caregivers

and students.

Information Format. In addition to how information flowed from the state to the local

level, the decisions around how to format policy messages was another way that structural forces

acted on the special education policy context during the pandemic. Sometimes, the format and

structure of policy message employed at the federal and state level influenced the format that

City district ultimately used to convey messages related to special education. At other times, City district did not use federal or state formats, and rather recreated their own messages or resources in new ways before sharing with educators and caregivers. The decisions City district made regarding format and structure of different policy messages are illustrated below.

As described above, shifting policy messages flowed down to districts rapidly, and City district leaders needed to quickly make sense of new directives in the context of existing special education policy messages. When asked to reflect on what happened early on in the pandemic, one district leader alluded to the challenges associated with receiving many new and oftentimes shifting policy directives. This leader shared, "I have a light, like a flashlight, and I can only see the next step in front of me" (Leader interview). Similarly, educators in City district received a number of often shifting and at times competing policy messages related to special education during the pandemic. Because messages often originated at the state level, educators were charged with interpreting policy directives that may have been in different formats or using novel language. To do this, many educators relied on their colleagues to support their understanding of policy messages. For example, one teacher reflected on the experience of understanding policy messages, and the role her colleagues played in shaping her understanding, saying

> "What I remember was us really trying to make sense of all the communication
>
> that was coming down…I remember a lot of the communication just being like,
>
> interpreted differently by so many people…and we were trying to figure out…is
>
> this what we have to do now? How are you understanding it the same way I am?
>
> How can we put it into practice?" (Teacher Interview)

The formats in which messages were delivered both supported leaders and teachers in understanding what was expected of them during the pandemic, and, at times, created

additional confusion regarding federal or state requirements for educating students with disabilities.

Two formats used consistently at the federal, state, and district level to communicate special education policy messages were question-and-answer documents and memoranda. Question-and-answer documents served the purpose of clarifying information and providing more direct guidance based on questions from different stakeholders. For example, the U.S. Department of Education issued a question-and-answer document in June 2020 "in response to inquiries concerning implementation of the Individuals with Disabilities Education Act (IDEA), Part B" (U.S. DOE Q&A, 6/30/2020). In this document, the U.S. DOE posed questions related to how special education policies related to procedural safeguards should be interpreted during the pandemic, and provided answers to those questions in the form of policy directives. This format was used in most of the communications shared by the U.S. DOE during this time. The state responded to the U.S. DOE guidance in question-and-answer documents by sharing these documents directly with local districts. It is worth noting here that the MA DESE did not engage in any interpretation of federal question and answer guidance before sharing with districts. Rather, original messages related to special education policy were preserved and federal documents were shared with districts in emails, newsletters, and/or Special Education Directors' meetings.

Like the U.S. DOE, City district began to use the question-and-answer format to respond to stakeholder questions related to special education policy in the district. Unlike the MA DESE, who shared messages directly from the U.S. DOE, City district created their own question-and-answer documents. These documents addressed both questions related to new federal or state policy messages and questions from educators and caregivers in the district. For example, City

district drew on messages from MA DESE around the provision of services for students with disabilities to share district guidance around educator expectations early on in the pandemic. This document framed questions related to IEP services (e.g., "should IEP meetings be prioritized over other services") and responded with district-specific answers.

A second format used to communicate special education policy message was the use of memoranda. This format was used at both the state and district level to communicate important, often new, policy messages to a variety of stakeholders. When originating from the MA DESE, memoranda were sent by the Massachusetts Senior Associate Commissioner for Special Education and addressed to local superintendents and district special education leaders. The tone of these messages was often more formal and authoritative than question and answer documents, and provided specific directives for local districts.

For example, in a memorandum with guidance regarding summer special education services during the summer of 2020, Senior Associate Commissioner Russell Johnston directed districts to follow "specific health and safety requirements that must be implemented in order to provide in-person instruction to high priority students with disabilities" (Summer 2020 Special Education Memo, 6/8/2020). This memorandum also delineated clear expectations with which districts were required to comply. For example, this memorandum instructed districts that

> In order to provide in-person instruction over the summer, the following steps **must** be taken, and the guidance that follows below is organized into these five categories:
>
> 1. Identify high-priority students most at need for in-person summer services and communicate with families.
>
> 2. Identify, hire, and onboard appropriate staff.

3. Identify and purchase necessary protective equipment.

4. Develop situation-specific protocols as indicated in the document and in the additional resources provided. Modify any existing health and safety plans and/or school protocols as needed due to COVID-19.

5. Develop a training plan that includes identification of the staff needing to be trained, procurement of resources and trainers, and a system to confirm all necessary training is completed prior to in-person instruction.

The MA DESE frequently used memoranda throughout the pandemic to convey important policy directives to local districts.

Like question-and-answer documents, the memorandum format also trickled down from the state to local level. However, this format was used infrequently, with some important directives shared via memoranda, while most others were distributed using different formats (e.g., email or question-and-answer documents). In City district, memoranda were sent by the Special Education Director and addressed to school psychologists, special education service providers, principals, and academic Assistant Superintendents. Similar to the MA DESE, City district used memoranda to convey important directives using a more authoritative tone than in other communications.

In one example, the Special Education Director conveyed City district's approach to IEP Team Meetings during the pandemic. This memorandum was sent to variety of district stakeholders via email saying

In light of school closure, the Office of Student Services will not be conducting *virtual* Individualized Education Program (IEP) Team Meetings not will we be conducting IEP Team Meetings by telephone at this time…The district is aware of

guidance provided by the Massachusetts Department of Elementary and

Secondary Education which states that districts "may elect to hold virtual

meetings" during this period of school closure. However, the [City District], as

noted above, has elected <u>not</u> to do so at this time (OSS Memo to staff, 3/20/2020).

This message was characteristic of other memoranda sent by City district special education

leaders throughout the pandemic. In City district, memoranda were used infrequently, but when

used, provided important, required directives to district stakeholders.

While some information formatting was consistent at the federal, state, and/or local

levels, other information was interpreted and shared in novel formats by City district. This

reformatting occurred most frequently with policy messages or tools related to curriculum and

instruction. Throughout the pandemic, the MA DESE developed and curated a wealth of

resources designed to support special educators and related service providers in shifting to

remote models of instruction. These resources addressed a range of topics, including

accessibility, Universal Design for Learning, online learning, and providing social and emotional

supports for students. Some resources were shared in hyperlinked Google documents, as shown

in Figure 10, which could be updated frequently with new resources. Others were shared in large

Google spreadsheets, which could both be updated frequently and provide additional information

about the nature and best uses of different resources and tools.

Figure 10. Resources document curated by MA DESE to support students with disabilities.

A significant amount of time and energy went into the MA DESE's curation of resources related to curriculum and instruction. However, City district did not share these resources directly with their educators. Rather, City district recreated their own resource banks related to curriculum and instruction to support students with disabilities. For example, educators created educator toolkits using Google slides that were focused on supporting students with disabilities during remote learning. These toolkits were tailored to the needs of students at different grade levels and highlighted tools and resources to which the district had access, as shown in Figure 11. Like MA DESE created resources, these Google slides used hyperlinked text and could be updated to meet emerging needs in City district. Unlike MA DESE, the resources curated by City district had three key features: (1) resources were visually appealing and engaging, (2) resources aligned with district priorities and expectations, and (3) resources were curated and developed by educators.

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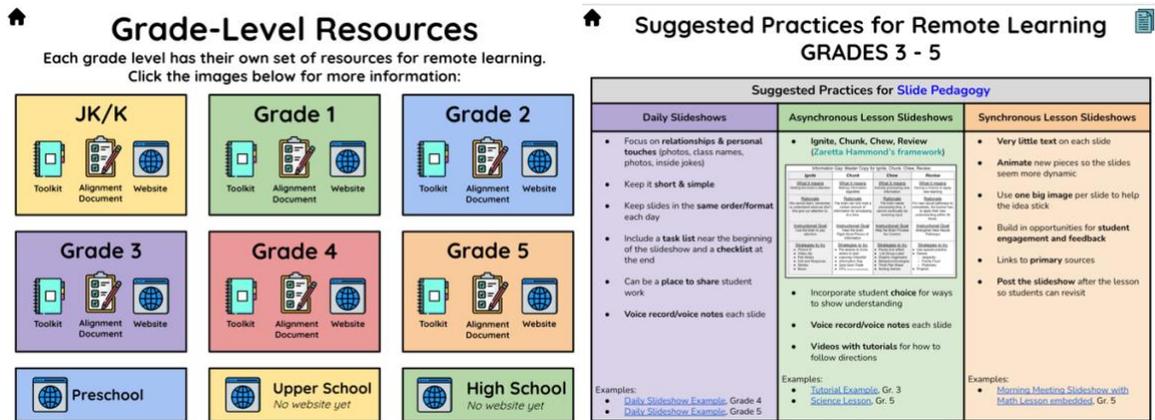
Figure 11. Educator toolkits created by City district educators.

Characterization of communication pathways. During the pandemic, communication pathways related to special education policy were moderately congruent with existing communication structures. That is, the flow of information generally mirrored how information moved between different layers of the special education policy context prior to the pandemic, with policy messages originating at the federal or state level and moving down to the local level. Two major differences in the flow of information during this time of crisis were (1) the number of shifting policy messages received in a condensed amount of time, and (2) the increased role parents and caregivers played in responding to and pushing back on districts as they worked to implement state directives. The format of information related to special education policy shared during the pandemic was also moderately congruent. While formats such as question-and-answer documents or memoranda were familiar mechanisms of communication used prior to the pandemic, the MA DESE also tried to play an increased role in informing special education curriculum and instruction during this time. State involvement in curating resources related to curriculum and instruction was not congruent with existing practice in City district, and the district and educators responded by creating their own resources tailored to the unique needs of the district. These new resources were more than state documents rebranded with the district's

identity—rather educators in City district curated new resources that drew on technology and curricula available in the district.

The moderate congruence of communication pathways related to special education policy messages with existing practices led to incoherent policy messaging in City district. Multiple levels of translation and interpretation of new directives resulted in increased opportunities for uncertainty and ambiguity to develop as messages traveled between all layers of the special education policy landscape. When more broad messages were conveyed in state-level meetings via slideshows, the increased interpretation districts needed to engage in led to enactment of special education policies that did not always align with original messages from the MA DESE. Inconsistent formatting also created more confusion and incoherence as districts, educators, and caregivers highlighted different aspects of state messages as required or critical to support special education.

Together, the moderate congruence and incoherence of special education policy messaging created a policy context which is best characterized as moderately legitimate. More formal communications originating with the MA DESE were taken seriously by City district and enacted as written. When communication was intended to influence educators' practice, it was disregarded as illegitimate. Rather than taking up suggestions from the state related to curriculum and instruction, educators viewed their own, locally-tailored resources as more legitimate.

Educator Collaboration Routines

A third way that structural forces acted on the special education context during the COVID-19 pandemic was through educator collaboration routines. Prior to the pandemic, the minimum expectations for educator collaboration were mandated by the union contract in City district. Educators had a required number of professional learning hours each school year, and

this time may or may not be collaborative in nature. In some schools in City district, educators participated in professional learning communities in which they engaged in co-planning, problem solving, and examining student work. Additionally, all special educators were required to facilitate collaborative consultation time with general educators to support students with disabilities on their caseloads.

The pandemic led two key shifts that promoted educator collaboration in City district: the addition of remote Wednesdays and the development of educator working groups. Remote Wednesdays emerged when City district began to plan for reopening school buildings during fall 2020. The superintendent proposed a hybrid reopening model, in which students would learn both in-person and remotely. In a presentation to the school committee, the superintendent raised the idea of integrating an "everyone remote day" into the weekly schedule. A remote day would support two important goals at the time—the need for extensive cleaning in buildings mid-week, and more time for teacher collaboration and planning. The idea was that, on "everyone remote days," educators would be expected to "[provide] some student supports and [engage in] teacher planning and development" (Update on SY 20-21 planning slides, 6/30/2020). This model was eventually adopted by City district, and employed during part of the 2020-2021 school year.

Educators were permitted to work from home on Wednesdays, and used this time to engage in teacher-directed collaboration and planning. However, in addition to collaboration time, special education staff were also expected to use some of the time on remote Wednesdays to provide services for students with disabilities. In a weekly email to staff, the Office of Student services shared that "staff should continue to provide services to students on remote Wednesdays" (OSS mid-week update email, 3/3/21). The expectation for special educators to both provide services for students on their caseload and engage in collaboration time was

different from general education expectations. In a presentation to the school committee in April 2021, special education leaders in City district reflected that a key challenge of the department was "insufficient collaboration time for key planning efforts" (Lessons Learned Presentation, 4/27/21). Remote Wednesdays were no longer permitted by April 2021, when the MA DESE determined that "hybrid and remote models will no longer count toward meeting the required student learning time hours" (Staff Update, 3/10/21). Thus, built-in collaboration time significantly decreased when students returned to full time, in-person learning.

A second innovation that illustrates how structural forces acted on the special education policy context during the pandemic was educator working groups, which were locally referred to as Educator Collaboratives. The mission of educator collaboratives was to

Work collaboratively and creatively across schools to design instructional

systems, strategies, and materials to support rigorous, joyful, culturally responsive

learning experiences with individualized support—for all…students regardless of

instructional setting (City district website).

