

The Social Injustice of the Have-Nots in the Special Education Teacher Shortage

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Abstract

This position paper identifies the complexity of the special education teacher (SET) shortage and the social injustices of the already marginalized population of students with disabilities (SWD). Nationally, policy reforms and teacher certification initiatives may have unknowingly perpetuated the shortage of SET in an attempt to increase the supply and strengthen the impact of teacher quality on student outcomes. There are documented factors contributing to the shortage as well as initiatives designed to increase the supply of SET. The disparities in the access to highly qualified SET for SWD have been evident for decades. The negative impact on academic and behavioral outcomes of SWDs are even greater for those SWDs who experience the intersectionality of race, low-socioeconomic status, certain geographical location, and low-incident disabilities. An immediate call to action is required for sustainable resolutions to increase the supply of highly qualified SET to ensure SWDs access to a *free, appropriate, public education* and eliminate the modern day “Have Nots” of the already marginalized in society.

Keywords: teacher shortage, students with disabilities, social justice

Ernest Hemingway's 1937 classic novel *To Have and Have Not*, is a social commentary on the dynamics between the privileged (the “Haves”) and the not-so-fortunate the (“Have Nots”) during the time of the Great Depression. The entirety of Hemingway's fragmented story explores the disparity between those who “Have” and those who “Have Not,” ultimately revealing that wealth gives one a certain sense of power that nothing can take away. This position paper is on the disparities and social injustices associated with access of high-qualified certified special education teachers (SET) needed to keep the promise of a free, appropriate,

public education (FAPE) for all students with disabilities (SWDs). These disparities are a modern day “Haves” and the not-so-fortunate “Have Nots,” the already marginalized SWDs.

This position paper explores the social injustices surrounding the SET shortage and the already marginalized SWD who do not have access to high-quality certified teachers. It starts with the trends in data over the last decade, showing a drastic decline of SET. Then it explores the educational policies and reforms put in place in an effort to reduce the SET shortage. Next, it outlines the contributing factors leading to the shortage of SET and efforts made to reduce these contributing factors. As a result of these contributing factors, this paper then shows that those who suffer the most are the SWD, the “Have Nots” in education. Finally, an immediate call for action is made imploring policymakers, institutions of higher education, advocates, and educators to reevaluate the current situation involving the critical shortage of high-quality, certified SET and the negative impact on SWD.

Data Trends in SET Shortages

The number of highly qualified SET peaked in 2005 at more than 420,000 and dropped below 350,00 in 2012. Historically, during the *Great Recession*, SET shortage declined, falling below 5% in 2011. Shortages re-emerged in 2012 concurrent with the economic recovery and reached 8% by 2016-17 academic year (Sindelar, 2019). Furthermore, Sindelar (2019) concluded that the number of highly qualified certified SET employed in U.S. schools had declined since the end of the Great Recession. By 2016-2017, the number had fallen to 318,000, lower than it had been since the mid-1990s (Sindelar, 2019). The extreme difficulties that high-poverty, highly diverse, and low achieving schools experience in acquiring and retaining highly qualified SET is well documented (Goldhaber et al., 2015).

There has been an imbalance between the demand for SET and the supply of SET thereby resulting in critical shortages (Harper et al., 2022). Forty-nine states and the District of Columbia report shortages of SET (U.S. Department of Education, 2021). The U.S. Department of Education (2020) reported the shortage of SET encompasses 98% of the nation’s school districts. Data about the aspects of supply, demand, and shortage of SET are produced annually by the Federal Office of Special Education Program’s (OSEP) Data Analysis system (DANS) and published in OSEP’s *Annual Report to Congress on the Implementation of the Individuals with Disabilities Act* (OSEP, 2021). Unfortunately, these reports provide neither year-to-year changes

nor long-term trends in SET are readily available to administrators, advocates, researchers, and policy makers.

