Effective leadership is an increasingly challenging endeavor for school principals who must be prepared to respond to shifting accountability demands for student growth. The changing legal mandates in the Individuals with Disabilities in Education Act (IDEA) and the Every Student Succeeds Act (ESSA) and increasingly diverse student learning needs due to language, disability, and socio-economic status further complicate the demands placed on principals. Through a series of reauthorizations, Congress has reshaped the educational landscape across the United States by refining the focus and efforts of schools on accountability for student achievement (Crum & Sherman, 2016). In light of the changing legislative demands, school leaders need to be capable of effective and legally defensible leadership. Principals, in particular, need the skills and knowledge to be able to provide this leadership as well as a high-quality educational program and services for students with disabilities (Boscardin, 2007; Crockett, 2002).

Recognizing the critical impact of effective principal leadership, researchers have identified the need to focus uniquely on the principalship (Leithwood, Louis, Anderson, & Wahlstrom, 2004). Nonetheless, the focus has been almost exclusively on teachers as the primary educators responsible for student growth and achievement, which includes students with disabilities. Consequently, teacher preparation and evaluation has tended to be at the center of many reform efforts aimed at including student accountability measures in federal and state policy initiatives (Crum & Sherman, 2016). Yet, the importance of preparing and supporting principals has been widely relegated to a secondary status as policy reformers focus narrowly on teacher preparation and development (Haller, Hunt, Pacha, & Fazekas, 2016). In fact, principal preparation and development has typically been merged with programs focused primarily on teacher preparation and development rather than being addressed independently.

While the impact of teachers on student success is well established, principals are also essential contributors and creators of school environments that improve teaching and learning (Haller et al.). Principal leadership has emerged both in research (Hallinger & Heck, 1998; Leithwood et al., 2004)) and federal legislation (Elementary and Secondary Education Act, 1965; Every Student Succeeds Act, 2015; No Child Left Behind Act, 2001) as a substantial contributor to the goal of providing a quality education for every student. For example, researchers have consistently reported the important influence principals have on student outcomes (Waters, Marzano, & McNulty, 2003) and teacher retention (Boyd, Grossman, Ing, Lankford, Loeb, & Wyckoff, 2011).

The widespread recognition of the relationship between effective school leaders and student outcomes has renewed focus on improving principal evaluation (Fuller, Hollingworth, & Liu,
Fuller and Hollingworth (2014) concluded that because principals influence and impact student achievement in a substantial manner, it is necessary to focus on both evaluation and accountability for positive student outcomes. They noted further that interest in improving the principal evaluation process has led to significant state-level policy changes.

State-level policy changes are likely to continue in light of the reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965 as the Every Student Succeeds Act (ESSA) in 2015. Concerned about the targeted emphasis on teacher preparation and development, critics have asserted that the previous law failed to adequately fund programs and studies focused on supporting principals (Haller et al., 2016). After going through several reiterations from the ESEA to the No Child Left Behind (NCLB) Act of 2001, the ESSA is now considered to be an improved act that reflects research and best practices (Haller et al., 2016).

Several of the major components from NCLB are reflected in the ESSA, such as the focus on teacher and principal evaluation, the need to address the learning needs of all students, including students with disabilities, English Learners, gifted and talented students, and students with low literacy levels. One dramatic change that has the potential to lead to state-level policy changes, is the ESSA requirement for states to explain how they plan to improve the skills of principals who are responsible for addressing the learning needs of all students. This change, in addition to the fact that ESSA incentivizes states to align evaluation with effective leadership standards, has increased the focus on preparing and evaluating principals (Manna, 2015); and has served as a central aim for the present study.

**Purpose**

This study seeks to determine how states are evaluating principals with respect to their roles as leaders for students with disabilities; and also explores whether states’ principal evaluation legislation and/or regulations reflect the preferences for and benefits of inclusive learning environments for students with disabilities. The guiding research questions for this study are listed below:

1. How are principals evaluated with respect to special education accountability, oversight, and legal knowledge?

2. Does state legislation and regulatory guidance reflect the inclusive ideology that has widely gained recognition in special education?