Educator Collaboratives were organized by grade level from preschool to grade five and led by general and/or special education teachers across different schools in City district. An additional Educator Collaborative focused on the work of substantially separate classroom teachers across grade levels was also developed during this time. The charge of the Educator Collaboratives was "to develop toolkits for each grade level and substantially separate classrooms that can be utilized for in-person, hybrid, or remote scenarios for the fall" (City district website). These toolkits distilled existing curricular expectations to the essential topics that would be taught during the 2020-2021 school year. Educator Collaborative-developed toolkits also curated professional learning opportunities that were both relevant to City district's core values and

supported educators in teaching content in new ways. Sample pages from these toolkits are shown in Figure 12.
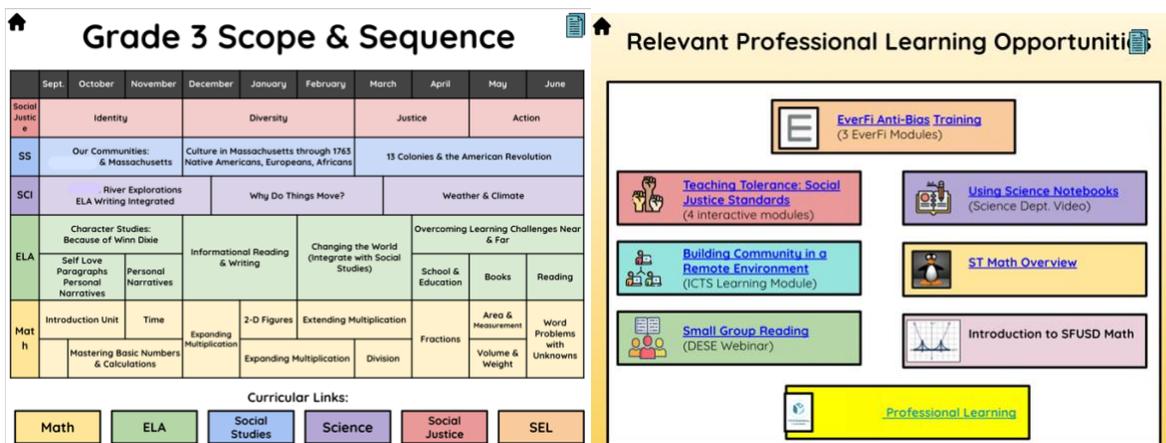
Figure 12. Curricular and professional learning resources in educator collaborative-developed toolkits.

The work of Educator Collaboratives began in summer 2020, with educators receiving a stipend for their leadership and participation. A senior district leader was responsible for oversight and support of the educator collaborative groups. According to the district website, the work of educator collaboratives did not formally extend into the 2020-2021 school year, but participants agreed to an ongoing commitment to the following:

- Dismantling the inequalities across school experiences identified by [an equity project]

- Engaging with grade-level colleagues to support one another in addressing the challenges of our new educational realities

- Identifying educators to develop or adapt remote curriculum materials for units as needed

- Developing and sharing remote curriculum resources with other educators through a grade level Google site

(City district website)

Several factors made Educator Collaboratives unique and relevant to the enactment of special education policy during the pandemic. First, educator collaboratives involved diverse participation from general and special educators in each group. This provided an opportunity for general and special educators to engage in deep thinking around grade level content with colleagues across the district. Second, as described above, Educator Collaboratives centered the goal of dismantling equalities across schools in City district. A focus on equity created a unique forum in which special educators could advocate for increased accessibility and the integration of principles of Universal Design for Learning across into general education content across grade levels. Third, Educator Collaboratives created opportunities for teacher leadership across City district departments. Special educators took on leadership roles across different educator collaborative groups, an opportunity that was not typically possible in a district that operated in separate departments during the school year.

Characterization of educator collaboration routines. Educator collaboration routines that emerged during the pandemic were novel, and thus not congruent with existing practices in City district. The remote working conditions that became common during the COVID-19 pandemic created opportunities for new ways of organizing for teacher collaboration that did not exist when educators were teaching in person. Further, the pandemic produced a need for City district to reimagine and redesign curriculum materials for educators. This led to the development of Educator Collaboratives, groups of teachers who worked together virtually in the summer months to co-design and curate resources for their colleagues.

While not congruent with existing practices in City district, educator collaboration routines were moderately coherent. For general educators, collaboration routines were consistent

and productive. Throughout the time period when remote Wednesdays were a district practice, these educators engaged in regular, school-based collaboration time. However, special educators had a less coherent experience of the new collaboration routines, given their additional work expectations around service delivery on collaboration days. While they did have time for collaboration on remote Wednesdays, they also struggled to meet the additional demands of their job. Despite these differences, the educator collaboratives were highly coherent practice in City district. All Educator Collaborative groups created teacher-facing toolkits and websites that were similar both stylistically and in terms of content.

At the district level, educator collaboration routines were perceived as legitimate. City district seemed to value time for educators to work and plan together, as evidenced by the hybrid schedule that made space for collaboration time. This value was also reflected in City district's investment in teachers work on educator collaboratives during the summer months. City district set clear expectations for materials and resources that educator collaboratives were required to produce, and groups' adherence to those expectations enhanced the legitimacy of collaboration time. The MA DESE, however, did not appear to view all educator collaboration routines as legitimate. With guidance that remote learning and working would no longer be permitted part way though the school year, the MA DESE sent a strong message that students attending school in person full time was more important that expanded opportunities for teachers to collaborate.

Conclusion: Structural Forces

Structural forces acted on the special education policy context in City district during the COVID-19 pandemic. This included the meeting structures, communication pathways, and educator collaboration routines that were in place before and during the pandemic. Five policy contexts illustrate how structural forces played out during a time of emergency: Special

Education Director's meetings, Special Education and Student Supports subcommittee meetings, remote learning plans, remote Wednesdays, and Educator Collaboratives.

Local Forces

If legal forces represented *what* policy messages and directives were shared, and structural forces concerned *how* policy messages traveled, then local forces helped to uncover *why* special education policy messages received mixed reception on the ground. Local forces, or the actors, norms, beliefs, and values of the local community, acted on the special education policy context during the COVID-19 pandemic and influenced the experiences of students with disabilities. Even prior to the pandemic, special education policies that originated at the federal or state level eventually made their way to policy implementers on the ground. These actors held their own values, beliefs, and ways of interpreting and enacting special education policy messages that may or may not have been aligned with federal or state expectations. The pandemic made these local forces even more powerful—more actors became vocal about how special education policies interacted with both personal and community values. During the COVID-19 pandemic, local forces concerned the relationships among educators, caregivers, and students; beliefs about students and their capabilities; beliefs about teachers and their intentions; concerns about health and safety; how people made decisions about what information to share and not share; and how different groups of students were prioritized for particular resources. Local forces applied pressure to the special education policy context, often pushing back against legal/regulatory and/or structural forces.

The local forces that acted on special education in this time of emergency are best illustrated through two phenomena: (1) prioritizing groups of students and (2) forming

relationships. In the sections below, I reveal how these phenomena played out at the local level during the pandemic.

Prioritizing Groups of Students

One way that local forces manifested in City district was through the prioritization of groups of students. Prioritization involved a focus on the needs of particular groups of students who were invited to return to in-person learning. Different stakeholders argued that remote learning was ineffective for some groups of students, particularly those with disabilities or other marginalized identities. Thus, prioritization was intended to both address constraints around the number of students who could be together based on physical distancing guidelines, while also ensuring students with the highest supports needs could return to school in-person as quickly as possible.

In June 2020, the MA DESE released guidance for fall district reopening plans. In this guidance document, the MA DESE highlighted that, while the goal was for as many students as possible to return to in-person learning, there was a need for districts to prioritize students with the most significant needs for support. Specifically, the guidance stated that

> **High-needs students should be prioritized for full-time in person learning when feasible.** That is, even if most students are not in school each day, schools should consider setting up small programs that would run daily for one or more cohorts of high-needs students, including students with disabilities and English learners who are most in need of in-person services (Initial Fall School Reopening Guidance, MA DESE, June 2020).

In addition to prioritizing students the MA DESE classified as "high needs," districts were also instructed to prioritize preschool-aged students with disabilities for in-person learning. For preschoolers, the MA DESE recommended that

> Preschool-aged students with disabilities are particularly in need of in-person services so that they can develop the socialization, motor, and communication skills that are vitally important at this age. Schools and districts should prioritize in-person instruction for this age group but should also be prepared to adjust to remote services as necessary (Initial Fall School Reopening Guidance, MA DESE, June 2020).

In response to guidance from the MA DESE, City district published a report in which district and school leaders reflected on the initial school closure period, and proposed an approach for reopening moving forward. In the report, City district's Superintendent noted the inequalities that became even more stark among particular student groups during the pandemic. This report noted that

> There is no question that the shift to remote learning exacerbated many of the inequities we observed during the school year, with some of our most vulnerable students falling further behind. We saw a clear association between race, socioeconomic status, and participation in distance learning, with black and brown students making up a disproportionate percentage of students demonstrating low engagement (Spring 2020 Distance Learning and Support Report).

The findings of this report, as well as new directives from MA DESE regarding reopening models for the 2020-2021 school year, led to the development of a prioritized reopening model

in City district. This model involved hybrid learning arrangements in which students would

spend some days at school and some days at home, as well as fully remote options at home. In

City district, hybrid options were outlined as follows:

> In-person FIVE days
> - Students with disabilities (substantially separate) and English language learners in the sheltered English instruction program
>
> In-person FOUR days
> - Preschool and grades JK, K, 1
>
> Some days at school, some days at home
> - Grades 2-8: 2 days at school, 3 days at home
> - Grades 9-12: rotating schedule
>
> (City district reopening plan, 7/28/2020)

Inherent in this staged model was a prioritization of students with disabilities, preschoolers, and

English learners for in-person learning. As one school leader reflected, prioritization in City

district focused on students with the most significant needs for support. This leader shared that

> We really did prioritize bringing the kids with the greatest learning needs back
>
> into school, and we were able to manage the teacher anxieties and bring teachers
>
> back who would service the children who needed particular services…we
>
> continued to prioritize the needs of our most vulnerable learners (Leader
>
> interview).

Once the prioritization policy was in place leaders and educators had to make difficult decisions

about *who* would be prioritized for in-person learning. In a Special Education and Students

Supports subcommittee meeting, one district leader shared the team-based process for identifying

students for in-person learning, saying

> How do we get students back in school? We're looking at it from the [IEP] team
>
> level and then from the broader, district level...we need to first determine who
>
> those students are, and then figure out a way to make that happen in November.

This is clearly going to involve a team process with caregiver commitment

(Special Education Leader, Special Education and Student Support Subcommittee

10/15/2020).

Another district leader reflected some of the challenges with prioritization, in that it forced

schools to make difficult decisions, even though nearly all students were struggling. This leader

shared that

[We were] just trying to prioritize the kids that needed more supports.

Unfortunately, kids with minimal supports and services, they kind of got pushed

to the side for a while and we had to have hard conversations with parents. [We

said,] 'we understand your child, but we are really struggling to meet the needs of

the majority of the children and so just allow us some grace and we're not going

to be able to give to your child the way we should be' (Leader interview).

While there was agreement that the most vulnerable students should be prioritized for a return to

in-person learning to redress compounding inequities, these policies came with some trade-offs.

Leaders acknowledged the challenges associated with identifying who should be prioritized, and

the concessions City district made in an attempt to support vulnerable populations.

While there was a mixed perception of prioritization policies at the district level,

educators working with prioritized students expressed a different perspective. In school

committee meetings, educators reflected on some of the benefits related to prioritization policies

for students with disabilities. One special educator who taught Autistic students in a substantially

separate classroom shared their surprise with how students were able to easily transition back to

in-person during the prioritization period. This educator said

Our students who really, really needed the support, who were not able to access

remotely, came in like nothing changed. So many of those kids were happy to

have the structure, the routines. It was amazing. I was so happy to see they were

right on track again, that six months meant nothing (Special Educator, Special

Education and Student Support Subcommittee 10/15/2020).

This sentiment was echoed by a related service provider, who shared their experiences working

in-person with preschoolers with disabilities during the prioritization period. They shared that

It just feels really good to be with students physically at school in our community

again. And even with masks and constant hand washing…it feels like students are

engaged and they're learning and that the time together is really, really

valuable…I'm able to provide direct modeling, physical guidance when needed,

and offer in-the-moment modifications which is such an essential part of the job

that I do and that is so much harder through a computer screen (Related Service

Provider, Special Education and Student Support Subcommittee 10/15/2020).

However, parents and caregivers had more mixed perceptions of City district's prioritization

policies. For example, one caregiver questioned why their child, who was attending school in-

person, was still receiving remote instruction. This caregiver said

As a parent, I send my child into school, and I do have a child with an IEP who's

in school right now, so I send my child into school, and the idea that she would be

on a Chromebook interacting with her special educator while I send her in person

is weird…there have to be other solutions that teachers would feel comfortable

and safe with that would better replicate being back in the classroom (Parent,

Special Education and Student Support Subcommittee 10/15/2020).

Another caregiver expressed concerns about their child's overall experience returning to school when so few students would be learning in person. Specifically, this parent asked

> I wondered if you could add a little bit about the upper schools and the high
>
> school which are opening for a much smaller number of the most vulnerable
>
> students. Will those sub-separate classes spend time together? Will they go to
>
> health and phys[ical] ed[ucation] and VPA [visual performing arts] classes? Will
>
> any in-person specials be an option? Will they have a little joy in their lives?

Collectively, caregivers expressed their concerns about what happened once their children had been prioritized for in-person schooling. These caregivers challenged City district to not only invite students back to the school buildings, but also to provide programming that was more consistent with students' experiences prior to the pandemic-related school closures.

