1 Key Concepts for Understanding Special Education

learning objectives

- Explain the fundamental concepts on which special education is based and describe its history, including the litigation that has shaped its development.
- Outline the provisions in legislation that establish current special education policies and practices.
- Describe the students who receive special education services.
- Outline recommended practices that characterize contemporary special education.
- Explain perspectives and concerns of parents and families of students with disabilities.
- Identify trends and issues influencing the field of special education.
Elizabeth

Elizabeth is a first-grade student with a completely positive view of life: She loves school, her teachers, her friends, and all the activities that school includes, especially art class. In the morning, Elizabeth usually receives highly structured reading instruction from Ms. Hackman, her special education teacher, but she spends much of the school day in Ms. Clark’s general education class. Elizabeth has an intellectual disability and learns more slowly than her peers, but she is making strong academic progress. Her goals for the current school year include learning all capital and lowercase letters, at least one hundred sight words, and single-digit math facts; she also has a goal to speak in complete sentences. When Elizabeth is in the first-grade setting, Mr. Lewis, a paraprofessional, assists in the classroom. Elizabeth tends to have difficulty transitioning from one activity to another, sometimes refusing to stop what she is doing. She also likes to talk to her many friends—even when it is time to be quiet. Ms. Clark and Ms. Hackman have created a reward system to help Elizabeth respond positively when she is directed to stop coloring or writing, get ready for lunch, or listen to directions for her schoolwork, and Elizabeth is doing much better in those areas.

Misha

Misha is an above-average student who is somewhat shy but pursues her schoolwork with a strong determination to succeed. She recently has developed an intense interest in the life sciences, and she is considering a career as a technician in a medical laboratory. Her science teacher has arranged for her to interview his friend, who is a research assistant in the university’s genetics lab, and she can hardly wait to visit with him. Misha has been deaf since birth. When she was in the early elementary grades, she attended a separate special class with other deaf children. Three years ago, that class was disbanded, and she is now a seventh-grader attending Kennedy Middle School. She uses American Sign Language to communicate, and she is accompanied to her classes by an interpreter. Misha receives speech/language therapy twice each week, and she also spends one class period each day with Mr. Evans, her special education teacher. He works with her and several other students to review their assignments, provide some tutorial assistance, and help with organizational skills. Misha looks forward to her time in Mr. Evans’s room. She views it as an opportunity to socialize with other students who are deaf or hard of hearing, and she knows it is her opportunity to catch up on any concepts she did not understand in her core academic classes.

Daniel

Daniel is a sophomore in high school, and he still struggles to understand why he has so much difficulty learning and how his learning disability affects who he is and how others respond to him. As he thinks about his first nine years of school, he cannot remember a time when school was fun. Even in kindergarten, he had difficulty learning his letters and numbers, and he quickly fell behind academically. Though he began receiving special education services at the beginning of third grade, Daniel’s reading comprehension is at about the fifth-grade level, and his math skills are at the seventh-grade level. Teachers generally have been supportive, but sometimes even when they mean well, their actions can be hurtful. Daniel remembers one teacher who usually reduced by half the amount of work he had to do—it made him feel as though he was too stupid to learn. For the past two years, Daniel has used recorded books downloaded to his iPod, which have been helpful, and he always has access to using a computer when he takes tests. But he’d rather listen to music instead of boring social studies material, and he’d rather work with his friends who are not using the computer. As Daniel looks to the future, he is concerned. He cannot earn a regular diploma unless he passes high-stakes tests in five subjects. He’d like to go to the community college to train to be an airplane mechanic, but that would require having a diploma, and so the looming tests make him unsure whether he can pursue this goal. He considers himself fortunate to have many good friends who help him with schoolwork, and he readily admits his teachers generally are supportive, but sometimes he is discouraged by the challenges he faces.
People are interested in learning about individuals with disabilities for many reasons. Some have a child or family member with special needs, and their personal experiences draw them to the field. Others become interested because of volunteer work sponsored by a high school club or a fraternity or sorority. Yet others plan careers in which knowledge of individuals with disabilities and special education is essential—most teachers are in this group. My own interest in pursuing a career working with individuals with disabilities came from several experiences, including volunteering during high school to assist children and adults with disabilities in a recreational program; interacting with friends and neighbors whose families included members with disabilities; and meeting a little girl named Ranie, for whom I was asked to take responsibility as a helper in a religious instruction class when it became clear she could smile but not read or write. In college, as a volunteer in a separate school for children with mental retardation, I thought I could do a much better job than the teacher whose goal was to occupy his students’ days with craft activities. I decided that the students could learn far more than they were being taught, and I wanted to make a difference in such students’ lives. What brings you to the study of children and adults with disabilities and other special needs?

In 2002–2003, the most recent year for which data are available, approximately 6.8 million children and youth from birth to twenty-one years of age received special education services as required by federal law (U.S. Department of Education, 2004). Although this law focuses on disabilities, it is more important to remember from the outset of your study of special education that the infants, toddlers, children, youth, and young adults receiving special education are individuals for whom special needs are only one small part of their identities. They are preschoolers with mischief in their eyes and insatiable curiosity; they are elementary students who enjoy learning in school and taking swimming lessons and getting to stay up late; they are middle school students grappling with a larger school environment, who sometimes act like children and sometimes act too grown up; and they are high school students who have roles in a play, like or dislike certain teachers, and worry about what they want to do after graduation. They are Elizabeth and Misha and Daniel and other students just like them—or very different from them.

Whatever brings you to be reading this text—whether you are a special education teacher or related services candidate, a general education teacher trainee, the parent of a child with a disability, or someone merely interested in understanding—the most critical concept that you can learn is to look at all individuals in the context of their strengths and abilities, their value as individuals, and the contributions that they make to your life and that you make to theirs. Your perspective and how you learn to work with children and adults with disabilities as a professional can make all the difference in the world to the individuals about whom this textbook is written.

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**What Is Special Education?**

When you think about special education, what images come to mind? A teacher working with a small group of students who struggle to read? A young man in a wheelchair in chemistry class? A student like Neal, whose story appears in the Firsthand Account? All of these images may be part of special education, but it is much more than that. As you explore this complex and rapidly changing field, you quickly will learn that it is characterized by a multitude of technical terms and acronyms. Your interest undoubtedly is in students and learning to work with them effectively, but it is equally important to understand the scope of special education and what it offers to students and their families.

**The Core Provisions of Special Education**

Three key concepts form the foundation for all the special services students with disabilities are entitled to receive through public schools, and they are the basis for all the other ideas you will learn as you read this text.
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A Life of Complexities

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There are really two stories to tell about my family. One is filled with episodes of hurt, of hope, and of learning. The other story is a lot funnier. Neal was born 2 weeks past his due date after a forced labor; and he was stillborn and revived after 96 seconds. He has CHARGE syndrome.* This syndrome affects people differently, but my son suffers (yes, suffers) from these specific problems: congenital heart disease (he’s had five heart surgeries and now has a permanent pacemaker), profound deafness, visual impairment, autistic tendencies, frequent bouts with pneumonia due to aspiration, facial paralysis, incontinence, and significant developmental delays. As the many diagnoses started rolling in over the first few months of his life, each one hit me like a ton of bricks. I knew nothing about raising children, disabilities, or medical care. When I realized that this was to be my new life, I quickly became familiar with these things through research in libraries, on the Internet, and in talking with other families of children with disabilities.