To answer the identified research questions, we analyzed state legislation and regulations from 50 states and the District of Columbia. The following sections will briefly review the prevalent literature and research on effective principal leadership for students with disabilities and principal evaluation. We then explain the ethnographic content analysis (Altheide, 1987; Purtle, 2016) methodology, present analysis of the state legislation focused specifically on principal evaluation, and recommend connecting formal professional development activities to the evaluation process as a feasible mechanism to support and develop effective principal practices.
Effective Leadership for Students with Disabilities

Given the complexity of the state and federal legal mandates, educational leaders must be fully prepared to oversee the specialized educational needs of students with disabilities. Special education laws, in particular the IDEA (2012), Section 504 of the Rehabilitation Act (1973) and ADA Amendments Act (2008) are increasingly sources of tension and litigation. The complexity of these laws in addition to the accountability demands of the No Child Left Behind Act (NCLB, 2001) – reauthorized as ESSA (2015) – have made it increasingly difficult for principals to achieve competing duties of promoting quality instruction and ensuring legal compliance (Bays & Crockett, 2007).

Principals are responsible for modeling the values and practices that support learning and achievement for students with disabilities (Irvine, Lupart, Loreman, & McGhie-Richmond, 2010). In addition, they are responsible for legal compliance with the IDEA (Bays & Crockett, 2007), yet, they typically lack preparation in special education. For example, Patterson, Bowling, and Marshall (2000) concluded that principals are not adequately trained for leadership in special education and need more focused training. Despite principals’ lack of preparation, they are in crucial positions to “create inclusive environments for all learners … through strong, inclusive leadership practices” (Garrison-Wade, Sobel, Fulmer, 2007, p. 118).

Inclusive Leadership Practices

As evidence increases regarding the benefits of inclusive learning environments (Idol, 2006; McLeskey, Waldron, & Redd, 2014), students with disabilities are being placed in general education classrooms, thus increasing the need for principals to have special education knowledge and skills in order to ensure that the students’ specialized programs and services are provided (Bon, Faircloth, & Letendre, 2006). Crockett (2002) observed that special education adds value to “leadership preparation by articulating and communicating not only its legal requirements but the core principles that guided the meaningful education of learners with exceptionalities (2002, p. 158).

Bryk, Sebring, Allensworth, Luppescu, and Easton (2010) compared 100 schools that improved academically to 100 that did not over a period of 7 years in their efforts to explore the effects of decentralization of the Chicago public school system. They report that the principal’s degree of inclusive and instructional leadership are two of the essential elements that lead to school improvement and that are related to positive student outcomes (including student achievement). Inclusive environments are the preferred settings for students with disabilities who benefit from the instructional practices employed as well as interactions with their non-disabled peers in the general education environment (Bon, 2015).

As instructional leaders for all students, principals need to develop leadership strategies that demonstrate awareness of the need to balance the unique challenges and benefits of promoting inclusive learning environments for students with disabilities. Preparing principals through training and professional development, who understand the benefits of inclusive education is critical to student success (Bryk et al., 2010). At the same time, principals should also be
provided with sufficient information about the federal laws and policies that protect the rights of students with disabilities. Ultimately, the duty to provide effective special education programs and services as well as the responsibility to ensure legal compliance (Bays & Crockett, 2007; Boscardin, 2007) has shifted directly upon principals (McLaughlin & Nolet, 2004).

**Effective Legal Compliance**

Federal legislation is the primary authority guiding principals’ efforts to protect the educational rights of students with disabilities. For purposes of this article, an extensive review of the IDEA requirements is not applicable, but a brief summary about the essence of this federal law is helpful. Namely, the IDEA is focused on improving educational results for students with disabilities (Bon, 2009). Achievement of this essential goal is achieved not only through the legal compliance with federal laws but also through state legislation and regulatory guidance.