One aspect of prioritization that City district leaders reflected on was the idea that students should have been brought back to learn in person even more quickly. When asked what could have been done differently to support students with disabilities during the pandemic, one district leader expressed that they would have brought the most vulnerable students back to learn in person earlier. They said,

> What we should have done, even if it would've been an enormous difficulty to do,
>
> I think we should have really brought back students with more severe needs
>
> sooner. I think that should have been in place. I think that should have been a
>
> mandate. We should have almost acted as first responders, in a way that they
>
> allowed supermarkets to remain open…we could have gotten the masks and the
>
> dividers between students and teachers, and sanitizers. We should have brought
>
> those students back (Leader interview).

Another district leader echoed this idea of bringing students back to in-person learning sooner, advocating to expand prioritization criteria to include students without disabilities. This leader shared that

> I don't think it's just students with moderate to severe learning and social needs. But there were even students, controversially, who weren't students with disabilities, but because they probably shouldn't have been at home by themselves, we should have provided some type of safe space for them to come and learn to come and engage because some students being isolated impacted their health. And I think we could have done more (Leader interview).

A school-based leader also shared the sentiment that bringing more students back sooner would have been beneficial for students. This leader said,

> I think, overall, there's no question that we would've benefitted from bringing more kids back sooner. I'd say the biggest challenges we experienced last [school] year were the residual effects of kids who'd stayed at home too long and had lost some really important opportunities in terms of their development and social-emotional growth (Leader interview).

Like leaders, some educators expressed that the most vulnerable students should have returned to in-person learning more quickly. One educator shared their concerns regarding the impact of remote learning on students' academic and social emotional skills. This educator reflected that

> As much as I hate to say it, I feel like some students should have continued to come to school, or at least access some type of in-person learning. Even if it was just one day a week, that would've made a huge difference. And we would've been able not only to support them, in terms of their academic skills, but also

social emotional skills and keep an eye on them because some, there's one

particular student I know did not experience the best type of environment. He

experienced more trauma during Covid, so I feel like that's something that we

could've changed. I know it would've triggered a lot of uproar from classroom

teachers, but for those specific cases, very high needs, I feel like the students

should have come to school in person (Teacher interview).

A second aspect of prioritization that actors in City district raised involved some of the

advantages that students who were prioritized for in-person learning experienced when all

children returned to school. One school leader, when reflecting on the staged return to in-person

learning, said that those who returned in person earlier were at an advantage in relation to their

peers. This leader recalled that

When thinking about the reopening in October, I do think that our students on

IEPs who returned to school were probably the ones who did the best. They were

among those who weathered the pandemic most successfully because they had

close attention. They came back relatively early most of them. And they were able

to continue receiving those services. They had the benefit of much smaller classes

and teachers who really wanted to be there (Leader interview).

Another leader talked about this idea of advantage in terms of some of the disadvantages those

who were not prioritized for remote learning experienced, saying

In terms of self-regulation, peer interaction, self-management, all of the social

emotional competencies, everybody was off. And it was more than just months of

lag, it was regression for a lot of kids. And they came back in a place that I don't

think, had more kids come back in person, I think that we would've had a much

smoother year, I think we would've felt less overwhelmed as a school community (Leader interview).

Student prioritization policies were one way that local forces manifested in City district during the pandemic. For educators, having students with the most significant needs for support return to in-person learning provided a substantial benefit for their continued learning and development. Caregivers, however, were eager for in-person learning experiences that more closely mirrored what school looked like prior to school closures, which was a challenge to replicate given the limited number of students and staff in school buildings. City district leaders also wrestled with challenges related to prioritization policies, particularly with the idea that a larger group of students, including those with and without disabilities, could have benefitted from a swifter return to in-person learning. Students who were prioritized for in-person learning experienced advantages when it came time to transition back to district-wide reopening. Those who were not prioritized experienced a number of challenges related to their academic, emotional, and social well-being.

Characterization of Prioritizing Groups of Students. The prioritization of some groups of students for in-person learning experiences was unlike anything City district had done before. This practice was incongruent with existing models of instruction for students with disabilities. In the past, *all* students were required to attend school in person. The incongruence of prioritization policies with existing approaches left leaders wrestling with questions of equity within City district—particularly related to how students were selected for in-person learning opportunities. Despite this incongruence, prioritizing groups of students was a highly coherent policy. City district set clear criteria with regard to which students could qualify for early in-person learning opportunities, and these criteria aligned with MA DESE directives. However,

City district did shift these criteria due to push-back from parents and caregivers. Perhaps because of City district's limited capacity to serve students in-person at the time, the coherent implementation of prioritization policies was primarily out of necessity, rather than conviction. While nearly all leaders interviewed agreed that the prioritization policies were insufficient, this policy was viewed as legitimate at the time of implementation. The MA DESE, City district, and the community agreed that some of the most vulnerable students in the district, those in substantially separate classrooms, preschoolers, and those in sheltered English classrooms, *did* deserve to be prioritized for in-person learning. Serving this limited number of students was perceived as both doable and worth-while in City district, contributing to this legitimacy.

Forming Relationships

A second way that local forces acted on the special education policy context during the pandemic involved forming relationships. Several different types of relationships were raised as critical to supporting people in City district during the pandemic, including those between educators and families, educators and their students, educators and their colleagues, and among students and their peers. This emphasis on relationships was deeply connected to the social isolation many people experienced while shelter-in-place orders were implemented across the United States. At a time when the daily lives of most people were so disrupted, people seemed to look for ways to find connection with others. While different relationships were valued by different actors in City district, the importance of relationships to student and educator success was raised over and over. Two key relationship strategies will be highlighted here: family listening conferences and educator networks.

Family listening conferences. In the spring 2020 report on distance learning, City district highlighted the importance of relationships between teachers and students during school

closures. Specifically, the Superintendent shared that strong teacher-student relationships led to increased engagement with remote learning, noting that

> Relationships are key to student engagement and learning. It became starkly clear that educators who had invested in building individual, affirming relationships with their students enjoyed higher levels of engagement and participation among the children in their classrooms (Spring 2020 Distance Learning and Support Report).

In the same report, the Townsend School principal reflected on the school's efforts to support continued relationships among teachers and students. The principal shared the Townsend School approach to frequent, ongoing communication with families, sharing that

> At the Townsend, School we approached the objective of maintaining connections between educators and students by establishing this as a priority from the outset of the school closure. After learning that the emergency school closure would be extended beyond two weeks, I shared a detailed message with staff (on 3/27) outlining the expectation that we would make "daily school contact with every child, every day," while acknowledging that such daily connections would look different across the grade levels, and different day-to-day within grade levels. I also shared my expectation that we would approach this as a shared school-wide responsibility that includes specialists, paraprofessionals, related service providers, and other staff members (this, in an effort to strike a balance that acknowledged the importance of daily connections to our children's academic, social, and emotional well-being, while also ensuring that no one individual staff member became overwhelmed) (Spring 2020 Distance Learning and Support Report).

Based on these reflections, City district endeavored to support the development and maintenance of family and teacher relationships through the districtwide implementation of family listening conferences. According to City district, family listening conferences were for students with and without disabilities, and involved time for the student and their family to reflect on several key questions with educators. A sample of questions include:

- What about remote learning in the spring worked well for your scholar and your family? Why?
- What motivates your child as a learner? What turns them off from learning?
- What is one goal you have for your child?
- How is everyone's physical and mental health?
- Do you have access to a device?
      (Family Conferences Guidance for SY 2020-2021).

In addition to these question prompts, all family conferences in City district were framed by guiding principles that aimed to ameliorate some of the inequalities perpetuated by the pandemic. These guiding principles framed family conferences as being:

- Actively anti-racist and culturally responsive
- Accessible
- Consistent and central
- Authentic and transparent
- Personal
- Relationship-focused

      (Family Conferences Guidance for SY 2020-2021).

When the idea of family listening conferences was shared with caregivers of students with disabilities, some families initially expressed their apprehension with this approach. One parent responded to district leaders in a school committee meeting, saying

I'm just a bit concerned…I appreciate the idea that families would be contacted to have a conversation one-on-one. But the language of saying that you will be told your plan for your child, that doesn't feel like you're giving parents an opportunity to be heard and to collaborate (Caregiver, Special Education and Student Supports subcommittee meeting, 8/5/2020).

Caregivers were clear that they wanted to be partners in designing their child's learning

experiences for the coming school year. City district leaders were able to affirm those desires,

informing parents that

> We are going to do as much listening as possible. From there, it's then figuring
>
> out what works best for this child. Some children benefitted from asynchronous
>
> [instruction]. For some, it didn't work. We want to make sure that there's a
>
> balance, or that we hear the [family] preference or the [student] needs. That's the
>
> collaboration part. It is not a one-way dialogue where the educator tells the family
>
> what will happen (District leader, Special Education and Student Supports
>
> subcommittee meeting, 8/5/2020).

Family listening conferences did adhere to the spirit of collaboration inherent in the design of the

initiatives. In reflecting on family listening conferences, leaders recalled that these focused

opportunities to connect with families were beneficial to developing and strengthening

relationships among teachers and students. One school-based leader shared that

> I do think that [family listening conferences] were successful. I think that
>
> particularly during the pandemic there was a real benefit to folks being able to
>
> connect and establish relationships. Particularly for kids who weren't going to
>
> have face-to-face connection with their teachers, or to help offset the remote
>
> learning…I do think this was something that was very impactful in a positive way
>
> at the outset during the fall of 2020 particularly (Leader interview).

Another school leader focused on special education perceived the family listening conferences as

somewhat beneficial for families. This leader shared that

I think families appreciated it for the most part. The kids with IEPs who already

had meetings that were going on, it was a little confusing, but it was a good

touchpoint for families that just wanted to know what to expect for the year

(Leader interview).

A special educator responsible for conducting family listening conferences saw these meetings as

supportive of cultivating relationships with families. This educator shared that

I think [family listening conferences] were successful because we had a couple of

questions but it was mostly family-driven. So they could really guide the

conversation. It felt more laid back in a way. It was also really helpful because

there are people that like, it's so different from being in person. To really see

people all the time. So having a chunk of time with [families] was really helpful

(Teacher interview).

The importance of cultivating strong relationships with families was confirmed by an educator in

a school committee meeting, who shared that, "the biggest silver lining of all of this whole thing

is the amazing relationships I've built with my families" (Special Educator, Special Education

and Student Support subcommittee, 8/5/2020). Forming relationships was a critical component

of how local forces on the special education context played out in City district.

Educator networks. In addition to the centering of relationships among teachers,

families, and students, of equal importance were the relationships educators had with other

educators during this time. On the whole, educators were grateful for time and space to

collaborate with colleagues, and opportunities to form relationships with educators across

schools. In recalling their participation in one of the educator collaborative groups, one teacher

shared how valuable having relationships with other educators was to her teaching practice, sharing that

> I'm really thankful for all of the people who I was able to collaborate with this
> summer. It's really been nice to just be like oh, I need something for
> multiplication, I'm just gonna call someone at another school who I know is
> working this summer (Special Educator, Special Education and Student Support
> subcommittee, 10/15/2020).

Leaders too strengthened relationships with existing colleagues. One school leader reflected on shifting relationships with other school leaders across the district as they experienced challenges related to school leadership during the COVID-19 pandemic sharing

> There's no question that the [leaders] during that time, we really formed a robust
> group, we really support one another informally during that time during the
> pandemic. I think that's when we developed for the first time, like a text group
> that we were chatting all the time. People were sharing resources all the time
> (Leader interview).

In addition to strengthening existing relationships with colleagues, educators also aimed to connect with colleagues when they were struggling to understand the ever-changing special education policy landscape. Both educators and leaders reached out to colleagues as they attempted to interpret new special education policy guidance. For example, one district leader drew on relationships with colleagues across the United States to interpret special education policy guidance. They said

> I was constantly in contact with peers who are also special education leaders. Like
> there were times that we were forming our own informal network to share best

practices or tips or strategies or what are you doing just to have a thought partner

in the work with you (Leader interview)

Although working with potentially divergent state guidance, this special education leader in City

district saw valuing in learning with and from colleagues with similar positions across the

country. Similarly, but on a more local scale, a school-based leader recalled reaching out to job-

alike colleagues across the district when encountering a new policy directive. This leader shared

the steps they would take with colleagues as they worked to understand new policies, saying

If there was a new policy that came out, I would troubleshoot with the other

[leaders]. We'd read through the documents and be like, how do you interpret

this? And then if we were noticing a pattern among us, we'd reach out to [the

Special Education Director] and say, 'what do you think?' (Leader interview)

Like leaders, educators relied on job-alike colleagues across the district as they made sense of

new district messages related to special education. One special educator recalled connecting with

other special educators when new guidance was shared by the district. This teacher said that

I think the biggest resource was reaching out to the other [special education]
teachers and trying to figure out what to do and where to go…I remember talking
mostly to four other teachers in particular. What I remember us really trying to do
was to make sense of all the communication that was coming down (Teacher
interview)

Other teachers recalled the value of their school-based network in supporting their understanding

of new special education policy messages. For example, one teacher recalled their reliance on

relationships with both school-based leaders and colleagues as they tried to interpret and

prioritize district instructions. This educator reflected

I always turned to another special educator…the school psychologist…I would

send text messages at odd times of the day and always apologize. Like, 'I'm

sorry, I know it's only 6:00am, but I have a pressing question before I start my

day.' And also another teacher I really turned to, although she was not in the

special ed[ucation] field. I turned to her a lot to figure out how to modify content,

how to adapt so that my students could access at home (Teacher interview).