Educational Policies and Reforms

Reforms to increase the number of SET are important given educational policies focused on the importance of access to high-quality teachers (Harper et al., 2022). The *No Child Left Behind Act* (NCLB, 2002) focused on teacher certification and student accountability. Highly qualified requirement for SET meant being certified in special education as well as the additional certification areas they taught, for secondary SET teachers this meant multiple areas of certification (NCLB, 2002). This was a notable change to past SET certification requirements (Yell et al., 2017). More recent reforms of as *Race to the Top* (RTTP, 2011) and NCLB reauthorization as *Every Student Succeeds Act* (ESSA, 2015) and even the reauthorization of *Individuals with Disabilities Education Improvement Act* (IDEIA, 2004) focused on the importance of improving teaching quality in part by improving accountability of teachers. Improving teacher quality makes sense given teachers are the most salient school-based factor associated with student achievement (Bettini et al., 2022; Mathews et al., 2022). These reforms may have exacerbated shortages of SET because these policies increased certification requirements for teachers and accountability outcomes for students in ways that negatively influenced the appeal of becoming a special education teacher (Harper et al., 2022). Projections through 2026 indicate there will be a need for more than 33,000 additional SET with the greatest historical needs to be in low-incident categories of disabilities (Jameson et al., 2019) and high-poverty, highly diverse, and low achieving schools (Goldhaber et al., 2018).

Contributing Factors to Shortage of SET

Mason-Williams and colleagues (2020) identified general contributing factors associated with shortage of SET: (a) an overall decline in enrollment in teacher preparation programs for various reasons; (b) the inability of institutions of higher education to keep pace with the growing demand for SET; (c) high numbers of SET transferring to general education; and (d) significant levels of attrition of SET due to inadequate training, complex job demands, poor-working conditions, and low compensation. Gilmour and colleagues (2022) identified similar factors contributing to the shortage of SET such as level of training to be adequately prepared and the confident in their abilities to teach SWD, especially those SWD who have challenging learning and behavior problems. External resources such as working conditions associated with

administrative support and the culture of the school were also identified as factors by Gilmour and colleagues (2022). Billingsley and Bettini (2019) investigated similar factors that lead to qualified SET shortages: (a) teacher preparation and qualification; (b) school characteristics; (c) working conditions such as nonteaching demands, caseloads, student behavior, paperwork, and accountability; (d) availability of resources; and (e) compensation. Increasing violence in schools has also been identified as a factor associated with the shortage of SET (Bryner, 2021). Dewey and colleagues (2017) suggested young people today are looking for other professions to fulfill altruistic aspirations thus leading to declining enrollments in teacher preparation programs. Park and Byun (2015) concluded compensation levels are inadequate to attract individuals to the SET profession. Teaching as a profession has seen a decline in professional attractiveness and social standing (Han et al., 2018). Han and colleagues (2018) described the shortage of qualified SET candidates as a function of the overall attractiveness of the profession and is widely viewed as an undesirable profession by aspiring youth.

Efforts to Decrease Shortage of SET

The SET shortage is a problem that could be remedied through direct action by the federal government. One promising action was made from President Biden's \$9 billion funding proposal to decrease teacher shortages in general that includes teacher preparation and increasing the number of teachers of color (The White House, 2021). This action provides evidence that the teacher shortage is a policy concern for the Federal Administration. This is a crucial step. However, Congress holds the power to authorize any type of legislation sponsored by the Department of Education. OSEP (2021) published 13 briefs as part of an initiative titled *Attract, Prepare, Retain: Effective Personnel for All*. These briefs describe strategies, existing research, and providing examples of specific areas where action can be taken to decrease SET shortage. The Attract, Prepare, and Retain initiative (OSEP, 2021) demonstrates the apolitical role civil servants play in increasing SET within the federal bureaucracy. The *Attract* initiative consists of four strategies: (a) alternative routes, (b) changing public perceptions, (c) funding and loan forgiveness, and (d) grow your own programs (OSEP, 2020). In 2007, the USDOE attempted to incentivize teacher production through Perkin Loans (2017) and Teacher Education Assistance for College and Higher Education (TEACH, 2023). In addition, USDOE financially supported improvements to teacher preparation, induction, and professional development through grants

such as Title II Teacher Quality Enhancement Grants (Kuenzi, 2008). Unfortunately, these federal incentives have never mitigated the increase of high-quality SET (Harper et al., 2022).