Now Neal is 11 years old and has already gone far past his life expectancy. I have spent most of his life wondering if he would live through the night . . . every single night. Now, I’ve given it up to God, who obviously has a plan. Maybe that plan was that I would go into this field and make a difference somehow in the lives of other families. Or maybe that plan was simply that my son would touch the hearts of everyone he meets . . . that his sweetness, his need for people’s compassion would turn their lives around, too. I don’t know. I still struggle with why he was born this way.

Our life is very different from that of our other family members and friends, and “fitting in” is still nearly impossible. There is always some reason Neal can’t participate in activities: his heart condition, his pacemaker, his deafness, his visual impairment—all of these things are barriers to his inclusion. I hear lots of talk about the re-

“My son enjoys his life . . .”

sources available to families like mine, but the truth is there isn’t much. Summer camps are nearly impossible to find, not to mention after-school care. There are no real friends. Fortunately, I have a great relationship with my sister who helps us a lot. I am also blessed with a younger daughter who has given me the experience of “typical” parenthood. She’s very smart, funny, and compassionate. She is also my biggest helper. At six, she already knows how to identify when my son is in distress and can quickly check his capillary refill while I’m dialing 911. On other days, she treats him just like a brother with all the bickering and tattling. He needs that and so do I. It makes us feel like a normal family.

What bothers me most is other people’s inability to understand what it must be like, to put themselves in our shoes for even one day. People hear about an upcoming heart surgery and they think how hard it must be to go through this. They shower me with attention; they come to my house. They don’t realize that his being in the hospital is valuable respite for me, and I really just want that time alone. They don’t realize that the heart is the one thing that can be “fixed.” It’s the day-to-day living that’s the biggest challenge and that’s when I need the help.

It’s important to us that my son enjoys his life because frankly, the quality isn’t that great. One of his favorite things to do is ride on the back of my brother’s motorcycle. People have told me I shouldn’t let him do that. They think his life is so fragile that I should shelter him from any possible harm. My sister and I laugh about this. We say that one day he might fall off going 60 mph down the road. We’ll have to call everyone and say that Neal has passed on. Everyone will respond, “Oh, I’m so sorry. Was it his heart?” And we’ll answer, “Heck no! He fell off the back of a Harley!” Life’s too short as it is, so we figure “go for it!”

It’s certainly not all fun and games. Every day is a challenge for him and for us. I thought I had gone through the cycle of grief described in textbooks and that I had come to the stage of acceptance. But I realize now that what I’m experiencing is chronic grief. It never goes away. Simple conversations I have with my daughter can turn into long dissertations with my son. And of course, trying to explain why the boy next door wants to play with his little sister but not him is hard. We have just come to a place where we accept our life as it is: give a lot of love, make a lot of jokes, and keep on moving. There’s really no other way to do it.

*CHARGE syndrome is a genetic disorder discovered in 1981 and affecting 1 out of 9,000–10,000 births. The letters stand for the original factors thought to comprise the syndrome: Coloboma of the eye, Heart defects, Ear abnormalities and/or development, Genital and/or urinary abnormalities, and/or growth and/or development. The name has remained (CHARGE Syndrome Foundation, 2006).
Special Education
The first term to consider is special education. It has a precise definition that comes from the federal law that established it:

The term “special education” means specially designed instruction, at no cost to parents, to meet the unique needs of a child with a disability, including—
(A) instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and
(B) instruction in physical education. (20 U.S.C. §1401[29])

That is, special education is the vehicle through which children who have disabilities are guaranteed to receive within the public education system an education specifically designed to help them reach their learning potential. We will return later in this chapter to the topic of specialized instruction as a key part of special education. Special education teachers often have significant responsibility for this specialized instruction, but general education teachers, paraeducators, specialists, and other professionals also may provide special education. Elizabeth, the elementary school student you read about at the beginning of the chapter, is an example of a student who needs extensive specialized instruction and who receives services from a team of professionals.

Related Services
Two other concepts are companions to special education and further explain it. The first is related services:

The term “related services” means transportation, and such developmental, corrective, and other supportive services (including speech/language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services designed to enable a child with a disability to receive a free appropriate public education as described in the individualized education program of the child, counsel-

After parents and family, educators are usually the most important adults in the lives of their students.
related services, including rehabilitation counseling, orientation and mobility services, and medical services, except that such medical services shall be for diagnostic and evaluation purposes only) as may be required to assist a child with a disability to benefit from special education, and includes the early identification and assessment of disabling conditions in children. The term does not include a medical device that is surgically implanted, or the replacement of the device. (20 U.S.C. §1401[26])

This term clarifies the fact that for students with disabilities to succeed in school, they may need one or several additional services—from a bus equipped with a wheelchair lift to individual counseling to physical therapy. As with special education, they are entitled to access these additional supports without cost. The interpreting services and speech/language therapy that Misha receives are examples of related services.

**Supplementary Aids and Services**

The third concept essential to special education, particularly given the current expectation of keeping students with disabilities in the general education classroom to the maximum extent possible, is **supplementary aids and services**:

The term “supplementary aids and services” means aids, services, and other supports that are provided in regular education classes or other education-related settings to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate in accordance with section 1412(a)(5). (20 U.S.C. §1401[29])

One example of a supplementary aid or service is access to a computer with software that predicts what the student is likely to type next, thus reducing the amount of typing the student must do. Another example is preferential seating in the classroom (e.g., near the teacher or the blackboard) for a student who has low vision. Yet another example is a teaching assistant or paraprofessional who accompanies a student who requires ongoing adult support in the general education classroom because of challenging behaviors. Take a moment to review Daniel’s story at the beginning of the chapter. What supplementary aids and services does he receive?

In the remainder of this chapter and throughout this textbook, many other terms related to special education will be introduced. All of them, however, directly relate back to these three concepts: the provision of special education, related services, and supplementary aids and services.

**Development of the Field of Special Education**

Special education is a dynamic field, one with a long and fascinating history, as you can see in the timeline in Figure 1.1, which highlights landmark events. It is a field that is still evolving, and learning the story of its development can give you a perspective on how thinking has changed and services have grown for students with special needs and perhaps even what might occur in the future.