For purposes of this study, it is helpful to also understand the cornerstone provisions identified in the IDEA. These key provisions address the rights of students with disabilities to receive a free appropriate public education (FAPE) in the least restrictive environment (LRE). Litigation surrounding these federal protections has been extensive and continues today (Bon, 2009). For example, in *Endrew F. v. Douglas County School Dist. RE–1* (2017), the U.S. Supreme Court is currently revisiting the FAPE mandate adopted in 1982 by the Supreme Court in Board of Hendrick Hudson v. Rowley. In Rowley, the court adopted a FAPE standard which required schools to fashion special education and related services that are “reasonably calculated to enable the child to receive educational benefits” (*Rowley*, 458 U.S. at 202).

The LRE principle has also been an ongoing source of litigation and disputes between school and parents of students with disabilities (Bon, 2009). According to the IDEA, students with disabilities are to be educated in the least restrictive environment in order to achieve the goal of maximizing interaction with non-disabled peers (IDEA, 2012). As Bon (2009) observed, the LRE principle has been interpreted differently across the federal district courts, which can lead to confusion for principals. Principals may also struggle to accord the legal mandates of IDEA with the inclusive practice ideology. Specifically, McLeskey et al. (2014) assert that inclusive practices are essential in light of IDEA’s requirements, which is reinforced by the LRE requirement establishing “a presumption in favor of educating students with disabilities in the general education classroom” (p. 59).

Given these legal mandates, it is particularly important for principals to be prepared through training or professional development so that they are prepared to respond to the unique needs of students with disabilities. Principals should also be evaluated with respect to their leadership for all students, which must include students with disabilities.

**Principal Evaluation**

Evaluation is often cited as a critical but missing component of efforts to promote leadership effectiveness in education (Clifford, 2015). Clifford asserts “Evaluation is an important method
for supporting principal growth, communicating performance expectations to principals, and improving leadership practice” (p. 1). Although principal evaluation is a critical element of plans to improve overall student performance in schools (Pashiardis & Brauckmann, 2009), the lack of research on evaluating principal effectiveness is notable. Fuller and Hollingworth (2013) claim that as a result policy has been driving practice, rather than relying on an empirical base of knowledge to inform evaluation systems (Tran & Bao, 2015).

Early efforts to address principal evaluation emerged in the U.S. Department of Education Race to the Top (need year and citation) initiative which specified evaluation as a critical aspect of determining the effectiveness of school principals. Furthermore, Race to the Top defined effective principals as leaders who promote achievement for all students, including each subgroup of students under ESEA, and acceptable growth rates, such as, at least one grade level in an academic year. Race to the Top also defined additional evidence of effectiveness, such as high school graduation rates, college enrollment rates, supportive teaching and learning conditions, instructional leadership, and positive family and community engagement.

In 2012, the National Association of Elementary School Principals (NAESP) joined with the National Association of Secondary School Principals (NASSP), as representatives of 95,000 school principals, to develop a research-based principal evaluation framework for state and district policymakers. Together these organizations appointed a Principal Evaluation Committee for purposes of identifying the features of an effective evaluation system for school principals, which also included the input and feedback of school principals. Through their combined efforts and focus on research based practices, the Principal Evaluation Committee recommended the development of principal evaluation systems that are based on valid, fair and reliable measurements and that are used as a collaborative school improvement tool rather than for punishment. The following areas were identified as essential features of sound evaluation systems:

- Created by and for principals. Effective evaluation system designs will be accurate and useful when principals are active contributors to the process.
- Systemic support. Effective principal evaluation is part of a comprehensive system of support, including quality professional development, induction support for early career principals and recognition of advanced performance.
- Flexibility. Principals’ relationships with supervisors, schools and communities impact leadership. Effective processes to evaluate principal practice accommodate local contexts, reflect a principal’s years of experience and are job-specific. These processes provide supervisors with sufficient flexibility to accommodate necessary differentiation based on principals’ work and grade-level responsibilities.
- Relevance. Effective evaluation systems incorporate widely accepted standards of practice so that results are relevant to the improvement of principals’ current work. Routine monitoring of principal evaluation systems maintains relevance and facilitates adaptations to reflect the dynamic nature of the profession.
- Accuracy, validity, reliability. Supervisors and principals will use evaluation results to inform decisions regarding professional development and continued employment. Consequently, evaluation processes must be collaborative; provide
accurate, valid and reliable information; and gather performance data through multiple measures.