Numerous efforts have been made across the nation by state departments of education implementing policies and practices to meet their specific SET needs. For example, Connecticut (2023) and North Carolina (2023) improved salaries, instituted scholarships, and forgivable loans, and strengthened teacher preparation and certification (Sutcher et al., 2016). Tennessee (2021) and Indiana (2021) recruited current educators to complete additional coursework toward SET certification. Hawaii (Ortogero et al., 2022) developed a mentoring program for first year SET teacher as an effort to retain SET in rural areas.

Grow Your Own (GYO) teacher programs have existed for decades recruiting high-school students and educational support personnel such as paraprofessionals, as well as school staff such as cafeteria workers and custodians into the teaching profession in an attempt to decrease teacher shortage (Gelber, 2022; Gist et al., 2019; Goings et al., 2018). GYO programs have a centralized focus of attracting individuals of color into teaching to diversify the teacher workforce (Bianco & Marin-Paris, 2019; Gist et al., 2019; Goings et al., 2018). For people of color, the marginalization they experienced as students can become a catalyst to help them become culturally responsive teachers and disrupt the inequities of students of color (Bianco & Marin-Paris, 2019; Goings et al., 2018).

To provide an additional pathway for SET certification, numerous states have developed alternative tracks or “fast-tracks” to SET certification (Billingsley et al., 2019; Gilmour et al., 2022; Green et al., 2021; Harper et al., 2022; Jameson et al., 2019; Mason-Williams et al., 2020). Unfortunately, studies comparing alternative and traditionally prepared SET suggests the alternatively prepared teachers have a higher rate of turnover given the more intensive needs of SWD and their less extensive training (Bettini et al., 2022; Camacho & Krezmien, 2019; Gilmour et al., 2022; Green, et al., 2021; Nguyen et al., 2020). Therefore, it is clear that the SET shortage is a complex, multi-faceted problem with numerous variables that require unique and sustainable solutions.

The “Have Nots” of the SET Shortage

SWDs are the “Have Nots” of high-quality SET shortage. Equitable opportunities for SWD to learn are seriously at risk as the SET shortages persist (Billinsley & Bettini, 2019). SET shortages is harmful to a student’s academic success (Gilmour et al., 2022). Declining numbers

of SET have led to increases in student-to-teacher ratio in special education from 14 to 1 in 2005 to 17 to 1 in 2016 (Sindelar, 2019). The negative impact of class-size has been clearly documented (Alivernini et al., 2019; Samnufida & Kismiantini, 2020). Certain populations of SWD are more disadvantaged by shortages. Those who are already marginalized such as students in high-poverty urban schools, remote rural schools, student with serious emotional/behavioral disorders and low-incident disabilities (Bettini et al., 2022; Camacho & Krezmien, 2019; Jamerson et al., 2019; Mason-Williams et al., 2020). Higher suspension rates were associated to students being taught by uncertified teachers or teachers not teaching in their chosen field (Camacho & Krezmien, 2019). SET are entrusted with the responsibilities to meet the diverse needs of students with substantial learning and behavioral challenges and ensuring these students make progress in the general education curriculum (Sayeski et al., 2019). Gilmour (2020) further identifies certification as a commonly used indicator of the unique skills needed to effectively educate SWDs. SET capacity to fulfill these responsibilities rely on the quality of training and experience often not present with uncertified or alternatively certified SET (Bettini et al., 2022). Certified SET are traditionally known as the experts in what works for educating SWDs (Gilmour, 2020). Effective instruction of SWDs, instruction that results in improvements, is explicit, intensive, cohesive, engaging, responsive, and focused on teaching skills and strategies (Rivera & McKeithan, 2021). This instruction often includes direct instruction, on-going progress monitoring with the data used to development individualized education programs (IEP) make data-driven decisions for improvement (Furey & Loftus-Rattan, 2022). Shortage of fully certified SET impede the ability of SWDs to reach their full developmental, behavioral, and academic potential especially those SWD who are already marginalized by race, ethnicity, and/or socioeconomic status (Bettini et al., 2022; Camacho & Krezmien, 2019; Gilmour, 2020; Jameson et al., 2019).