**Early History**

Although much early information about individuals with disabilities focused on adults, attention to children grew in the nineteenth century as pioneering professionals took up their cause. For example, in 1800 French physician Jean-Marc-Gaspard Itard was hired to work with a twelve-year-old child named Victor, who had been found wandering in the woods and was considered a feral child—that is, a human who was living much like an animal. In fact, he was called the “Wild Boy of Aveyron” (Scheerenberger, 1983). Victor was deaf and mute, and professionals disagreed about his potential. Over the next five years, Itard worked with Victor to teach him functional skills (e.g., dressing, personal hygiene), social expectations, and speech, but progress was frustratingly slow. Itard initially considered his efforts with Victor a failure, but he later wrote that Victor could only be compared to himself, and by that measure, he had made great progress. In fact, Victor had learned the letters of the alphabet, the meanings of many words, and self-care. Through Itard’s work with Victor, the notion that even children with significant needs could benefit from instruction and were worthy of
attention was introduced, as was the concept of communication with children who were deaf and mute (Kanner, 1964).

Another notable development in the field of special education came from France in the mid-nineteenth-century work of Edouard Seguin and his physiological method (Winzer, 1993). Seguin, a student of Itard’s, deeply believed that children who were blind, mentally retarded, or emotionally disabled could be trained to become productive members of society. His method included creating a structured learning environment with attention to developing the senses, learning basic academic skills, and engaging in regular physical activity. Seguin brought several key concepts to the study of educating children with special needs—the positive impact of rewards, the potentially negative impact of punishment, and the importance of structure and clear directions—ideas that today are still integral to effective special education.

In the United States, the idea of providing care and support for children with disabilities emerged slowly during the nineteenth century. The first public school special class was established in Cleveland, Ohio, in 1875 (Scheerenberger, 1983), but it was disbanded shortly thereafter. Another was recorded in Providence in 1896, and others were established by the turn of the twentieth century in cities such as Chicago, Boston, Philadelphia, and New York (Kode, 2002). However, several forces soon led to more rapid growth of such services.

**Basis for Today’s General Education and Special Education System**

During the late nineteenth and early twentieth centuries, urbanization, immigration, and industrialization flourished in the United States (Mondale & Patton, 2001). Large factories were being built in cities, and many people decided to give up the rural life of farming to seek employment in the cities instead. Waves of immigrants joined them, individuals who were unfamiliar with American culture and language. It was a stressful time in American society: Many middle-class people were fearful of the changes occurring and the impact on their lives; the living conditions for the new city dwellers often were squalid; and governments could not keep up with the demands for social services. You can learn more about
the unfortunate impact of this era on people with disabilities in the Professional Edge on page 8.

For schools, these events altered the face of education and planted the seeds of contemporary special education. First, compulsory public education began to grow, partly as an economic response to the changing society (Johnson, Dupuis, Musial, Hall, & Gollnick, 2002). With few child labor laws in existence at this time, requiring children to attend school functioned as a means of keeping children out of the labor force; doing so ensured that jobs would be available for the rapidly growing pool of adults, both immigrants and those moving from farms to cities, who commanded higher wages than youngsters. Second, schools were designed like the most innovative concept of the time, the assembly line. Just as cars and other products were created using piece-by-piece assembly in a standard way, so too were American citizens to be created by moving all children, the “raw material,” from grade to grade as they received a standardized education.

However, it soon became apparent that student needs defied standardization. Although children with significant disabilities would not have been accepted in public schools during the first part of the twentieth century, some children who enrolled could not keep up academically with peers, were defiant or belligerent, or had physical disabilities. In order to provide a safe and structured environment for these students and to preserve the pace of instruction for the others, educators decided that these students should be removed from the assembly line of education and offered instruction better suited to their needs (Connecticut Special Education Association, 1936).

With this thinking, separate special classes became increasingly common (Bennett, 1932; Pertsch, 1936). These classes were sometimes called ungraded classes because pupils across several grade levels were taught there together (Kode, 2002). Further, as intelligence testing became popular during this same time period, educators came to believe that they had found a scientific basis for separating learners who would not succeed in typical classrooms. Although not required by federal law, special education classes for students with mental retardation, physical disabilities, and sensory impairments became increasingly common through the first half of the twentieth century.
The very late nineteenth century and early twentieth century was a period of great societal stress in the United States. From the viewpoint of the “establishment,” primarily the Caucasian middle-class men who controlled government and business, the increasing number of immigrants threatened the social order. The flawed logic believed by many prominent individuals was this:

Intelligence is inherited, and feeblemindedness is transmitted across generations through a recessive gene. Many immigrants seem to be feebleminded. [Remember that they often did not speak English and were not familiar with American customs, so they appeared feebleminded to some.] Because it is critical to raise the overall level of intelligence in the United States, it is important to stop people who are feebleminded from having children.

One person who believed this flawed logic was psychologist Henry Goddard, often considered the father of intelligence testing in the United States. In 1912, he published a book titled The Kallikak Family: A Study in the Heredity of Feeble-Mindedness. Through what he called “research,” Goddard traced the family history of the Kallikaks. He claimed that during the Revolutionary War, a soldier had fathered a child with a disreputable barmaid with that family name but afterward had returned home to marry and have children with a respectable woman. Goddard studied the differences between the two branches of this family history and concluded that the descendants of the disreputable Kallikak union were largely feebleminded and that the descendants of the traditional union were not impaired. Goddard used the story of the Kallikaks to prove his belief. There was only one problem: His research methods were completely invalid. He and his research assistants had based the findings largely on hearsay from the people they interviewed and other questionable procedures.

Hard to believe? Yes, but this type of thinking was prevalent at that time, and it had a profoundly negative impact. Called the eugenics movement, it led to the sterilization of many individuals, some of whom were recent immigrants. It also granted societal permission to do the same to individuals with disabilities and mental illnesses, many of whom were housed at that time in large institutions. In fact, most states had sterilization laws to make the practice legal when such individuals were judged to be incompetent, and several of these laws were on the books until the 1970s. This thinking also contributed to the practice of euthanasia, either allowing babies with disabilities to die or assisting adults with disabilities to commit suicide (Fleischer & Zames, 2001).

**Discrimination and the Beginning of Change**

Shortly after the advent of the modern civil rights movement in education, with the 1954 *Brown v. Board of Education of Topeka, Kansas*, decision clarifying that “separate cannot be equal,” some professionals began questioning whether separate classes provided students with disabilities with an appropriate education. For the next decade, researchers explored this issue in a series of studies collectively referred to as the efficacy studies. They compared the achievement and social adjustment of students with intellectual disabilities who were enrolled in special classes to that of students of similar abilities who remained in general education settings. The studies tended to find that students with intellectual disabilities, also called mental retardation, in general education classes achieved more academically than those in special classes (e.g., Goldstein, Moss, & Jordan, 1965), probably because teachers’ expectations of them were higher and because they were learning in the same curriculum as other students. In special classes, emphasis often was placed more on developing manual or job-related skills than on academics. By the mid-1960s, with the civil rights movement in the headlines, influential researcher Lloyd Dunn (1968) wrote a watershed essay entitled “Special Education for the Mildly Retarded: Is Much of It Justifiable?” Dunn questioned whether separate classes could provide an adequate education for students with disabilities, and he challenged educators to use emerging technology and research on effective teaching to educate students along with their peers.