Finally, some educators raised the importance of not only drawing on relationships with

colleagues when interpreting policy messages, but also connecting with others for emotional

support. For example, one leader shared the informal virtual happy hours they had with

colleagues, and some of the benefits of this time to process recent events together. This leader

also shared the importance of validation from colleagues, saying

We did after hours get togethers with wine on Zoom to just say, 'hey, this is

what's happening over in my building, let me run through this with you. Give me

some advice. Are you experiencing this?' I have to say I tapped into colleagues at

the school level and the district level. I tapped into colleagues who were kind of in

the struggle and said, whew, I gotta breathe and whew, what do you think?...it

was a relief to have a little support. It was really important to just have those

colleagues say, 'I hear you, I am with you' (Leader interview).

Another district leader further reflected on the professional network they drew upon outside of

the education sector, and the benefit of the emotional supports provided by this group. This

leader recalled

I have a really strong sister girl network of professional women; we talk all the

time. So that group of women, not all of us are educators, different professions,

but just being able to rely on that group for professional support as well as

personal and emotional support or just a good laugh or whatever it could be a

good cry, it was so valuable (Leader interview).

Characterization of Forming Relationships

Relationships were a key mechanism through which local forces emerged in City

districts' special education context. Family listening conferences and educator networks were

examples of the relationships that educators, families, and students cultivated and maintained. In

City district, relationships that were drawn upon during the pandemic were moderately congruent

with existing practices. The pandemic encourages relationships to strengthen or deepen in many

cases, such as those between caregivers and educators, and among educators and leaders

throughout City district. While moderately congruent, a focus on relationships was a highly

coherent practice. Families, students, and educators all need more connection due to pandemic-

related isolation. City district also established clear expectations and protocols to facilitate

stronger educator and family relationships through family listening conferences. These

conferences supported both general and special education students, and were generally consistent

across City district schools. While educators and leaders engaged in self-directed networks, they

tended to rely on both their job-alike colleagues across the district and school-based colleagues

as they made sense of new policies together. Thus, a focus on relationships was perceived as a

legitimate practice in City district during the pandemic. Forming stronger relationships was

important to actors across all levels of the organization, and infrastructure and systems put in

place by City district leaders helped to support the enactment of relationship strengthening at the

individual level.

Conclusion: Local Forces

Local forces acted on the special education policy context in City district during the COVID-19 pandemic. Local forces involved the actors, values, beliefs, and norms of the local community, and how those aspects acted on the special education policy landscape during a time of crisis. Three policy contexts illustrate how local forces played out during a time of emergency: prioritizing groups of students for in-person learning, family listening conferences, and educator networks.

An Ethic of Care

The three forces described above were also affected by the social and political climate outside of the COVID-19 pandemic. In addition to the public health emergency, a second crisis occurred that galvanized people across the United States. On May 25, 2020, only two months after pandemic-related shelter-in-place mandates were enacted, George Floyd, a Black man, was killed by a White police officer during an arrest. The murder of George Floyd sparked massive police brutality protests across the United States with an estimated 15-26 million people participating in protests related to the death of George Floyd (Buchanan et al., 2020). The dual crises of the COVID-19 pandemic and the George Floyd protests were intertwined as part of a transformative moment in history. Together, these crises shaped how people came to relate to one another as they navigated the inequalities that these two events brought to the forefront of public consciousness.

Taking these two crises into account, a final feature of the way special education policy played out in Massachusetts and City district involved the ethic of care that emerged during this time. An ethic of care describes how actors communicated and interacted in ways that centered well-being and prioritized relational and more humanizing interactions in professional and public spaces. Prior to Floyd's murder, the ethic of care phenomena was not evident in the ways the

actors in the MA DESE, City district, the broader community communicated with one another. However, there was a notable shift after May 25, 2020 that influenced interactions and communication, affecting how actors related to one another in the public sphere. Specifically, an ethic of care played out in three key ways in the months following May 2020. First, statements of support for educators and families began to emerge in more formal policy communications. Second, diverse perspectives were prioritized in public meetings. Third, some actors within the policy context began to go beyond the call of duty for Black students and their families.

The first way an ethic of care began to manifest in Massachusetts and City district was through statements of support for educators and caregivers in policy communications. These statements were shared in different ways, including through slideshows, in email communications, and in interpersonal interactions in school committee meetings. For example, the MA DESE opened the June 5, 2020 Special Education Directors meeting with the framing that

> For many of us, these past few months have been among the toughest of our
>
> careers. Massachusetts' educators have risen to the occasion to support their
>
> students, staff, and families in the face of these uncertain and challenging times
>
> (MA DESE Special Education Directors meeting, 6/5/2020).

Following this statement, the MA DESE highlighted what they called "another pandemic," or systemic racism, and the unique role special education leaders have in fighting racism. The MA DESE noted that special education leaders "are already warriors [whose] daily work involves fighting injustice in all its forms" (MA DESE Special Education Directors meeting, 6/5/2020). The slideshow then proceeded to address special education updates and summer planning guidance, a swift return to more typical meeting content. Similarly, in an email communication,

special education leaders in City district shared words of support with special education staff, saying, "we know that this spring proved to be challenging for all of us. All of you carried a tremendous weight on your shoulders as you focused on supporting general and special education in your school" (Support for special educators email, 7/12/2020). Following this statement, this email similarly shifted in tone, requesting that staff complete a survey to inform fall planning.

The second way that an ethic of care emerged in City district was through routines that prioritized diverse perspectives. This practice was most apparent in Special Education and Student Support subcommittee meetings, during which school committee members introduced new interactional rules that made space for voices from marginalized communities. Within these new rules, community members were called on for public comment using a progressive questioning model in which those furthest from justice were given space to comment first. For example, in one meeting, the introduction to public comment was as follows:

> I will go to questions, and the way progressive questioning goes is that we will start off with scholars, and then within each of the groups, we'll go scholars, caregivers, educators. So those groups would look like if you are a person who identifies as black, indigenous person of color, if you identify as the LGBTQ population, transgender, what have you, can you feel free to go. We are not here to judge or point the finger at anybody, but if you feel like you fall into any of those categories you can feel free to raise your hand and I will call on you accordingly (School committee member, Special Education and Student Supports subcommittee meeting, 9/30/2020).

Prioritizing in this way ensured that community members from marginalized communities were given precedent to share their questions and concerns in the public forum. It is important to note, however, that disability status was not prioritized in this approach, even though the discussion concerned students with disabilities.

A third way an ethic of care emerged during the COVID-19 pandemic was educators going beyond the call of duty for their students. This was most apparent in the actions of one particular leader in City district. This leader recalled

> I think one of my kids in one of my sub-separate classrooms, I was literally going
>
> grocery shopping twice a week for that family, you know? We were doing things
>
> that has nothing to do with an IEP, but just the circumstances and they were, we
>
> had to do other things to support kids and families (Leader interview).

This leader also both engaged in home visits and opened their own home to families in their community. Specifically, this leader shared

> I think I've been in the homes of probably 90% of my kids…I have their family
>
> on my phone, they can call nights, weekends, we do that…I've opened my
>
> backyard and my home up…they would knock on the door and stuff like that
>
> (Leader interview).

Another leader remembered that their staff also worked beyond the call of duty during the pandemic, saying

> I think a lot of people were going above and beyond dropping off materials. I
>
> know that in our sub-separate programs, for example, folks were stopping by
>
> kids' houses to give them the materials they need. They were even doing some,

distant face-to-face-checks ins outdoors. Things that I think our gen[eral]

ed[ucation] teachers thought were too hard (Leader interview).

While not required, both educators and leaders went beyond the call of duty for students with

disabilities during the pandemic. The care they extended to students with disabilities and their

caregivers was emblematic of the ethic of care that emerged during this time.

Conclusion

In this chapter, I argued that three forces acted on the special education policy context in

City district during the COVID-19 pandemic. First, I showed how legal and regulatory forces

determined *what* special education policy directives would be pushed down to City district.

While federal and state education agencies played a limited role in sending special education

policy messages to local districts during this time, what these agencies decided to prioritized

inherently shaped the actions of City district. This resulted in City district being held responsible

for enacting policies that originated at the federal or state levels. However, the success of

implementing special education policies varied, often depending on how congruent new

directives were with existing practices, whether these messages were coherent with other district

policy messages, and if City district and the local community perceived new directives as

legitimate. Together, these factors led to significant variability with regard to how successfully

special education policy messages were implemented in City district.

Second, I found that structural forces informed *how* special education policy messages

traveled among layers of the policy landscape. In City district, existing structures and routines

played a critical role in informing if and how the infrastructure in place could support students

with disabilities during the pandemic. Existing structures provided a solid foundation on which

City district leaders could build new ways of communicating and interacting among educators,

caregivers, and students. However, the new structures that emerged in City district were equally important to how structural forces played out. These innovations helped to push City district forward in their thinking around supporting students with disabilities in times of emergency.

Third, I argued that local forces uncovered *why* policies were or were not successful as they were enacted on the ground. Local forces got at the heart of why leaders and educators chose to take up or ignore policy messages sent to them by federal and state agencies. In City district, it was clear that, even when incongruent with how things had been done in the past, educators and community members values and beliefs about students and their needs influenced policy implementation that was both coherent and perceived as legitimate.

Finally, encompassing all of these forces was the ethic of care that emerged in part due to the two concurrent crises that unfolded in the spring of 2020—the COVID-19 pandemic and the murder of George Floyd. Together, these events called for both collective action and new ways of relating to one another, which were especially evident in special education contexts.

CHAPTER FIVE: "We really need to reshape, reframe, redesign, and reimagine what learning looks like": Discussion

The COVID-19 pandemic forced educators, caregivers, and policymakers to reimagine the very nature of special education. When state governors across the United States began to issue shelter in place orders (Mervosh, Lu, & Swales, 2020) as well as mandates for school building closures (i.e., Baker, 2020), students with disabilities no longer had access to in-person learning opportunities. These shifts in the structures of schooling brought the issue of educational access back to the center of special education policy discourse, an issue that had not been in the forefront of public consciousness for decades. Coordinated school building closures related to the COVID-19 pandemic created real challenges related to the provision of FAPE, a key aspect of the Individuals with Disabilities Education Act (IDEA, 2004). Concerns regarding the rights of students with disabilities emerged related to local districts' responsibility to provide FAPE when students did not have access to school buildings. Further, once some students with disabilities were prioritized to return to in-person learning, students' access to their least restrictive enrivonrment (LRE), another critical aspect of special education law, was up for debate. District leaders and teachers struggled to negotiate strict health and safety requirements alongside IEPs written for inclusive learning opportunities. Thus, while leaders and educators did the best they could at the time of the pandemic, their actions have real implications for the maintenance of the rights of students with disabilities in future times of crisis.

In addition to the COVID-19 pandemic, George Floyd's murder in May 2020 was the impetus for what some scholars refer to as a second pandemic (Buchanan et al., 2020). As described in Chapter 4, the massive protests in response to Floyd's murder raised public awareness of racial inequities both related to the COVID-19 pandemic and more broadly

conceived. The confluence of these two crises uniquely influenced how educators, leaders, and community members made sense of shifts in special education policy during this time. These two pandemics also shaped how different actors in City district came to relate to and interact with one another.

Against this backdrop, the aim of this dissertation was to both explore the state of special education policy during the COVID-19 pandemic in one state and district, and uncover how educators and caregivers made sense of special education policy during this time. The COVID-19 pandemic opened a policy window (Kingdon, 1984), providing a unique opportunity to examine the impact of a time of emergency on special education policy. Because policy windows do not open frequently, there was a need to understand what happened with regard to special education when states, districts, and schools temporarily closed and transitioned to providing remote instruction.

I entered this dissertation study with the assumption that educators and caregivers are key knowledge constructors and contributors to shaping how policies unfold in local contexts. Thus, constructing a multi-layered case study focused on one state, district, and school allowed me to engage with the perspectives of multiple actors within the policy context, in line with my interests in the co-constructive nature of policy implementation. Further, in designing this dissertation study, I held the assumption that contemporary issues related to students with disabilities were inherently situated within the broader history of people with disabilities. The comparative case study approach, with its focus on both vertical (i.e., state, district, and school policy layers) and transversal (i.e., how policies are socially and historically situated) axes provided a powerful lens through which to gather and analyze data.

Given these assumptions, this dissertation makes two key arguments, each building toward a central argument about an *equilibration* process that emerged related to special education policy during times of emergency. I first argue that legal and regulatory, structural, and local forces acted on the special education policy landscape in City district during the pandemic. I have shown that these forces exerted pressure on City district as leaders, educators, and community members negotiated the quickly changing and at times contradictory demands of the special education policy environment. My second argument is that three factors mediated how legal and regulatory, structural, and local forces were exerted on the special education policy context during the pandemic: congruence, coherence, and legitimacy. The degree of success with which special education policies were implemented during this time was moderated by these three factors. Together, these two arguments contribute to my overarching argument—that actors in the City district community engaged in a process of *equilibration* related to special education policy in a time of crisis. That is, educators and caregivers pushed back against special education policies that did not align with their collective values and beliefs in order to reshape how policies played out in the community. In the following sections, I discuss each of these arguments in greater detail, drawing connections to existing literature.