A Call for Immediate Action

A critical examination and immediate action are needed to end the social injustices stemming from a shortage of highly qualified SET. The chronicity has been well established for decades. Factors reinforcing the shortage have been well-established. Now is the time to take action. Historically policies are made, initiatives are started but the fidelity of implementation is weak, and the problem is never resolved as it has been clearly documented in the research literature. Traditional preparation programs in institutions of higher (IHEs) education must be

designed to attract young people into the field of special education. Scholarships, grants, and loan forgiveness programs must be implemented to the degree that all teacher-candidates will benefit. This means state boards of education and local education agencies need to financially invest in the preparation of future SET. More teacher-candidates must be fully prepared with the skill set needed to effectively educate SWDs. Strong induction and mentoring programs must be used to support and retain new SET once they enter the field. Alternative and fast-track certification programs must be examined under a critical lens to ensure their effectiveness and contribution to ineffective teachers of SWD and to the shortage of SET in general as the research supports. *Grow Your Own* programs need to start in high school not only to diversify the SET workforce but to develop the mindset of making a difference and becoming a SET. Research has demonstrated that special education teachers who have gone through a full preparation program are more likely to provide effective instruction, increase student achievement, and remain in the classroom (Billingsley & Bettini, 2019; Gilmour et al., 2022; Gilmour, 2020; Masson-Williams et al., 2020;). This should encourage IHEs to work collaboratively with local districts to educate highly qualified SET and decrease the severe SET shortage.

Research has consistently identified factors that contribute to the shortage of highly qualified SET. Factors such as the size of caseloads, scheduling, consistent availability of support personnel, classroom location, in school planning time, streamlined paperwork, availability and access to needed resources and something as simple as student-free lunch can be effective. Compensation has always been a “hot topic” in education. The reality is that SET should be financially compensated for the highly specialized skill set required to be an effective educator of SWD compared to non-SET. SET should be financially compensated for the accountability required to provide and monitor an individualized educational program for SWDs. Policy makers and school administrators at the federal, state, and district levels must establish a culture of equality and respect for the specialized training of SET. Becoming a teacher in general, and a SET specifically, must be revitalized in society to make the profession more respected and appealing. The actions outlined above are necessary steps to guarantee that educators and prospective teacher candidates can make a long-term, positive impact on individuals who come from marginalized communities, and especially for individuals from those communities with disabilities.

Conclusion

As a society we must be challenged to find a sustainable resolution to the historically documented shortage of high-quality special education teacher crises causing inadequacies in educational attainment for students with disabilities. Individuals with disabilities as well as advocates have worked and continue to work diligently to overcome discrimination, exclusion, and inadequacies in education. Fundamentally failing policies, decreased enrollment in traditional SET preparation programs, state-initiated certification programs, and school culture often, unknowingly, contribute to and sustain the shortage of highly qualified SET. Continuing turmoil reflects the core values and unresolved issues of highly qualified SET. Fundamentally, these issues impact the social justice and the rights of SWDs. All students with disabilities are promised access to a free appropriate public education (FAPE) to ensure an individualized education program (IEP) under the Individuals with Disabilities Education Act (IDEA) under the principal of *Zero Reject*. IDEA further requires that special education teachers be fully licensed, have the content knowledge and skills to serve SWDs when beginning to teach. The critical issue arises in providing SET to meet this requirement. Williams (2022) director in the office of special education populations (OSEP), through a memorandum warned directors of special education that the requirements have not changed despite the challenges many states are facing in recruiting enough SET to fill vacancies. Williams (2022) stated “OSEP also recognizes that states are facing many challenges by the COVID-19 pandemic, including the impact it has had on exacerbating the shortage of special education teachers and related services providers across the state” (p. 2).

Having SET who are not fully certified undermines the intent and spirit of IDEA with already marginalized SWD and exacerbated by the intersectionality of marginalization occurred with SWDs of color, in low-performing school districts, in remote rural settings, in high poverty areas, and those students in low-incident disability categories bearing the brunt of the high-quality SET shortage (Bettini et al., 2022; Jameson et al., 2019). This social injustice has gone unresolved for decades despite continued federal investments, personnel preparation grants, and state initiatives in recruiting, training, and retaining teachers in the field of special education (Mason-Williams et al., 2020) The wealth of the “Haves” is being educated by a highly qualified SET this will increase the likelihood of SWDs in becoming contributing to members of society.

It is our social responsibility to end these inequities and to break the cycle of the “Have Nots” who are and continue to be marginalized in society.

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