During the same time period, other professionals were looking beyond academic instruction to broader issues related to disabilities, especially the stigmatizing effect of labels (e.g., Goffman, 1963; Hobbs, 1975). For example, Mercer (1973) coined the phrase “the six-hour retarded child” to make the point that some students, often those from nondominant races or cultures or those who spoke a language other than English, were considered disabled while they were in school but not in their neighborhoods. What became clear was that special education was not just a means of assisting children with disabilities; it also had become a means of discriminating against students who might be perceived by educators as more challenging to teach.
Litigation for the Rights of Students with Disabilities

During the same time that researchers were debating the quality and impact of special education on students, parent groups advocating for the rights of children with disabilities were becoming increasingly vocal. Parents of children with significant disabilities rightly wanted to know why their sons and daughters could not be educated in the public school system—that is, why they were told to keep their children at home, put them in institutions, or send them to private agencies for their education. Other parents objected to the quality of their sons’ and daughters’ education. These parents began to win landmark court cases on their children’s behalf. For example, in Pennsylvania Association for Retarded Children v. The Commonwealth of Pennsylvania (PARC) (1972), parents won the guarantee that education did not mean only traditional academic instruction and that children with intellectual disabilities could benefit from education tailored to their needs. Further, children could not be denied access to public schools, and they were entitled to a free public education. In Mills v. Board of Education (Mills) (1972), a class action lawsuit on behalf of the 18,000 children in the Washington, D.C., schools who had an entire range of disabilities, the court ordered the district to educate all students, including these. It also clarified that specific procedures had to be followed to determine whether a student should receive special services and to resolve disagreements between parents and school personnel. Other cases highlighted biases against certain students. In Diana v. State Board of Education of California (Diana) (1970), a Spanish-speaking child was placed in a class for students with mild mental retardation after she scored low on an intelligence quotient (IQ) test because it was administered in English. The public school system was ordered to test Spanish-speaking children in their native language. Finally, Larry P. v. Riles (Larry P.) (1972) concerned an African American student and discrimination in assessment. The court ruled that schools had to ensure that tests administered to students did not discriminate based on race. The PARC, Mills, Diana, and Larry P. cases together put a spotlight on the shortcomings and abuses of special education at that time and formed the framework for the legislation that today guides the field (Yell, 2006).
A Federal Response: Laws to Protect Students with Disabilities

Litigation and legislation for children with disabilities intertwined during the 1960s and early 1970s. As court cases such as those just discussed were clarifying the rights of children with disabilities and their families, legislation was creating mandates to ensure these rights were upheld.

The first federal law to address the education of children with disabilities was the Elementary and Secondary Education Act of 1965 (P.L. 89-750). This law provided funding to states to assist them in creating and improving programs and services for children with disabilities (Turnbull, Stowe, Wilcox, & Turnbull, 2000). In 1974, in the Education for All Handicapped Children Act, Congress further focused its efforts, increasing federal special education funding and charging states with the task of creating full educational opportunities for students with disabilities. That law was amended for the first time in 1975, and that set of amendments, P.L. 94-142, the Education of the Handicapped Act, is considered the basis for all subsequent special education practice. This law captured many of the issues that were being addressed in the courts, funded efforts to find children with disabilities who were not in school, and mandated that states follow the law in order to receive federal funding (Yell, 2006). The principles of this law are still in force today, and they are so essential to special education that they will be discussed in detail in the next section of this chapter.

Refinements to the Law

Since 1975, federal special education law has been reauthorized several times. One significant set of changes occurred in 1986, when special education was expanded to include services to infants and young children. In 1990, the amendments renamed the law the Individuals with Disabilities Education Act (IDEA), the name by which it is currently known. This legislation also added two disabilities (autism and traumatic brain injury) to those already covered by the law, and it clarified the need for supports for students as they transition to postschool educational or vocational options. In 1997, several significant additions were made when the law was again reauthorized: Discipline for students with disabilities was addressed, parent participation was expanded, the roles of classroom teachers in educating students with disabilities were clarified, and assessment of the academic progress of all students with disabilities was mandated. The most recent reauthorization in 2004, formally called the
Individuals with Disabilities Education Improvement Act, continued the pattern of refinement and revision: Provisions were added to ensure that IDEA is consistent with other federal education laws, additional strategies to resolve disputes with parents were specified, and evidence-based practices were mandated for student instruction (T. E. C. Smith, 2005). As you read this textbook, you will learn more about these and other current provisions of IDEA.

**Federal Special Education Law: Accomplishments and Disappointments**

The passage of federal special education law was revolutionary, and it had many positive effects. Many students who had been completely left out of the public school system were guaranteed an education; decisions about students regarding special education had to be based on unbiased assessment information; and the rights of parents were outlined and clear procedures put in place to ensure that any disagreements with school districts would be addressed in an impartial way. However, the passage of the law did not address all the issues of educating students with disabilities, and it did not mark an end to the debate about appropriate programs and services. Several of the court cases that have shaped special education since P.L. 94-142 was passed in 1975 are listed in Figure 1.2, and some of the unresolved issues are discussed next.

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The case *Daniel R.R. v. State Board of Education* (1989) established the guidelines that schools use today to determine the least restrictive environment for students with disabilities.

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**Figure 1.2**

**Supreme Court Cases That Have Shaped Special Education**

Although the Education of the Handicapped Act of 1975 (P.L. 94-142) created unprecedented opportunities for students with disabilities, it has continued to be interpreted through the courts. This figure summarizes several U.S. Supreme Court and lower court cases that have been particularly influential.

<table>
<thead>
<tr>
<th>Court Case</th>
<th>Key Issue</th>
<th>Ruling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Board of Education of the Hendrick Hudson Central School District v. Rowley (1982)</td>
<td>FAPE</td>
<td>FAPE provision of IDEA considered met if the IEP, developed through the act’s procedures, is reasonably calculated to enable the child to receive educational benefits.</td>
</tr>
<tr>
<td>Irving Independent School District v. Tatro (1984)</td>
<td>Related services</td>
<td>Health services necessary to assist the student to benefit from special education, when they can be performed by a nonphysician, considered a related service.</td>
</tr>
<tr>
<td>Honig v. Doe (1988)</td>
<td>Discipline</td>
<td>Schools must abide by the stay-put provision (during administrative or court proceedings, the student must remain in his present placement).</td>
</tr>
<tr>
<td>Schaffer v. Weast (2005)</td>
<td>Burden of proof</td>
<td>Following the stay-put provision, a special education student cannot be excluded from school for ten or more days for reasons related to the disability.</td>
</tr>
<tr>
<td>Arlington Central School District v. Pearl Murphy and Theodore Murphy (2006)</td>
<td>Recovery of fees</td>
<td>U.S. Constitution does not bar interpreter services to a student with a disability unilaterally placed by his or her parents in a parochial school.</td>
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</tbody>
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Chapter 1  Key Concepts for Understanding Special Education

Development of Inclusive Practices

Soon after the passage of P.L. 94-142, parents of children with significant cognitive disabilities began to express dissatisfaction at the separateness of their children’s education. Yes, their children were now clearly entitled to access public schools, but they often were housed in schools that had no typical learners or were in a separate wing of a school and not treated as though they were part of the rest of the school community. These parents took their cause to court as a civil right rather than an educational issue (Fleischer & Zames, 2001). They argued that separate schools and classes caused their children to miss the full range of school experiences and that this practice was discriminatory. The parents wanted their children included with other students in the school community—and thus the concept of inclusion was introduced to the field of education.