Legal and Regulatory Forces

Legal and regulatory forces exerted pressure on actors within City district as they worked to serve students with disabilities during the pandemic. The pandemic revealed the limited but important role the federal government played in influencing special education policy messages during a crisis, as well as how important state educational agencies were in communicating policy guidance to local districts. The City district case illustrates how, when special education policy messages from state agencies are congruent with existing practices and perceived as

legitimate, they can be coherent in their implementation. Similarly, when special education policy messages from federal or state agencies are misaligned with the existing practices, structures, beliefs, and/or values or a community, it can be incredibly challenging to successfully implement these policies in local contexts.

Using three policy directives as examples of the legal and regulatory force in action, it became clear the limited but important role of the federal government in driving special education policy directives during a time of emergency. This limited role is characteristic of how the education system is organized in the United States, with the federal government taking a secondary role while state education agencies and local districts are primarily responsible for public education policy (Mehta, 2013). While the U.S. Department of Education did not communicate special education policy mandates and directives to local districts frequently, what this level of government decided to emphasize really mattered in terms of if and how policies were enacted at the state and local levels. Limited guidance from the federal government gave de facto responsibility to state agencies, like the MA DESE, to regulate special education policy during this time of crisis. The MA DESE set policy priorities, communicated those priorities to local districts, and provided resources to support the implementation of shifting and evolving special education guidance.

Legal and regulatory forces situated, at least during the time of the COVID-19 pandemic, state-level agencies as primary conduits for developing and sharing policy guidance related to special education. Local agencies, like City district, then became responsible for enacting guidance from the state. As described in Chapter 4, there was often lag time associated with this implementation as the district worked to make sense of new directives in light of their existing practices and experiences, as well as input from multiple stakeholders in the district. The sense

of congruency with existing practices, the coherence among policy messages shared at different levels of government, and the perceived legitimacy of each policy played a critical role in determining if and how legal and regulatory forces resulted in the implementation of successful special education policies and practices. When the district could draw connections between new directives and existing practices, received consistent messaging, and saw the real value in policy messages, these directives were implemented much more successfully.

Technical Aspects of Special Education Law

Examining how legal and regulatory forces acted on special education in City district made clear the important role of technical aspects of special education in maintaining the rights of students with disabilities in a time of crisis. Prior to the pandemic, updates to special education policy occurred slowly, with refinements to special education law primarily made through Supreme Court decisions (i.e., *Board of Education v. Rowley,* 1982; *Endrew F. v. Douglas County School District,* 2017). These incremental updates sent powerful messages to states and districts about both the mechanics and the very nature of the special education students with disabilities were entitled to receive.

The COVID-19 pandemic forced shifts in the nature of how special education law was interpreted. Most notably, the FAPE mandate of IDEA (2004) was a central concern of stakeholders at all layers of the special education policy context in Massachusetts and City district during the pandemic. The provision of FAPE is required by law. Specifically, IDEA (2004) requires that "a free appropriate public education must be available to all children residing in the State between the ages of 3 and 21." However, initial guidance from the U.S. DOE provided districts with a loophole early on in the pandemic, stating that districts that did not provide an education to *any* students were not required to provide FAPE (U.S. Department of

Education 2020a). While ultimately reversed, this initial guidance delayed students' access to legally required special education services. This widespread disruption in students with disabilities' access to school was unprecedented since the enactment of the Education for All Handicapped Children Act (1975). Previously, some regions of the United States have had FAPE mandates relaxed in the wake of a natural disaster (e.g., Alabama, Florida, Georgia, Louisiana, South Carolina, and Texas) during the period of time that all school buildings were closed due to extreme weather events (Katrina's Displaced School Children, 2005). Still, this initial nation-wide relaxation of FAPE requirements, coupled with the length of time it took local districts, such as City district, to begin remote service delivery for students with disabilities, has lasting implications related to the progress students with disabilities are able to make toward challenging learning goals today. Providing flexibility with FAPE mandates during times of emergency, rather than proactively planning for how to support students during inevitable crises that may occur, may have lasting, negative impacts on students with disabilities. Relaxing such policies creates opportunities for FAPE, which represents a centerpiece of the rights of students with disabilities, to be slowly eroded by other events that may make the provision of FAPE challenging for local school districts.

In terms of mechanics, the notion of compensatory education, while not written into IDEA (2004), is an artifact of case law (*Burlington*, 1995; *Carter*, 1993; and *Endrew F.*, 2017). Compensatory education, or the provision of additional special education services or compensation when a district fails to meet the provision of FAPE, became a key tenet of special education policy in Massachusetts and City district during the pandemic. Perhaps motivated by a desire to avoid legal recourse, the MA DESE urged local districts many times between March 2020 and June 2021 to provide IEP services for students with disabilities and hold virtual IEP

Team Meetings as quickly as possible to prevent the need for compensatory services. City district, however, was not prepared to quickly implement policy directives aimed to avoid compensatory services, largely because shifts in instructional (i.e., provision of remote IEP services) and meeting (i.e., virtual IEP meetings) formats were incongruent with current local practices. The result was not only an incoherent policy response, but also, and perhaps more importantly, a delay in students' access to IEP services to which they were legally entitled. City district did eventually organize to offer compensatory services to some students who were adversely affected by the pandemic-related school closures, but, as educators in the study attested, the process through which families came to access a compensatory education was applied unevenly within and across schools in City district. This led to inequities across racial and socioeconomic lines.

Some legal scholars have begun to examine the issue of COVID-19 related compensatory services. Zirkel (2021), for example, wrote about the confusion surrounding a compensatory education related to COVID-19. Following an analysis of compensatory education guidance developed by different state departments of education in the United States, Zirkel (2021) argued that decisions related to compensatory services were left to the local level in the wake of COVID-19 and questions related to terminology, nature, and approaches to compensatory education required additional attention. Rosen (2022) took the issue a step further, suggesting that the pandemic prevented many local districts from educating students with disabilities in their least restrictive environment in general, and thus most students with disabilities should be offered a compensatory education. In addition to widespread access, Rosen (2022) also argued that the U.S. DOE should provide additional funding to states to help pay for the widespread need for students with disabilities to access a compensatory education.

This dissertation builds on these legal writings to offer insight into some of the challenges districts, educators, and caregivers faced as they attempted to avoid, but ultimately offered compensatory services to students. While the MA DESE communicated consistent policy messages related to compensatory services to local districts, these messages were not picked up in City district until months after they were initially shared. This lag time between policy message and local implementation suggests that, during a time of crisis, districts may need more than consistent policy messages to enact directives that represent significant departures from current practices. Further, my analysis indicates that the legal and regulatory mandates required of local school districts outside of times of emergency really matter. The legal requirement to provide a FAPE, and the directive to provide compensatory services when FAPE was not provided, were key mechanisms through which the rights of students with disabilities were maintained during the pandemic.

Accountability in a Time of Emergency

The pandemic created uncertainty and ambiguity around issues related to special education policy. Maintaining district, school, and teacher accountability was a second way legal and regulatory forces acted on the special education policy context during the COVID-19 pandemic. As described in Chapter 1, the last major legislative update to special education law occurred in the early 2000s, when the accountability movement put pressure on school districts to provide a more rigorous education for students with disabilities (NCLB, 2001). Prior to the 2004 update to IDEA, special education law primarily focused on compliance with technical aspects of the law (IDEA 1990, 1997). The accountability movement pushed schools and districts to shift their efforts away from providing students with disabilities mere access to an education, and toward higher standards for students' educational progress (IDEA, 2004). During

the COVID-19 pandemic accountability took a number of forms within Massachusetts and City district. Two key ways that accountability played out through legal and regulatory forces was via remote learning guidance and special education compliance policies.

Once Massachusetts' governor determined that school buildings would be closed for several months (Baker, 2020), the MA DESE provided guidance to schools regarding models of remote service delivery for students with disabilities. These models, which are described in more detail in Chapter 4, involved what the state termed "supports and resources", and "instruction and services." What was interesting about these policies was the way they diluted the standards-based instructional focus of the broader accountability movement. For example, the "supports and resources" model involved sending messages to students with distance learning activities, while the "instruction and services" model focused on designing learning experiences to support maintenance of previously taught skills. Neither of these approaches aligned with the spirit of NCLB (2001), or more recently ESSA (2015), which emphasize the achievement of *all* students, including those with disabilities, related to grade-level standards. Rather, the MA DESE sent messaging to districts that, during the pandemic, educators were only responsible for helping students to maintain skills that they had learned prior to school building closures.

Not surprisingly, just as the instructional focus during the pandemic was less rigorous, so too were expectations related to the implementation of IEPs. Since the *Endrew F.* (2017) decision, local school districts were responsible for both ensuring students made educational progress and worked toward challenging goals. Yet, the pandemic temporarily walked back progress related to *Endrew F.* (2017) as state education agencies, such as the MA DESE, placed greater emphasis on accountability related to school district's adherence to IEP timelines and less focus on students' progress toward challenging IEP goals. This shift in focus served the purpose

of alleviating some of the immediate pressures on school districts and educators to implement remote learning opportunities that were comparable to in-person learning experiences. But an emphasis on adherence to IEP timelines had an impact on many students with disabilities— leading to students making slower progress toward their goals or demonstrating a regression in IEP-related skills . While to date not many studies have examined the impact of the pandemic on skill development for students with disabilities, school and district leaders in this study raised concerns about the impact of school building closures on students' academic, social, and emotional skills. Further, research from the effects of Hurricane Katrina on the education of students with disabilities has noted students' loss of communication, social, and other important skills during an emergency (Valenti et al., 2012). This research further suggests that the lasting impact of the pandemic on students with disabilities is yet to be determined.

This dissertation provides further evidence of the impact of state's decisions around accountability on the education of students with disabilities. During the pandemic, City district paid attention to policy messages to which they were held to account by the MA DESE. The district closely aligned their policy messages and practices with guidance from MA DESE related to how remote instruction should be provided, and which aspects of IEP compliance would be monitored. The multi-layered nature of this case study allowed me to analyze both when and how policy messages were shared at different levels of the special education policy landscape. Had the MA DESE decided to employ higher standards for remote learning and IEP compliance, City district likely would have complied with such guidance. The Massachusetts and City district case study raises questions about whether the state's areas of focus for students with disabilities helped or hindered their ability to maintain students' rights to education, as stated in IDEA (2004), during an emergency.

The Road to Recovery

As students have returned to in-person school over the last few years, a loud and persistent failure narrative related to deficits in performance among all students has emerged. This narrative emphasizes the need for students and districts to "recover" from pandemic-associated learning loss. Kuhfeld and colleagues (2022), for example, wrote about a decline in math achievement and widening achievement gaps among low- and high-poverty schools, noting that this decline is much larger than other school disruptions such as those related to Hurricane Katrina. Another analysis emphasized the "learning loss" that has resulted from the COVID-19 pandemic (Fahle et al., 2023). This study found that the degree of learning loss was highly variable among districts and that low-income communities and districts with high percentages of students from minoritized backgrounds experienced more significant loss of learning. In the last few months, scholars at Harvard and Stanford Universities released an "Education Recovery Scorecard," in which they report on an analysis of state-administered assessment data across states. This report found that, on average, students across 30 states lost over half a grade level in math and a third of a grade level in reading achievement between 2019 and 2022 (Fahle et al., 2024). Further, this report also revealed that, while within school districts, students across subgroups declined in achievement at similar rates during the pandemic, they are not recovering at the same rates. This, these scholars argue, has led to widening achievement gaps among student groups, especially those of varying socioeconomic status (Fahle et al., 2024).

This failure narrative related to student achievement following the COVID-19 pandemic matters because it influences how legal and regulatory forces act on districts and schools to shape the educational experiences of students with disabilities following the pandemic. For example, at the time of this writing, districts and schools across the United States are currently

coping with the phasing out of Elementary and Secondary School Emergency Relief Funds in June 2024 (i.e., ESSER I and II). These relief funds infused over $67 billion to state departments of education for the purposes of helping school districts address the impact of COVID-19 on local schools (Elementary and Secondary School Emergency Relief Fund, 2023). While responding to a failure narrative about students and their learning following the pandemic, ESSER funding has been a powerful and positive enactment of legal and regulatory forces. These funds continue to influence the work of local districts four years following initial school building closures. What school districts, like City district, have chosen to do with these additional funds provides insight into how states and district leaders conceptualize the lasting effects of the pandemic within their domains of responsibility.

In follow up conversations with district leaders, and confirmed via public documents, I learned that City district chose to use ESSER funds in several ways that were important to supporting students with disabilities. First, City district hired special educators, psychologists, and related-service providers who focused on recovery efforts. The primary responsibilities of these educators involved completing eligibility testing, providing compensatory services, and facilitating IEP team meetings. Second, City district hired additional academic interventionists and paraprofessionals across schools to support academic and social emotional recovery efforts. One goal of these positions was to prevent over-identification of students, who were still developing skills due to the impact of the pandemic, as disabled. Third, City district invested in out of school time interventions for all students, including academic afterschool tutoring and academic school vacation camp programming. Increased federal funding to support recovery efforts in local schools following an emergency is a powerful way to leverage legal and regulatory forces to have a positive impact on local districts.

A second way the failure narrative translated into state action involved the turn toward skill-based instruction in Massachusetts following the pandemic. Related to literacy, for instance, the MA DESE has launched the *Mass Literacy* initiative, a statewide effort to provide students with "the instruction and support they need to develop a strong foundation in literacy" (Mass Literacy, 2023). This initiative calls on districts to use a science of reading approach, which focuses on explicit and direct instruction to teach reading. In mathematics, the MA DESE offered districts access to an *Accelerating Mathematics Instruction* grant during the 2021-2022 and 2022-2023 school years. This grant aimed to provide districts with funding to purchase core math instructional materials and professional learning opportunities from a number of publishers. The goal of this program was to provide "increased access to grade-level work through high-quality core math instructional materials" (Accelerating Math SY22-23, 2022). Available materials focused on learning mathematics through explicit, direct instruction in a variety of skills, similar to the focus in literacy. Together, these initiatives represent the MA DESE's emphasis on a skill-based approach to the instruction for all students.