- Fairness. Fair evaluations are transparent, systematically applied to all principals in a state or district and place a high priority on outcomes principals control rather than those they have limited or no ability to impact. Decisions about continued employment rely on multiple years of evaluation data. And, effective principal evaluation systems treat performance assessment as a positive process that builds principals’ capacity, not as a pretext for discipline.

- Utility. Meaningful evaluation results inform principals’ learning and progress, regardless of summative ratings of practice. An effective formative and summative process is useful to principals and evaluators for creating a holistic description of practice. (p. 8)

Method

Content analysis provides a rigorous social science based empirical method of generating objective knowledge about the meaning of legislative text (Hall & Wright, 2008). This analytic approach also provides a systematic method for determining patterns across state legislation. As Hall and Wright explain, content analysis has been used by political scientists, sociologists, and journalists to “systematically read and analyze texts” (p. 67). While it is increasingly used by legal scholars to explore court cases, content analysis can also be applied to statutes or regulations. Content analysis “has the power to transform classic interpretive skills into recognizable and transferable social science knowledge” (p. 121).

From an objective perspective systematic content analysis provide replicability. Whether analyzing cases or statutes, the selection criteria and research question are clearly identified. Similarly, the coding scheme is defined and used methodically to enhance objectivity and replicability. Others have likewise observed that content analysis may contribute to our understanding of policy questions.

Blending ethnographic research with the content analysis method provides an alternative approach to reflexive document analysis that is especially beneficial when examining legislative text for latent variables (Altheide, 1987; Purtle, 2016). In fact, Slapin, and Proksch (2014) recommend “more research on the full text of legislation” (134) in their overview of the developments in legislative scholarship using content analysis. They caution researchers, however, that content analysis is primarily used for purposes of measuring latent variables that are not directly observable. We identified inclusive ideology as a latent variable because it is not directly mentioned in legislation or regulations. Nevertheless, the benefits of inclusion have emerged as a common theme in special education literature (Garrison-Wade, Sobel, Fulmer, 2007; McLeskey, Waldron, & Redd, 2014). Finally, as McLeskey et al. observe, inclusive practice is an essential philosophy that is expressed specifically as the least restrictive environment requirement in the IDEA.
We assert that the strategic environments are similarly guided by concerns about compliance with federal laws. At the same time, we acknowledge and review the state laws and regulations with thoughtful attention to the unique state by stare characteristics.

Data Collection

For this study, we methodically searched the state legislative databases and state department of education websites for purposes of collecting the principal evaluation statutes, regulations, and department of education policies regarding principal evaluation. Given the varying approaches to principal evaluation adopted across the states, our study did not focus solely on a sample of the state legislation and regulations. Instead, we target our ECA on text from all 50 states and the District of Columbia.

Consistent with the ECA process of systematic concept development, we adopted a reflexive approach to our categorization of variables and constant comparison of meaning that emerged from the text analysis (Altheide, 1987). The categories were created as a guide to target the focus areas related to our research questions. Specifically we identified evaluation, students, and leadership as the primary categories of interest in our study. We then pre-identified the following three variables: principals, students with disabilities, and special education programs and services. Although these categories and variables serve as an initial guide for the study, ECA encourages constant discovery and comparison of the text that emerges across the cases.

Data Analysis

Through ethnographic content analysis (ECA), we carefully assess statutes and regulations across 50 states and the District of Columbia for evidence or indicators revealing how special education programs, services, laws, and the instructional needs of students with disabilities are integrated in the principal evaluation process.

Slapin and Proksch (2014) explain the limitations of content analysis when examining texts that are not comparable because of differences across the documents. Given this advice, the present study will examine only text that is codified in state legislation and regulations.