In 1986, Madeline Will, then Assistant Secretary for Special Education and Rehabilitation in the U.S. Department of Education, extended this idea to all students with disabilities through the regular education initiative (REI), urging general education and special education teachers to work together to educate all their students. The result has been, over the past two decades, to focus attention on the rights of students with disabilities to be educated with their peers who do not have identified disabilities. However, as you may already know, inclusion remains a source of controversy (e.g., Fitch, 2003), one that is addressed as a theme in this textbook.

Overrepresentation

For nearly two decades, it has been apparent that African American students are identified to receive special education services as learning disabled, emotionally disturbed, or mentally retarded at a disproportionately high rate (Ferri & Connor, 2005; Hosp & Reschly, 2004; Monroe, 2005). At the same time, students who are Hispanic or Asian are underrepresented (U.S. Department of Education, 2003). Whether because of overt or unintentional racial and ethnic biases of educators or factors related to poverty, this issue is one that continues to trouble professionals and that is directly addressed in IDEA. It is also a topic that requires extensive discussion, and all of Chapter Three is devoted to it.

An Era of Continuing Improvement

Special education is a field that has evolved rapidly, and change continues today. For example, an analysis of special education procedures and student outcomes completed in 2001 (Finn, Rotherham, & Hokanson, 2001) has been the basis for some of the requirements now part of federal law, requirements that you will learn about as you read the remainder of this chapter and textbook and that have led to current discussion about how best to educate students with disabilities. As you anticipate your work with these students, it is important to remember that what was common practice just a few years ago may now be outdated and that effective new practices are being identified. You will need to keep up with changes in the field and continually reflect on your practices to ensure that they reflect contemporary thinking. One strategy for doing this is to develop the habit of reading professional publications, such as those listed in the Professional Edge on page 13.

What Are the Laws for Students with Disabilities?

In the section you just finished, the laws that govern special education were mentioned briefly. Here, the major provisions of those laws are outlined in detail.

**Individuals with Disabilities Education Improvement Act (IDEA) of 2004**

Since the first special education law was passed in 1975, legislation has contained core principles to ensure the educational rights of students with disabilities and their parents (Wright &
School professionals can keep up with the latest trends and research on practice by reading professional journals. Here are some of the most widely read and well-respected professional journals in the field of special education:

- American Journal on Mental Retardation
- Assessment for Effective Intervention
- Behavioral Disorders
- Career Development for Exceptional Individuals
- Exceptional Children
- Intervention in School and Clinic
- Journal of Disability Policy Studies
- Journal of Emotional and Behavioral Disorders
- Journal of Learning Disabilities
- Journal of Special Education
- Journal of Special Education Technology
- Learning Disabilities: Research and Practice
- Learning Disability Quarterly
- Physical Disabilities: Education and Related Services
- Remedial and Special Education
- Teaching Exceptional Children
- Volta Review

Zero Reject

The principle of zero reject entitles all students with disabilities, even those in private schools, to a free public education regardless of the nature or severity of their disabilities. To accomplish zero reject, each state has in place what is called a child find system, a set of procedures for alerting the public that services are available for students with disabilities and for distributing print materials, conducting screening, and completing other activities to ensure that students are identified. This principle of the law is directly related to the PARC and Mills cases in which parents won the right for their children to attend public schools.

Today, zero reject also addresses more than finding children with disabilities. It ensures that students with communicable diseases, such as AIDS, cannot be excluded from schools. It also guides school policies related to students who commit serious offenses that might otherwise lead to long-term suspension or expulsion.

Free Appropriate Public Education

The education to which all students with disabilities are entitled must be a free appropriate public education (FAPE). That is, parents and family members cannot be asked to pay for any special education services. In fact, if a decision is made that a student needs to be educated outside the student’s own school district, the school district bears the cost for that schooling, including the expense of transportation. Further, FAPE clarifies that the student’s education must incorporate the three concepts that introduced this chapter: special education through specialized instruction, related services, and supplementary aids and services. These elements are captured in the student’s individualized education program (IEP), a document described in detail in Chapter Two.

Least Restrictive Environment

The next principle of IDEA concerns how students receive FAPE. That is, students must be educated in the setting most like that of typical peers in which they can succeed when provided with the needed supports and services, or the least restrictive environment (LRE). It is presumed that the LRE for most students with disabilities is the general education setting,
Chapter 1  Key Concepts for Understanding Special Education

and educators must justify any instance in which a student with a disability is not educated there. However, the law spells out additional settings in which students may be educated, including general education with pullout special education for a small part of the day, a separate special education classroom, a separate school, and others. It is the LRE provision of IDEA and its interpretation that are the basis for most contemporary conversations about inclusion (Palley, 2006; Williamson, McLeskey, Hoppey, & Rentz, 2006). You should realize, though, that IDEA does not use that term.

Nondiscriminatory Evaluation

Nondiscriminatory evaluation is mandated in IDEA; that is, the law outlines the rights that students and their parents have in order to ensure that any assessment completed as part of a special education decision-making process is unbiased. Based on the Diana and Larry P. court cases, the law ensures the following:

- Tests are administered in the child’s native language.
- Tests are appropriate for the child’s age and characteristics.
- More than one test is used to assess the presence of a disability.
- A knowledgeable professional administers and interprets assessment results.
- Assessments occur in all areas of suspected disability (Yell, 2005).

Parent and Family Rights to Confidentiality

Information regarding a student’s disability is highly confidential. IDEA clarifies that such information may not be shared with anyone who is not directly working with the student. In fact, a record must be kept of anyone who accesses these student records. Further, parents have the right to request to see and obtain copies of all records kept regarding their child with a disability and to dispute information that they perceive is not accurate. Once records are no longer needed, a procedure must be in place so that they are destroyed within a prescribed timeframe.

Procedural Safeguards

The final principle in IDEA concerns procedural safeguards. Any decisions concerning a student with disabilities are made with parent input and in compliance with clear procedures. For example, parents must give written consent for their children to be assessed to determine if they have a disability. Similarly, parents must be invited to attend any meetings regarding their child, and they must give permission for the child to begin receiving special education. When parents and school personnel disagree on any aspect of special education, parents may request an impartial hearing. The procedural safeguards that parents have and how they are incorporated into day-to-day special education in schools will become more clear as you read about the people and procedures in special education in Chapter Two.