This shift in education policy as districts recover from the pandemic is reminiscent of what happened in New Orleans schools following Hurricane Katrina (Harris, 2015; Lamb et al., 2013). In the wake of Hurricane Katrina in 2005, scholars noted the widespread inequalities and gaps in achievement that resulted in New Orleans parishes following a natural disaster (Cook, 2014; Jabbar, 2016; Johnson, 2008; Lamb et al., 2013). As schools began to reopen, New Orleans students also experienced a strong focus on skill-based instruction (Waldman, 2007). New Orleans parishes also saw lasting effects of reforms that crept in to the space opened up by Hurricane Katrina—mass firings of Black teachers (Buras, 2016; Cook & Dixon, 2013; Lincove et al., 2018), the emergence of many charter schools (Kohler et al., 2013), and the exclusion of

students with disabilities (Morse, 2010). Time will tell if and how such reform efforts will find their way into other districts post-pandemic.

This dissertation deepens understanding about the ways in which legal and regulatory forces can apply pressure to school districts during a time of emergency. When policy messages from state education agencies are congruent with local practices and viewed as legitimate and worth enacting by leaders and educators, they can be implemented with high degrees of coherence in local districts. The biggest lesson from legal and regulatory forces is that what federal and state education agencies choose to focus on in a time of crisis really matters. Thus, it is critical that these agencies choose to focus on directives that will have the greatest positive impact for students with disabilities.

Structural Forces

Structural forces, including existing structures and routines, were critical in shaping how and to what extent the MA DESE and City district were prepared to respond to the needs of students with disabilities during the pandemic. On the whole, the MA DESE and City district built upon existing meeting structures and communication pathways, shifting and enhancing what was already in place to address the needs emerging from the pandemic. Some of these shifts and enhancements, such as increasing the frequency and duration of existing meetings, provided opportunities for increased consistency and intentional redundancy in messaging with different stakeholders. Other shifts, such as refining how information flowed and was formatted as it traveled between layers of the special education policy context, created increased confusion and ambiguity among the recipients of policy messages. While existing structures supported recipients of new information in many ways, leaders, educators, and caregivers were challenged by the volume of policy messages and changes in messaging with which they grappled.

While building on existing structures was key to how structural forces on special education played out in City district, the emergence of new routines was equally important. Structural forces pushed on the special education context to find new ways to meet the demands associated with rapidly shifting policy messages related to special education. This led to a need for time and space for educators to interpret and refine new special education guidance alongside their colleagues. Thus, the emergence of new educator collaboration routines became a critical component of how structural forces played out in City district. Because structures and routines were only moderately congruent with existing practices in the district overall, policy messages related to special education were more incoherent as they made their way to the local level. Further, meetings structures, communication pathways, and educator collaboration routines were mixed with regard to if and how they were perceived as legitimate. The need to simultaneously shift and adjust many different structures and routines in City district made it challenging to successfully implement the increased volume of special education policy messages.

Predictable Structures

One way that structural forces acted on the special education policy context during the COVID-19 pandemic was through predictable structures. In both the MA DESE and City district, leaders and educators drew on and adapted existing structures to meet their needs during the pandemic. Two important structures that supported special education policy during the pandemic were Special Education Directors meetings and the Special Education and Student Supports subcommittee of the City district School Committee meeting (i.e., subcommittee). Special Education Directors meetings served the purpose of providing special education leaders with updates from MA DESE. Subcommittee meetings aimed to give updates and solicit input from the community regarding special education policies in City district. Both of these structures

existed prior to the pandemic, and were venues in which special education policy messages were collectively shared and interpreted. Because these meetings already existed and were generally well-attended, facilitators were able to shift meetings to virtual formats and expand participation opportunities.

One benefit of building on existing, predictable structures was that it created opportunities for people to come together virtually when many people were isolated at home. Special Education Directors meetings and subcommittee meetings were information-rich, with many policy messages shared with different actors for the first time in these meetings. Bringing special education leaders together in state level meetings, and educators and community members together in subcommittee meetings, fostered what Coburn (2001) calls collective sensemaking. Collective sensemaking involves how people turn to others to construct their own understandings when confronted with new policy messages (Coburn, 2001). Convening leaders and community stakeholders in the context of familiar structures provided increased opportunities for people to make sense of a rapidly changing special education policy context together.

One challenge associated with the use of predictable structures to disseminate important special education-related information during the pandemic was the assumption that all stakeholders had access to updates shared in these venues. Attending subcommittee meetings, for example, required significant investments of time by all attendees, with meetings often extended for hours beyond the time initially scheduled. In a period of time when work and home lives blended together (Steffens et al., 2023), attendance at meetings was likely a challenge for people who needed support with childcare, who were essential workers, or who were simply exhausted at the end of a long day of negotiating work and home responsibilities simultaneously. It is

highly likely that people in the City district community from marginalized backgrounds would have had increased challenges in accessing subcommittee meetings, even in the virtual format. Because such important information was shared and discussed in these meetings prior to it being released publicly, relying so heavily on subcommittee meetings to influence special education policy decision-making presented real challenges for some educators and caregivers in City district. While the virtual format was beneficial for some, it is also important to consider whose voices were missing at subcommittee meetings, and whose interests were not represented.

The Value of Redundant Messaging

These observations lead to a second way that structural forces played out related to special education policy—through intentionally redundant policy messaging. Special education policy messages were most salient when they were communicated many times and through different means during the pandemic. Previous research points to how special educators are more likely to be recipients of conflicting policy messages (Russell & Bray, 2013). In City district, special education leaders and teachers received many policy messages related to approaches to teacher and learning, technical aspects of IEP meetings, safety guidelines related to in-person teachers, and other messages during the pandemic. Because messages were often shifting and changing as state and local leaders received updated information regarding COVID-19, educators were even more at risk of encountering mixed messages. This dissertation clarified that simply restating consistent messages over and over again did not lead to successful implementation of policy directives. Rather, messages needed to be shared multiple times, across different venues (e.g., special education director's meetings, state communications, local communications), and be easy to implement. The best example of this type of policy message was the Remote Learning Plan guidance. While suggested, rather than required, by the state, Remote Learning Plans

became one of the most salient policy messages in City district, even though many educators did not view this policy as valuable or legitimate.

The Potential of Virtual Participation Options

Finally, a third way that the special education policy context was affected by structural forces was through the emergence of virtual participation options. Virtual participation affected students, caregivers, and educators in different ways during the pandemic. The education in times of emergency literature points to the need to quickly shift to remote forms of learning in a time of crisis (Hinson et al., 2007). Previous research has attended to the different formats that remote learning may take, including online learning (Averett, 2021), "schools in a box" (Save the Children, 2014), and temporary learning spaces (Save the Children, 2015). In addition to students' access to remote environments, this dissertation uncovered a need to also attend to how educators engage in options for virtual participation.

Educators in City district participated in a variety of remote options during the COVID-19 pandemic. Teaching remotely was a novel approach to work that many educators had not experienced before. While virtual schools exist, less that 1% of schools in the United States were labeled fully virtual prior to 2020 (National Center for Education Statistics, 2021). A shift to remote teaching represented both an opportunity and challenge for educators in City district, with participants in this study sharing that remote teaching required learning how to use new online tools and teach in new ways. In addition to remote teaching, educators also had opportunities to collaborate remotely with their colleagues, which was a new way of organizing in City district. Prior to the pandemic, City district's meetings and professional learning experiences all occurred in person. Shelter-in-place orders associated with the pandemic required City district to invest in technology to support virtual meetings. The result was increased collaboration across schools,

and flexibility to attend a variety of professional learning events without the need to travel. The benefits of more flexible participation options persist in City district, where leaders report the continued use of virtual meetings and professional learning opportunities.

Local Forces

Local forces help explain why some policy messages, even when new to district actors, were more successful than others in City district during the pandemic. In many ways, local forces required that City district pivot away from existing ways of educating and interacting with students, caregivers, and each other. This pivoting created opportunities for educators and students to work in new ways that were more individualized to students' and/or educators' needs. Importantly, local forces include the actors, beliefs, values, and norms of a local community. In City district, which is considered a wealthy area relative to Massachusetts and the nation (City Demographics and Statistics, 2024), actors and their values were in a somewhat unique position to shape how special education policies played out during the pandemic.

While innovation related to how educators built relationships with students, and how students themselves were supported, was a valuable contribution of the pandemic, of equal note was the critical role that existing beliefs and values played in influencing how City district decided to support learners and families from marginalized backgrounds. Even though prioritization policies and relationship formation were only moderately congruent with existing practices in City district, these practices became highly coherent when related to special education. This coherence can likely be attributed to the alignment of these policies with the collective values and beliefs among actors in City district. Additionally, City district's work to prioritize students with the most intensive support needs while making time to connect with families and engage in collective sensemaking of new policies was viewed as important,

legitimate work. These priorities, while not aligned to existing practices in City district, clearly

aligned with the norms and values of the community.

Tensions Between FAPE and LRE Mandates

As mentioned previously, legal and regulatory forces brought concerns regarding the

provision of FAPE to the center of policies related to students with disabilities during the

pandemic. Local forces acted on special education policy in a complementary way, pushing

actors in City district to wrestle with the LRE mandate of IDEA (2004). While FAPE is

concerned with both students' access to an education and the appropriateness of that education,

LRE involves the context in which that education occurs. In City district, both educators and

caregivers held strong beliefs that students with disabilities were at greater academic and social

emotional risk due to the pandemic, and thus should be prioritized to return to in-person learning.

In City district subcommittee meetings, caregivers were dissatisfied with timelines related to the

return to in-person learning, and pushed City district leaders to bring students with disabilities

back to in-person learning sooner. When reflecting on their experiences, both leaders and

educators in City district said in interviews that they thought the district should have done more

to bring students with disabilities back to in-person learning.

While the provision of FAPE is a key right of students with disabilities, so too is the LRE

mandate. By only prioritizing students with disabilities and English learners for in-person

learning, City district created de facto segregated classrooms for these students (Easop, 2022).

Some emerging legal writings on this topic claim that students with disabilities experienced a

widespread lack of access to their LRE due to the pandemic (Rosen, 2022). Although City

district leaders did the best they could do with the information they had at the time, it is

challenging to consider the potential long-term impacts of students being denied their access to inclusive learning environments.

Remembering Educators and Leaders in the Road to Recovery

Examining the impact of local forces on the special education policy context is an important reminder of the essential role educators and leaders play in the road to post-pandemic recovery. To date, some studies of the COVID-19 pandemic have been framed regarding teachers' lack of skills as they entered remote teaching during the pandemic (Rice, 2022; Steed & Leech, 2021). However, this dissertation tells a different story of the resilience, adaptability, and innovation of City district educators and leaders when faced with a global pandemic. The complete transformation of public education as we know it would not have been possible in City district, or elsewhere, without the incredible work of educators and leaders. City district educators, for example, created and shared a variety of curricular and instructional resources for their grade level colleagues. Leaders and educators in City district organized thousands of family listening conferences to engage caregivers in their child's education in meaningful ways. These contributions should be encouraged and compensated as districts continue to move forward in the years following the pandemic.

In an attempt to remember the value of leaders and educators in the road to post-pandemic recovery, it is worth noting here the shift in teacher retention that has occurred since March 2020. Teachers and leaders are experiencing burnout and leaving the field of education completely at alarming rates (Bacher-Hicks er al., 2023; Zamarro et al., 2021). This dissertation revealed ways of working that provided greater flexibility to teachers in City district, including hybrid work schedules, increased educator collaboration time, and a trust in teachers as curricular and pedagogical experts. The impact of local forces on the special education policy

context during the pandemic are a reminder for state education agencies and districts to take stock of the power of the collective beliefs and values of actors within a community.

The Equilibration Process in City District

The final argument this dissertation makes is that the City district community reacted to shifts in special education policy during the pandemic by engaging in a process of *equilibration*. City district offers a compelling case of the extent to which the actors in a policy environment have agency to shape how special education policies unfold in a time of crisis. Drawing on concepts from cognitive science (Piaget, 1977), *equilibration* describes a new way that educators and caregivers made sense of special education policy in in City district.

In previous studies of policy implementation, educators have been described as responding to policy messages through rejection, a symbolic response, parallel structures, assimilation, or accommodation (Coburn, 2004). Actors in City district took a different approach to interpreting new policies, which was distinct from what was described in previous studies of educator sensemaking. Specifically, educators and caregivers engaged in *equilibration* processes as they collectively made sense of new policies. *Equilibration* involves how actors aimed to transform policy messages that did not align with their collective values by pushing back and ultimately reshaping these policies. *Equilibration*, a term borrowed from cognitive science (Piaget, 1977) describes the process by which sensemakers take action on policy messages that do not beliefs. This approach to sensemaking builds on the rejection and assimilation responses described by Coburn (2004). Specifically, *equilibration* describes how actors not only reject a policy that does not align with their values and beliefs, but they also decide to do something to make policy messages more palatable.