Using continuous exploration and comparison, we are creating a data collection chart that incorporates both numeric and narrative data. We adopted a reflexive process of moving between data collection and analysis, which led to the emergence of additional topics. Out next step is to reread and analyze texts from previously reviewed state legislation and regulations (Altheide, 1987) for purposes of completing cross-data analysis. Finally, we will use a data collection chart to inform our creation of a topic model system that will guide our exploration of latent themes in the legislative and regulatory text (Slapin & Proksch, 2014; Quinn, 2010).

Results

As this study is currently in progress, the result are forthcoming.
**Discussion**

As school-building leaders, principals and assistant principals are responsible for instructional leadership, day-to-day management of the building, personnel oversight, and legal compliance with both state and federal laws. Given the complexity and high stakes of special education laws, the oversight of programs and services for students with disabilities is increasingly difficult and demands highly specialized knowledge and skills by school-building leaders. Yet, as a number of researchers have observed, school leaders receive little to no training in special education (Boscardin, 2007; Bays & Crockett, 2007). Furthermore, evaluation of school building leaders may not incorporate particularized attention on how well these leaders are performing with respect to their oversight and delivery of programs and services for students with disabilities.

The evidence to support understanding of this problem comes from multiple sources, primarily the legislative actions across states and regulatory guidelines established by state departments of education. In addition, a review of federal laws, particularly the IDEA and ESSA suggests a disconnect between federal mandates and state level responses to the need for highly qualified school leaders, especially with respect to special education qualifications. Additional evidence emerges from the various advocacy and special interest groups, which pursue strategies to empower parents and children, educators, and communities with respect to disability rights and responsibilities.

Federal legislation (ESEA; ESSA) reflects the trends in school reform which emphasize teacher and principal evaluation. Federal legal and policy initiatives are focused increasingly on the use of personnel evaluations as a reform mechanism to promote accountability of teachers and principals through, for example, Race to the Top conditions (U.S. Department of Education, 2009) and the No Child Left Behind waiver mandates (U.S. Department of Education, 2011).

Although principal evaluation is a critical component (Pashiardis & Brauckmann, 2009) of efforts to improve overall student performance in schools, this content analysis of the state evaluation laws and regulations reveals a patchwork approach to the principal evaluation process. Alarmingly, the content analysis demonstrated that the ideological preferences for inclusive learning environments are not reflected in the majority of state legislative or regulatory efforts.

**Legal and Policy Implications**

In this study, we accessed legislative texts and regulatory guidelines that address principal evaluation requirements from all 50 states and the District of Columbia. The state legislative analysis reveals a glaring absence of reference to the necessary skills and knowledge that principals, in particular, should demonstrate in order to provide the effective oversight and leadership over special education programs and services for students with disabilities. This failure to address special education in the principal evaluation process given the increasing demands for accountability, is a legitimate concern and denotes a glaring lack of oversight.
Conclusion and Recommendations

Aligning principal evaluation systems with leadership standards and competencies has been observed to be an essential step for schools seeking to achieve their goals of strengthening principals’ performance and promoting student success (Turnbull et al., 2015). Because principals are responsible for supporting success for all students, principals must also understand the unique programs and services necessary for students with disabilities. Yet, this state by state analysis of principal leadership evaluation requirements reveals a glaring omission related to principals’ responsibility for and oversight of special education.

Given changing laws and policies, the duty to provide effective special education programs and services has shifted directly upon principals (McLaughlin & Nolet, 2004). Furthermore, Because we live in an “inclusive and changing society, there is simply no excuse for a principal to lack the insight and understanding necessary to support learning and promote success for all students” (Bon, 2015, p. 5). An evaluation system, if done correctly, can provide both accountability and support through professional development for principals who lack sufficient knowledge and expertise relative to special education programs and services.

Consistent with ESSA, which appropriates funds specifically targeting the provision of professional development for principals, we recommend connecting formal professional development to evaluation. The evaluation process can reveal areas of growth and serve as a feasible mechanism to support and develop effective professional development for principals
References


Bryk, Sebring, Allensworth, Luppescu, & Easton (2010)


*No Child Left Behind Act, 20 U.S.C. 6301 et seq. (2001).*