Other Legislation Related to Special Education

In addition to IDEA, a law that guarantees educational rights, special education is affected by laws that guarantee the civil rights of children and adults. These laws are Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

Section 504 of the Rehabilitation Act of 1973

When Congress enacted P.L. 93-112, the Rehabilitation Act of 1973, it created the first civil rights legislation in the United States specifically intended to protect individuals with disabilities. As Section 504, the final section of this law, states,

No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance. (Section 504, 29 U.S.C. §794[a])

CHECK Your Learning

Think about each of the six core principles of IDEA. Why is each so important for ensuring the rights of students with disabilities and their families?
This law broadly defines disabilities as impairments that significantly limit one or more major life activity, including walking, seeing, hearing, and learning. Further, it protects all people with disabilities, not only children, from discrimination in programs receiving federal funding, including all public schools (Guthrie, 2006). Some of the provisions framed in this law that affect children of school age were clarified in IDEA, but this law protects some students who are not eligible for the services outlined in that law (Madaus & Shaw, 2004). An example of a student served through Section 504 might be one who is an average learner but has Type I diabetes. Through Section 504, the school district would ensure that several school professionals understand the student’s needs, that the student have immediate access to snacks and water, and that the student be allowed to use the bathroom whenever requested. This student does not need the educational services of IDEA.

Unlike IDEA, no federal funding is allocated to implement Section 504, so any services or supports provided to students through this law must be paid for by the local school district. You will learn more about Section 504 in Chapter Six in a discussion of attention deficit–hyperactivity disorder (ADHD), another special need sometimes addressed using Section 504 provisions.

Americans with Disabilities Act of 1990

By far the most comprehensive legislation protecting the rights of individuals with disabilities, no matter their age, is the Americans with Disabilities Act of 1990 (ADA). This more recent legislation uses the same broad definition of disability as Section 504, but it applies to both public and private sectors, including libraries, state and local governments, restaurants, hotels, theaters, transportation systems, and stores (Fleischer & Zames, 2001). With the exception of public school applications, ADA largely has replaced Section 504. In addition to the other provisions of this law, it directly addresses communication, and so it requires that closed captioning be provided to accommodate individuals who are deaf or hard of hearing. It is the ADA that ensures that buildings have access ramps and that most have elevators, that buses and trains can accommodate wheelchairs, and that employers may not refuse to hire a new employee because that individual has a disability. Mentioning ADA is an opportunity to remind you that many students’ disabilities have a lifelong impact, such that these individuals may access certain supports and services even after they leave school.

Taken together, IDEA, Section 504, and ADA ensure that people who have disabilities have the right to fully access throughout their lives all the programs, services, and activities available to other individuals. These laws also clearly establish that civil rights protections specifically include individuals with disabilities and that discrimination will not be tolerated.

Who Receives Special Education?

Unlike federal civil rights laws for people with disabilities that offer a very broad and functionally based definition of disability, as noted previously, IDEA takes the opposite approach. In fact, IDEA specifies thirteen categories of disability, and only students with these disabilities are eligible for special education services:
Some people feel a bit awkward when they interact with individuals with disabilities. Here are some tips for ensuring that your interactions with students and colleagues with disabilities are respectful and appropriate:

- **Use person-first language.** Say “students with disabilities” or “John, who has a physical disability.” Placing the disability first (e.g., “LD students,” “special education kids”) inappropriately emphasizes the disability instead of the person. This textbook uses person-first language.

- **Avoid the term handicapped.** Some individuals consider this word derogatory, and it is no longer used in federal special education laws or regulations. The terms disability and special needs are alternatives. Not even parking spaces should be labeled handicapped; they are accessible.

- **Avoid the language of pity.** Say “wheelchair user” instead of “confined to a wheelchair,” and do not use words such as victim, sufferer, or afflicted.

- **Talk to the person.** Whether you are at school and a student with a disability is accompanied by an assistant or at a meeting where a colleague with a disability has a travel companion, be sure to talk directly to the person, as illustrated in the cartoon.

- **Don’t make assumptions.** Sometimes people assume that individuals who have significant physical disabilities or sensory disabilities (e.g., blind or deaf) also have intellectual disabilities. This probably is not the case. It is better to err by presuming competence than lack of competence.

with these special needs. In Chapter Two, you will learn about the careful set of procedures mandated through IDEA that is followed to determine whether a youngster has a disability and is eligible for special education. The Professional Edge on the opposite page offers tips regarding disability etiquette for consideration as you begin to think about your interactions with students with disabilities.

**Prevalence of Students with Disabilities**

How many students with disabilities are there? The answer to that question at any point in time is referred to as the *prevalence* of students of disabilities, and information to determine prevalence is gathered each year by the U.S. Department of Education as part of IDEA. As you can see by reviewing Figure 1.3, in 2002–2003, 5.89 million school-age children and youth received special education, or approximately 8.9 percent of students ages six to twenty-one (U.S. Department of Education, 2004). Students with specific learning disabilities comprised the largest group of students, accounting for nearly half of all those receiving special education. Students with speech or language impairments formed the next largest group (18.7 percent of the total).

The data in Figure 1.3 demonstrate that over the past decade, the number of students identified as having disabilities has grown significantly, far more than would be expected from the general population growth, particularly for school-age students. No single explanation can be offered as to why this has occurred. Some researchers suggest that the increase in the number of students identified as learning disabled has occurred partly because of the desire...

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**Figure 1.3**


<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Specific learning disabilities</td>
<td>2,247,004</td>
<td>2,878,635</td>
<td>631,631</td>
<td>+28.1</td>
</tr>
<tr>
<td>Speech or language impairments</td>
<td>998,904</td>
<td>1,091,926</td>
<td>93,022</td>
<td>+9.4</td>
</tr>
<tr>
<td>Mental retardation</td>
<td>553,262</td>
<td>604,153</td>
<td>50,891</td>
<td>+9.1</td>
</tr>
<tr>
<td>Emotional disturbance</td>
<td>400,211</td>
<td>476,908</td>
<td>76,697</td>
<td>+19.2</td>
</tr>
<tr>
<td>Multiple disabilities</td>
<td>98,408</td>
<td>128,131</td>
<td>29,723</td>
<td>+30.2</td>
</tr>
<tr>
<td>Hearing impairments</td>
<td>60,727</td>
<td>71,118</td>
<td>10,391</td>
<td>+17.1</td>
</tr>
<tr>
<td>Orthopedic impairments</td>
<td>51,389</td>
<td>73,773</td>
<td>22,384</td>
<td>+43.6</td>
</tr>
<tr>
<td>Other health impairments</td>
<td>58,749</td>
<td>338,342</td>
<td>235,125</td>
<td>+475.9</td>
</tr>
<tr>
<td>Visual impairments</td>
<td>24,083</td>
<td>25,795</td>
<td>1,712</td>
<td>+7.1</td>
</tr>
<tr>
<td>Autism*</td>
<td>5,415</td>
<td>97,847</td>
<td>92,432</td>
<td>+1,707.0</td>
</tr>
<tr>
<td>Deaf-blindness</td>
<td>1,427</td>
<td>1,610</td>
<td>193</td>
<td>+12.8</td>
</tr>
<tr>
<td>Traumatic brain injury*</td>
<td>245</td>
<td>20,725</td>
<td>20,480</td>
<td>+8,359.2</td>
</tr>
<tr>
<td>Developmental delay</td>
<td>–</td>
<td>44,867</td>
<td>–</td>
<td>–</td>
</tr>
<tr>
<td>All disabilities</td>
<td>4,499,824</td>
<td>5,853,830</td>
<td>1,354,006</td>
<td>+30.1</td>
</tr>
</tbody>
</table>


*Optional reporting on developmental delay for students ages three through seven was first allowed in the 1997–1998 school year.

on the part of educators and parents to give help to struggling students, even if they technically are not eligible for services. The overall increase in prevalence also may be the result of identifying new groups of students eligible for services, particularly those with autism or ADHD. What other factors do you think might contribute to the rising prevalence of students with disabilities in the United States?