One way City district educators and caregivers engaged in the process of *equilibration* during the pandemic was through their advocacy related to prioritization policies for in-person learning. As described in Chapter 4, City district leaders developed several plans for in-person learning in response to guidance from the MA DESE. Once a hybrid approach to in-person learning that prioritized students with disabilities, preschoolers, and English learners was adopted by City district, many educators and caregivers provided input on their experiences with these policies in school committee meetings. This input—concerning both strengths and challenges of the prioritization policies—led to City district's ongoing refinement of these policies for students with disabilities. Caregivers in particular pushed City district to not rely on remote instruction when students were learning in-person and to more closely model students' school experiences prior to the pandemic. Educators also provided important feedback regarding the realities of in-person instruction, noting many of the strengths of the model even given strict health and safety guidelines. Together, these actors ultimately reshaped the initial prioritization policies in ways that more closely aligned with their collective values.

Actors in City district worked together in unique ways to find equilibrium among their shared values, new policy messages, and the policy environment. Caregivers and educators in City district were largely successful in their attempts to reshape special education policy messages by pushing back on new policy messages in a public forum.

Limitations

While case study research creates opportunities for researchers to both answer "how" and "why" questions and construct knowledge with input from different actors (Merriam, 1998; Stake, 1995), there are also limitations inherent in this method of research. The case of special education policy implementation in Massachusetts and City district during the COVID-19

pandemic provides insight into what happened in one district and one school during this time. This district was also lifted up as a model in early analyses of policy responses during the pandemic. These factors mean that the findings of this case study, while they suggest implications for future times of emergency, are not necessarily generalizable to the broader population. It will important to cautiously consider how these findings might apply to different districts and schools.

A second limitation of this study involved the number of interview participants. While I had set out to interview at least 10 participants, and was able to secure initial conversations with these participants, four of the participants ultimately decided not to participate in the study. As I have shown in this dissertation, the pandemic was characterized by widespread uncertainty and ambiguity. In my conversations with some potential participants, educators expressed fear about participating in this study. Because of this, I decided to find alternative ways to include additional educator voices in the case study, which I did by examining their participation in subcommittee meetings.

Conclusion

In this Chapter, I discuss the findings of this study in the context of existing literature. I present two key arguments related to how special education policy unfolded in City district during the pandemic. First, I argued that three forces shaped how special education policy was implemented in Massachusetts and City district: legal and regulatory forces, structural forces, and local forces. Second, I argue that these forces were mediated by congruence of new policies with existing initiatives, actors' sense of legitimacy regarding new policy messages, and the coherence between policy messages at different layers of the special education context. Together, these arguments shape the overarching argument of this dissertation: that educators and

caregivers in City district made sense of special education policy during COVID-19 pandemic by

engaging in a process of equilibration. In the Chapter 6, I turn to implications of the

Massachusetts and City district case for policy, research, and practice.

CHAPTER SIX: Implications and Conclusion

Given the context I presented in Chapter 5, it is clear that the relevance of this dissertation extends beyond the COVID-19 pandemic. These findings offer some insight into how researchers, state education agencies, districts, leaders, and educators may respond to the needs of students with disabilities during future times of emergency. The implications of City district's response to special education policy during the COVID-19 pandemic are the focus of the rest of this chapter. In what follows, I first discuss implications for research, including theoretical and methodological contributions of the study. Then, I explore my study's implications for policy. I emphasize the importance of proactive approaches to addressing future emergencies in the field of education. Finally, I consider the implications of this dissertation for practice related to the work of school leaders and educators.

Implications for Research

This dissertation has several important implications for education researchers. The theoretical frameworks I relied on helped me to theorize several new concepts that will be valuable to the study of education in future times of emergency as well as special education policy implementation more broadly. As described in Chapter 2, my theoretical frameworks relied on policy as discourse (Bacchi, 2000) and sensemaking theory (Coburn, 2004; Spillane et al., 2002). Together, the application of these theoretical frames to the case study helped me to identify three forces that acted on how special education policy played out during a time of crisis—*legal and regulatory forces*, *structural forces*, and *local forces*. These three forces offer an initial conceptualization of special education policy implementation during a time of emergency. Further, descriptions of each of these forces in action in the case study may begin to

codify what a special education policy context can look like during a period of significant, unexpected change.

Second, this case study also makes a theoretical contribution related to the roles of policy *congruence*, *legitimacy*, and *coherence* as mediating factors in special education policy implementation. In City district, these three factors worked together to shape if and to what degree different policy messages were successfully implemented. While previous studies have used the terms congruence (e.g., Spillane, 2000; Coburn, 2003), legitimacy (e.g., Vaara & Tienari, 2008; Gonzales, 2018) and coherence (e.g., Russell & Bray, 2013; Stosich et al., 2021; Cherbow et al., 2020) to characterize policy implementation, this dissertation combines the three terms in a new way. Doing so allowed me to characterize and understand why some special education policies were implemented more successfully than others. Using these terms together as an analytical frame for understanding policy implementation could be a valuable tool in future studies of special education policy.

Third, this dissertation adds to previous applications of sensemaking theory to education policy. Coburn (2004), for example, noted how educators reacted to new reading policies in five ways: through rejection, a symbolic response, parallel structures, assimilation, or accommodation. My study borrows the term *equilibration* from cognitive science to describe a new phenomenon observed among educators and caregivers in City district (Piaget, 1977). Specifically, these actors engaged in an *equilibration* process in response to their changing policy environment by aiming to transform policy messages. Ultimately, actors in City district were able to reshape policy messages that did not align with their beliefs or values about special education, creating new stability in the policy environment. This notion of equilibration can provide an additional way to characterize sensemaking in education. Specifically, the way the

equilibration process played out in City district suggests the need to consider not only educator and leader voices when studying sensemaking in education, but also the voices of caregivers and community members who play a critical role in this process.

A fourth contribution is methodological in nature. The design of this dissertation study adapted the comparative case study approach (Barlett & Vavrus, 2017) to what I call a multi-layered case study. The potential of a multi-layered approach for addressing issues related to special education is predicated on three key features. First, the vertical axis allowed me to examine the federal/state, district, and school layers of policy formation and enactment. Second, the horizontal axis provided an opportunity to understand how change in policy occurred throughout the time of the study. Third, the transversal aspect historically situated the experience of people with disabilities in the design of the study, which deeply informed my approach to data collection and analysis. As described in Chapter 2, most prior studies of special education policy implementation focus on a unidirectional relationship between policy makers and policy implementers (e.g., Berkeley et al., 2020; Conlin & Jalilevand, 2015; DeMatthews & Knight, 2019). A multi-layered case study approach offers a multi-directional method through which scholars can better understand the complex, messy nature of special education policy implementation.

Implications for Policy

The findings of this study uncover some of the tensions and opportunities inherent in implementing policies during a time of emergency. The COVID-19 pandemic opened a policy window (Kingdon, 1984), a novel opportunity for change and innovation in the field of special education. My study offers important insights into the actions of one state and district during this unique period, providing lessons for policy makers beyond times of emergency. My study also

provides insights into what educators and caregivers interpreted as the affordances and challenges of special education policy messages during a global pandemic. Given that climate change has become the global norm, with natural disasters displacing millions of people each year, (UNESCO, 2023), we can predict that students will experience interrupted schooling due to an emergency in the future. Thus, it is essential for policymakers to consider how their actions may help to reduce the negative effects of school closures on students with disabilities and other students from marginalized backgrounds.

One key lesson from this dissertation is the important role that state education agencies play in shaping district priorities in a time of crisis. Previous studies of special education policy implementation have pointed to the role of states and district in reducing variation among local policy enactment (Berkeley et al., 2020; Conlin & Jalilevand, 2015; DeMatthews & Knight, 2019; Savitz et al., 2018). My study adds to this knowledge base, providing insight into *why* some policy messages were easily taken up in a local district, while others were delayed or disregarded. For example, I found that consistent and intentionally redundant policy messages were not sufficient in getting local districts to comply with policy directives. In the Massachusetts and City district case, this was most evident with the messaging around compensatory services. Although the MA DESE communicated the same message about compensatory services week after week in Special Education Directors meetings, it took months for City district to be in a place to enact these directives. This finding suggests that consistency is not enough—during times of emergency, state agencies need to consider potential barriers to school districts' ability to respond to important policy messages.

One way to overcome these barriers relates to a second policy-related finding. I found that, when policies from the MA DESE were more congruent with existing policies and practices,

City district was more likely to perceive the policy as legitimate and work toward coherent policy messaging and implementation. The best example of this was the implementation of virtual IEP meetings in City district. Because City district had a salient practice related to in-person IEP meetings, when the MA DESE shared the directive that districts should offer virtual IEP meetings for families, City district was able to adapt an already codified practice into a new format. While it took time to enact this new policy, the congruence between virtual and in-person IEP meetings made implementation much more successful in City district. This finding suggests an important lesson for policymakers. State agencies have an opportunity to lean into policy messages that are congruent with existing recommendations when an emergency strikes. Communicating congruent policy messages will require state agencies to have a deep understanding of the work of local districts, as well as a strong knowledge of the statewide special education policy landscape.

A second key lesson this dissertation offers for policy is the importance of accountability mechanisms in ensuring the rights of students with disabilities. As described in Chapter 1, the fight for the rights of children with disabilities represents a long, challenging battle that has involved the legislature, activists, caregivers, and people with disabilities (Antosh & Imparato, 2014). While increased educational accountability related to students with disabilities represents a longstanding challenge to many school leaders and educators (Russell & Bray, 2013), it also created an important mechanism through which students' rights were maintained in the face of a global pandemic. This dissertation uncovered some of the ways that the U.S. DOE and MA DESE chose to relax key provisions of special education law related to FAPE and LRE mandates. While these actions were taken to respond to a time of crisis, the impact of decreased district accountability to the enactment of special education law will have lasting impacts on

students with disabilities. My analysis suggests that, in future times of emergency, policymakers should be cautious in their recommendations to relax accountability standards related to special education. Specifically, districts should maintain responsibility for supporting students with disabilities in accessing FAPE in their LRE, and supporting students in making progress toward challenging goals.

I recognize that accountability will not be possible if policymakers do not take early action to create educational infrastructure that supports future times of emergency. Thus, a third key lesson of this dissertation relates to the need to proactively define special education policies should future times of emergency arise. The educational emergency literature suggests that specific steps can be taken to proactively address the need to quickly shift to remote learning (Baytiyah, 2017), as well as the specific challenges that people with disabilities face in a time of crisis (World Health Organization, 2005; Valenti et al., 2012). This dissertation revealed three key areas of special education policies that need attention in order to prepare for the next educational emergency: prioritization policies, remote learning guidance, and virtual IEP meeting recommendations.

First, and perhaps most importantly, federal and state agencies need to gain clarity around policies related to prioritizing groups of students for in-person learning. Emerging legal and policy analyses related to the impact of COVID-19 on students with disabilities have highlighted prioritization policies as problematic for a number of reasons. Easop (2022), for example, argued that pandemic-related prioritization policies created concerns related to equity because these policies brought students with disabilities and English learners back to in-person school in segregated environments. Rosen (2022) posed a similar argument, noting that students with disabilities, who were prioritized for in-person learning, were not educated in their least

restrictive (i.e., inclusive) environment, and thus required compensatory education. This dissertation offers both analysis of policy texts and adds the voices of leaders, educators, and caregivers to the conversation regarding prioritization policies. I found that nearly all stakeholders thought students with disabilities should have been brought back to school in person sooner, and that in-person prioritization criteria should have been more broadly defined to include other groups of at-risk students. This finding suggests that future prioritization policies should be not only developed in advance of the next climate- or health-related crisis, but also involve broader inclusion criteria to ensure more equitable outcomes for students.

Remote learning policies are a second topic in need of proactive policy planning. The educational emergencies literature points to the need for temporary options to address educational needs in the wake of disaster, including the provision of temporary learning spaces (Save the Children, 2015), "schools in a box" (Save the Children, 2014), and online learning opportunities (Averett, 2021). One of the major challenges of the COVID-19 pandemic in the education sector was the need to swiftly shift to remote learning in communities where no policies existed for widespread online or distance learning options. This dissertation showed how the MA DESE came to develop remote learning policies for students with disabilities over the course of the pandemic, shifting from "supports and resources" to "instruction and services" to hybrid learning opportunities. All of these approaches were unfamiliar to schools and not previously codified at the state level. To prepare for future emergencies, education policymakers should define remote learning policies proactively, so shifts in instructional format can be smoother and clearer for local school districts. It will be important for state remote learning policies to incorporate principles of Universal Design for Learning to ensure accessible, engaging, and inclusive learning experiences for all students (CAST, 2018). Such policies could

also be helpful in supporting continuity of learning in other temporary school closure situations, including those related to snow or extreme heat.

A third policy in need of proactive planning is virtual IEP meetings. While the IDEA (2004) included guidance related to video or telephonic IEP meetings, my analysis showed that City district did not immediately have the tools, safeguards, and training in place to implement this practice. However, when virtual IEP meetings were implemented, they were incredibly successful. Virtual IEP meetings had a profound effect on caregivers' ability to access important meetings related to their child's educational needs and progress. Based on these findings, policymakers should consider amplifying virtual IEP meetings as a common, useful practice to increase caregivers access to and participation in these meetings.

Of course, in order to proactively plan for these policies to better support students with disabilities in times of emergency, the U.S. DOE needs to have contingency funding available to local school districts to address the structural and procedural shifts in education that crises require. As described earlier in this chapter, ESSER funds have been a powerful policy mechanism to support school district's recovery efforts in the years following the pandemic (MA DESE, 2024). This dissertation also suggests that, in order to support school districts in serving students with disabilities more quickly and equitably during a time of crisis, federal funding must be available.