Special Education for Young Children

Although the primary focus of this textbook is on school-age students with disabilities (ages six to twenty-one), IDEA also includes provisions for young children (ages birth to five). For children birth to two years old, special education is not always required by federal law. However, all states now provide services to these infants and toddlers, and approximately 265,000 children nationwide receive such services. For children ages three to five, special education services have been mandated in IDEA since 1986, and in 2002–2003, 638,700 children received them (U.S. Department of Education, 2004). As you might guess, some young children who are identified as eligible to receive special education have significant special needs that were identified at a very early age, including physical and sensory disabilities, intellectual disabilities, or autism. However, many young children with disabilities who receive services have milder needs, typically related to language development or motor skills. Because it is often impossible to determine the exact nature of young children’s special needs, they may receive services through the IDEA general disability category developmentally delayed, which was used for nearly 225,452 of these young children (U.S. Department of Education, 2004).

Students Not Specifically Included in IDEA

As you read about the students who receive special education, have you stopped to think about the students whom you might have assumed would be mentioned but who have not been? Because special education as defined through IDEA is available only to the students with one or more of the thirteen disabilities mentioned earlier, some students needing special supports receive them through other means.

Students Who Are Gifted or Talented

One group you have not read about is students who are gifted or talented. IDEA does not provide for special education for these students. In fact, although forty-six states define giftedness, only approximately twenty-six states mandate education of these students (Council for Exceptional Children, 2002). What are the provisions in your state for students who are gifted or talented? In Chapter Fifteen, you will read more about the characteristics of these students and instructional approaches recommended for them.

It is important to note, too, that some students with disabilities also are gifted or talented, and these students are sometimes referred to as twice exceptional or as having dual exceptionalities (Winebrenner, 2003). These students need a combination of services: They are entitled to special education, related services, and supplementary aids and services in order to address their disabilities, but they also need enrichment and encouragement to develop their gifts and talents. These students also are discussed in Chapter Fifteen.

Students with Attention Deficit–Hyperactivity Disorder

A second group of students not addressed directly in IDEA is students with attention deficit–hyperactivity disorder (ADHD). ADHD is not by itself a disability category. Many students with ADHD receive support through the broader provisions of Section 504, introduced earlier in this chapter, and this assistance is largely the responsibility of general education teachers. However, some may receive special education services when identified as other health impaired. Because so many students now are categorized as having ADHD, you will have the opportunity to learn more about this disorder in Chapter Six.
Students at Risk for School Failure

One additional group of students not eligible for services through IDEA is important to mention: students who often are referred to as being at risk. These students may be homeless, abuse drugs or other substances, live in poverty, or have any of hundreds of other characteristics that can negatively affect their learning. Although students with disabilities may also have these risk factors, the presence of these risk factors alone does not constitute disability. These students need the attention of caring and skillful teachers who can set high expectations, teach in a way that maximizes student potential, and instill in students the love of learning (Miller, 2006). As you work in schools, you are likely to hear professionals mention that a particular student should be in special education but is not eligible. Often they are referring to a student at risk. Students at risk probably need many types of supports and services, but they do not have disabilities and are not eligible for special education.

What Recommended Practices Characterize Today’s Special Education?

Although the core legal principles of the field have not changed in many years, practices and priorities have. In the following sections, some of the most significant and far-reaching practices that characterize special education today are outlined. As you read subsequent chapters, you also will notice that these practices are highlighted in boxed features and sometimes in special sections.

Inclusive Practices and Access to the General Curriculum

No topic related to special education has had as wide an impact or caused as much controversy as inclusion. Even though the term inclusion appears nowhere in federal legislation
governing the education of students with disabilities, it has been the subject of endless discussion. In this era when pressure is greater than ever before for most students with disabilities to access the general curriculum and reach the same standards as typical learners, the importance of inclusion has continued to grow (Cushing, Clark, Carter, & Kennedy, 2005; Sailor & Roger, 2005).

**Definitions and Debates**

Many definitions of inclusion have emerged, most focusing on placing students with disabilities in general education settings. However, this book adopts a slightly different view, one emphasizing that inclusion is a belief system shared by every member of a school as a learning community—teachers, administrators, other staff members, students, and parents—about the responsibility of educating all students so that they reach their potential. Although the physical location of students in schools and classrooms is one dimension of inclusiveness, inclusion is not about where students sit as much as it is about how adults and classmates welcome all students to access learning and recognize that the diversity of learners in today’s schools dictates that no single approach is appropriate for all. Inclusion encompasses students who are gifted and talented, those who are at risk for failure because of their life circumstances, those with disabilities, and those who are average learners. Most importantly, it includes all the teachers and other staff members who work in today’s schools.

Some would argue that the only way that a school can truly demonstrate an inclusive belief system is to place every student in general education full time. They point out that public education has two curricula. The first curriculum is explicit; that is, it is the curriculum that guides the instruction of typical learners, and advocates argue that it cannot truly be accessed by students with disabilities unless they fully participate in general education. The second curriculum is implicit and includes social interactions and skills that are best learned with typical peers; again, advocates stress that students with disabilities must be with peers to access this curriculum. These professionals insist that competent teachers, adequate supports and services, and a strong commitment can guarantee any student’s success without the need for a separate location.

However, some individuals have grave reservations about the part of inclusive practices related to students being educated in general education classes with typical peers (e.g., Kauffman, 2005). Some parents fear that their children will be teased or that they will learn inappropriate behaviors in general education settings. They express concern that their children's special needs cannot be met adequately in a general education classroom. Some professionals question whether the general education setting truly can be the least restrictive environment for some pupils, particularly when general education teachers also must meet the needs of twenty, thirty, or even more other students in the class, the pacing of instruction is brisk, and the availability of a special education teacher to provide support may be limited. These professionals suggest that many students need a smaller class size, a higher degree of structure, specialized instructional methods, and, for some, a curriculum that emphasizes life skills that can be delivered most readily in a special education classroom for part or most of the school day.