Implications for Practice

Finally, this dissertation helps to expand understanding of how educators and caregivers can support students with disabilities in future times of emergency. Lessons from City district's approach to special education policy implementation during the COVID-19 pandemic can also be informative to local school districts that aim to create more coherent policy contexts. Prior to

the pandemic, special education programs across many districts and schools operated in silos (Hartman, 2016). Yet the pandemic made clear that collaboration among general educators, special educators, and caregivers was required to effectively support students with disabilities. My analysis of how educators and caregivers in City district made sense of pandemic-related special education policies highlighted the collective nature of sensemaking that has been illustrated in previous research (Coburn, 2001). Building on this work, I also found that actors in City district engaged in a process of *equilibration*, or pushing back on messages to reshape special education policies in ways that created greater stability in for students in the district. These findings suggest important steps that district leaders and educators can take in the future.

At the district level, my study showed how district and school leaders built upon existing structures and routines to enact new policies. The City district community entered the pandemic with many strong special education structures and routines to build upon, which supported the successful implementation of several important policies. For example, the Special Education and Student Supports subcommittee of the City district school committee was a forum in which special education policies and issues were discussed publicly. During the pandemic, City district shifted these meetings to virtual formats, created routines that prioritized voices from marginalized communities, and extended meetings to include more time for educator and caregiver input in policy discussion. These actions support previous research on both the complexity of special education policy implementation (Bray & Russell, 2018; DeMatthew & Mawhinney, 2013; Rosetti et al., 2021) and the need to consider intersecting forms of marginalization in special education policy contexts (Brown, 2012; Voulgarides & Burrio, 2021). In City district, existing structures and routines served as the foundation for the enactment of new policies in city district, and school leaders and educators built on this foundation as they

made sense of new policies. These findings suggest the power of tailoring public meetings related to special education to not only account for virtual participation, but also to center voices of community members with historically marginalized identities.

On the flip side, the pandemic also revealed the potential of new structures and routines to better support students with disabilities. For instance, the emergence of "Educator Collaboratives" in City district provided increased opportunities for educators to collaborate across general and special education roles to co-design resources to support curriculum and instruction for all students. While prior special education policy implementation research has found that general and special educators tend to operate in silos (Hartman, 2016), my study revealed that new structures have potential to break down barriers between departments within school districts. Innovations such as the Educator Collaboratives in City district provided both time for educators to work together and a clear vision for their work. Requiring members to submit specific deliverables and products that would be shared across the district gave purpose to the work of these groups. I found that both general and special educators used these resources much more frequently than those developed by state or district leaders. Thus, districts seeking to increase collaboration across general and special education contexts may consider including Educator Collaboratives in their own professional learning routines.

A final lesson for district leaders relates to the importance of educator and caregiver perspectives when working to serve students with disabilities in a time of emergency. Early studies of the COVID-19 pandemic have foregrounded the perspectives of both educators (Rice, 2022; Steed & Leech, 2021; Hirsch et al., 2021; Hurwitz et al., 2022; Long et al., 2021; Schuck et al., 2021) and caregivers (Briersch et al., 2021; Manning et al., 2020; Somenschein et al., 2022; Averett, 2021; White et al., 2021). This dissertation revealed the significant role that

educators and caregivers played in reshaping special education policies by engaging in an *equilibration* process as policies were implemented. The case of City district suggests that input from educators and caregivers should be solicited proactively and in different ways during a time of emergency. Given that these actors are closest to the work on policy implementation, especially during a time when students may be educated in their homes, it is essential that their perspectives, needs, and concerns are taken into account as future local policies that respond to times of emergency are developed.

Together, these findings suggest the need for district leaders to ensure that appropriate structures, routines, and a diversity of perspectives related to the work of educating students with disabilities are taken into account prior to a time of emergency. Such proactive planning can support increased congruence between recommended shifts in special education policy with existing practice, more strongly perceived legitimacy of recommended changes, and, ultimately increased coherence and success of policy implementation. Taking time to proactively design and implement the right structures and routines will serve special education leaders well in the future. Finally, and most importantly, it is critical that district leaders listen to the teachers and caregivers who are closest to students with disabilities. By drawing on the expertise of educators and caregivers to co-construct supports, resources, and infrastructure for students with disabilities during times of crisis, leaders can inch closer toward achieving equilibrium in even the most challenging times.

Conclusion

This dissertation argues that three forces acted on the special education policy context in one district during the COVID-19 pandemic: legal and regulatory forces, structural forces, and local forces. I have shown how these forces were mediated by the degree of congruence between

existing policies and new directives, the perceived legitimacy of new policies, and the degree of coherence with which policies were implemented. The overarching argument of this dissertation is that educators and caregivers came to make sense of the uncertain and ambiguous policy context associated with the pandemic by engaging in a process of *equilibration*. That is, actors worked to influence and ultimately reshape special education policy messages that did not align with their collective values. Their actions had implications for how students' needs were met, and how their rights were maintained, during a time of crisis.

The COVID-19 pandemic opened a unique policy window (Kingdon, 1984), creating novel opportunities for shifts in special education policy. City district responded to this opportunity by building on structures and routines that were working in an attempt to redress some of the negative effects of the pandemic on some of the most marginalized students in the district. Perhaps more importantly, City district developed innovative practices and collaborative routines that had strong, positive effects on students and caregivers. In this way, and while their special education policy response was imperfect, City district can be held up as a model of how to respond to special education policy in a time of future emergency. One of the biggest lessons to be gleaned from City district is the powerful role of educators and caregivers in engaging in an *equilibration* process in policy implementation. Further examination and exploration of the potential of educators and caregivers to shape more congruent, legitimate, and thus coherent policy responses can help to strengthen how we understand special education policy implementation in times of emergency and more generally.

On May 11, 2023, the Biden administration declared the end of the COVID-19 federal health emergency. While the pandemic is officially over, the lasting impact of a national emergency on children with disabilities is yet to be determined. City district, and other districts

across the United States, and working to address gaps in opportunity and achievement that persist years after initial school closures. National data suggest that gaps between student groups continue to widen in the years following the pandemic (Fahle et al., 2024). We in the field of education are at a crossroads—do we return to the way education was before the pandemic, or do we reimagine new possibilities based on the lessons we've collectively learned about what is and is not working for students? I give the final words in this dissertation to one leader from City district to guide our future thinking:

> So what will it take for us to have a shift in what we do and the outcomes? Oddly enough, I believe that what it has taken is this pandemic. And what I mean by that [is] with all of the challenges and the negatives that we have seen as part of everyone's world being turned upside down, as educators, one of the positives that is actually really hard many times for us to see or feel being right smack in the middle of it, is that this pandemic has forced us as educators to think differently, have conversations differently, make decisions differently, implement differently with and for our students and families. And one of the things that we've heard several people mention tonight are some of the tools that are now being considered or used with our young people that were not used before. Some of that is because of the leadership and good teachers. And some of it has been because of our new environment and people understanding that what was in place is not conducive for what we are in right now. And something had to be different. And so the pandemic, in a very bizarre way, has allowed us to let go of some of those very human natures of always wanting to hold onto what we've done. Cuz that's what we know, even though what we saw wasn't giving us the results that we

wanted. ***So we've been forced into being willing or able to release and let go and change. And the kids will be the beneficiaries of that*** [emphasis added] (District leader, subcommittee meeting, 11/18/2020).

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Appendix A

Teacher Interview Protocol

This interview will be about your experiences with special education policy during the COVID-19 pandemic, as well as your ideas about how special education policies should have been carried out during this time. All of the information in this interview will be kept confidential. Remember that your participation in this interview is completely voluntary: you can refuse to answer any question or end this interview at any time. This interview will be approximately 60 minutes and will be audio-recorded. Do you have any questions before we proceed?

Introduction
I know these are questions you could talk about for a long time. I'm just asking for a brief introduction.

1. As I understand it, a lot of your role is working with students with disabilities. As a teacher, what brought you into that line of work? Can you talk generally about what brought you to be interested in special education?
2. There's so much talk now in the broader field of education about serving and supporting *all* students. How do you think about that?

Sensemaking: Individual and situated cognition

1. Thinking back to the period between **March 2020 and June 2020**, what happened in terms of students with disabilities? How did you as a teacher deal with it?
    a. **Probe**: What were some of the **challenges that you faced** as a teacher during this time?
    b. **Probe**: What were some of the **challenges that parents faced** when educating students with disabilities during this time?
    c. **Probe**: What were some of the **challenges that leaders faced** when educating students with disabilities during this time?
2. How did you prioritize changes in policy that emerged related to educating students with disabilities?
3. What supports and resources did you use during this time?
    a. **Who did you turn to** when you had questions or needed support regarding special education policy during the pandemic? Why did you turn to these people?
    b. Did you access any **external resources** or networks to help you work with students during this time? Which ones? Why did you choose these resources/networks?
    c. What are some of the **supports that you provided** to colleagues so that they could make changes regarding how students with disabilities were educated during the pandemic?
    d. What **professional or personal skills** were most useful to you as a teacher during this time? Why were those skills particularly useful?

Sensemaking: Role of policy representations

For this part of the interview, I am going to show you four different documents [slide with all 4] and ask you to respond to each document. What I'm trying to get at with each of these four is how this document was used in your job, if it was used, what you thought about it, if it was useful.

1. Let's take the first one, **remote learning plans**. These were used to communicate students' service delivery during school building closures. Are you familiar with this? Is this something that you saw in your work? Was this part of your daily work?
2. What were you **thinking** when you first learned about this policy?
3. What **did you do** when you learned about this policy? Why did you make that decision? How did you decide?
   a. Did you access any district resources to help you implement this policy
   b. Was this something you had to implement? How did you implement it?
   c. Was this something you could ignore; how did you decide? How did you get the authority?
4. Was implementing this policy intended at the time and successful? If so, what led to success?
5. Was implementing this policy intended at the time but unsuccessful? If so, what got in the way?

[repeat with compensatory services, family listening conferences, documenting service delivery]

Closing

1. We've been talking about policies related to students with disabilities that did or didn't happen between March 2020 and June 2020. From your perspective, what kind of policies should have gone into effect? What could have been helpful?
2. Is there anything else you'd like to share?

Appendix B
Leader Interview Protocol

This interview will be about your experiences with policy during the COVID-19 pandemic, as well as your ideas about how policies should have been carried out during this time. All of the information in this interview will be kept confidential. Remember that your participation in this interview is completely voluntary: you can refuse to answer any question or end this interview at any time. This interview will be approximately 60 minutes and will be audio-recorded. Do you have any questions before we proceed?

Introduction
I know these are questions you could talk about for a long time. I'm just asking for a brief introduction.

1. As I understand it, more and more of a school or district leader's role is connected to issues of special education. As a **former principal and director of family engagement,,** has that been your experience? What brought you to work in educational leadership?
2. There's so much talk now in the broader field of education about serving and supporting *all* students. How do you think about that?

Sensemaking: Individual and situated cognition

1. Thinking back to the period between **March 2020 and June 2020**, what happened in terms of students with disabilities and their caregivers? How did you as a leader deal with it?
    a. **Probe**: What were some of the **challenges that you faced** as a leader during this time?
    b. **Probe**: What were some of the **challenges that teachers faced** when educating students with disabilities during this time?
    c. **Probe**: What were some of the **challenges that caregivers faced** when educating students with disabilities during this time?
2. How did you prioritize changes in policy that emerged related to educating students with disabilities?
3. What supports and resources did you use during this time?
    a. **Who did you turn to** when you had questions or needed support regarding special education policy during the pandemic? Why did you turn to these people?
    b. Did you access any **external resources** or networks to help you work with students during this time? Which ones? Why did you choose these resources/networks?
    c. What are some of the **supports that you provided** to teachers so that they could make changes regarding how students with disabilities were educated during the pandemic?
    d. What **professional or personal skills** were most useful to you as a leader during this time? Why were those skills particularly useful?

Sensemaking: Role of policy representations

For this part of the interview, I am going to show you four different documents [slide with all 4] and ask you to respond to each document. What I'm trying to get at with each of these four is how this document was used in your job, if it was used, what you thought about it, if it was useful.

1. Let's take the first one, **remote learning plans**. These were used to communicate students' service delivery during school building closures. Are you familiar with this? Is this something that you saw in your work? Was this part of your daily work?
2. What were you **thinking** when you first learned about this policy?
3. What **did you do** when you learned about this policy? Why did you make that decision? How did you decide?
   a. Was this something you could ignore; how did you decide? How did you get the authority?
4. Was implementing this policy intended at the time and successful?
   a. If so, what led to success?
5. Was implementing this policy intended at the time but unsuccessful?
   a. If so, what got in the way?
6. What do you think led to the success/challenge of implementing this policy?

[repeat with compensatory services, family listening conferences, documenting service delivery]

Closing

1. We've been talking about policies related to students with disabilities that did or didn't happen between March 2020 and June 2020. From your perspective, what kind of policies should have gone into effect? What could have been helpful?
2. Is there anything else you'd like to share?

Appendix C
Video Observation Protocol

- Meeting topic

- Meeting date

- Time of the meeting

- Actors present

- Agenda

- Special education policies discussed
    o Remote Learning Plans
    o Compensatory Services
    o Digital documentation
    o Remote service delivery
    o Remote assessment
    o Family listening conferences
    o Documentation of services
    o Other

- Controversies raised in the meeting