**Research on Inclusive Practices**

Most professionals fall somewhere between these two extremes in their thinking about inclusion. They strongly support inclusive practices and access to general education for most students. However, they acknowledge that unless careful attention is paid to administrative understanding and support, teacher preparation and commitment, and pragmatic details (such as time for planning and schedules), caution must be advised (e.g., Burstein, Sears, Wilcoxen, Cabello, & Spagna, 2004; Mancini & Layton, 2004). Research supports these ideas. For example, Praisinger (2003) surveyed elementary school principals about their attitudes toward inclusion. She found that only one in five were positive about inclusive practices and that the others were uncertain. In schools in which principals were positive, students were more likely
to be educated in less restrictive ways. In a study of teacher attitudes, McLeskey, Waldron, So, Swanson, and Loveland (2001) found that teachers in inclusive schools were more positive toward teachers’ roles in inclusion and toward the impact of inclusion than teachers in other schools. Sindelar, Shearer, Yendol-Hoppey, and Liebert (2006) found that inclusive practices were not sustained when school leadership changed, teacher turnover occurred, and emphasis on the assessment of achievement increased.

Of course, any discussion of inclusion needs to examine the impact on students, and these studies generally examine academic achievement and social interactions in general education settings. Some elementary students with significant disabilities have been found to have greater success when they receive their education with their peers, particularly in terms of their social relations and friendships with peers (Meyer, 2001). Older students with intellectual disabilities may realize some academic benefits, but they may remain socially isolated (Doré, Dion, Wagner, & Brunet, 2002).

The picture of academic achievement for students with mild disabilities is complex. For example, Waldron and McLeskey (1998) studied students with learning disabilities (LD). They found that students with mild learning disabilities educated with peers made greater academic gains than comparable students in special education classes but that the progress of students with severe learning disabilities was the same in both settings. Similarly, Key (2000) found that high school students with disabilities participating in an English class increased their academic achievement. Other researchers have found that many factors influence the impact of inclusive practices on student outcomes, including the special educator’s knowledge of academic content areas, collaboration between teachers, the use of instructional strategies demonstrated through research to be effective, and the emphasis placed on high-stakes testing related to the No Child Left Behind Act (Idol, 2006; Mastropieri, Scraggs, Graetz, Norland, Gardizi, & McDuffie, 2005).

The research just described and many other similar studies illustrate that, in today’s schools, what is considered inclusive practice varies widely depending on the clarity of state and local policies related to inclusion, the resources available to foster such practices, teacher and administrator understanding and commitment, and parent and community support.

“In today’s schools, what is considered inclusive practice varies widely depending on the clarity of state and local policies related to inclusion, the resources available to foster such practices, teacher and administrator understanding and commitment, and parent and community support.”

CHECK Your Learning
What is inclusion? Why is it a matter of such debate?

PROFESSIONAL MONITORING TOOL
Standard 5 Learning Environments and Social Interactions . . . supports needed for integration

Inclusive Practices in This Textbook
This discussion of inclusion is intended to help you understand the approach that is taken in this textbook. The viewpoint is that inclusive schools are possible and necessary for twenty-first-century education. This does not mean that every student is educated with peers at all times, but it does mean that the responsibility of discovering effective means for all students to learn together is taken very seriously, and deviations from this approach are made with reluctance and only after careful deliberation. When a decision is reached for any type of separate education, it is based on data about the student’s academic and behavior needs; it is monitored carefully to ensure that the cost to the student of this decision is worth the benefit the student is receiving; it is reviewed and revised based on changing needs rather than rigidly scheduled for an entire school year; and it is premised on the goal of reducing the separate service as soon as possible.
Chapter 1  Key Concepts for Understanding Special Education

Accountable and Accessible Instruction

Inclusion involves contemporary means of achieving the ultimate end of special education: providing high-quality instruction so that students can reach their potential (Friend & Pope, 2005; Idol, 2006). In today’s schools, that instruction is characterized by being more accountable than ever before. For example, IDEA requires that special educators monitor and report their students’ progress as often as other students receive progress reports or report cards, which is usually at least four times during the school year (Wright & Wright, 2005). This approach helps to ensure that students with disabilities are making progress in reaching their educational goals and reaching curriculum standards, and if they are not, it serves as a mechanism for alerting professionals and parents of the need to make changes. Another example of accountability is seen in the IDEA provision that all students with disabilities participate in assessments with necessary accommodations or through alternate assessments (Browder, Flowers, Ahlgrim-Delzell, Karvonen, Spooner, & Algozzine, 2004) and that their scores be reported along with those of other students.

Universal Design for Learning

Instructional accountability and accessibility also is seen in the current emphasis on students’ curriculum. Although in the past, professionals generally thought that many students with disabilities should have unique curricula designed for their special needs, they now advocate that nearly all students with disabilities should learn from the same curriculum as the one used by typical learners, with accommodations or adjustments made as necessary. This logic

E
ven though you may not yet have experience working in a school, you can begin thinking about what it takes to create and sustain inclusive practices. This checklist provides a beginning; review it as you read further and as you have opportunities to participate in field experiences, student teaching, and your first teaching position.

____ Do staff members believe that all students truly belong at the school and that the students are the responsibility of everyone who works there?

____ Have teachers and other staff members recognized that working toward an inclusive environment continues each year—that the process does not end?

____ Have teachers had opportunities to discuss their concerns about student needs, and have steps been taken to address these concerns?

____ Has planning to meet all students’ needs included classroom teachers, special education teachers, other support staff, administrators, parents, and students?

____ Have the high expectations for students with special needs who are to be integrated into classrooms been clarified for teachers?

____ Have shared planning time and possibly shared instructional time been arranged for teams of teachers?

____ Have staff members received adequate professional development on topics such as collaboration, behavior supports, and instructional interventions?

____ Are staff members comfortable working collaboratively?

____ Have start-up resources been allocated for inclusive practices?

____ Have steps been taken to ensure that teachers will be rewarded for experimentation and innovation, even if efforts are sometimes not successful?

____ Have students had opportunities to learn about all types of diversity, including individuals with disabilities?

____ Have parents and families of students with and without disabilities been involved in the development, implementation, and evaluation of the school’s inclusive services?

____ Has a plan been developed for carefully monitoring the impact on student outcomes of approaches for meeting student diversity? Does this plan include strategies for revisions?

____ Have teachers and other staff identified benchmarks so that they have attainable goals to celebrate after one year? Two years? Three years?

INTERNET RESOURCES

www.cast.org
The Center for Applied Special Technology (CAST) is an educational organization that uses technology to expand opportunities for all people, especially those with disabilities. The website includes many types of information, including links for universal design for learning.
complements the principles of inclusion: If the goal of education is for students to be successful adults who can live, work, and play in our society, then the way to accomplish this is to ensure that all students have access to the same core learning, beginning as soon as they enter school (Acrey, Johnstone, & Milligan, 2005). If curriculum is not the same, students with disabilities are placed at a disadvantage.

The instructional approach for accomplishing the complex task of ensuring that students with disabilities access curriculum is called universal design for learning (UDL), sometimes also referred to as universal design for instruction (UDI). Universal design originated in the field of architecture, where professionals realized that when access to buildings for people with disabilities was arranged after the building was completed (i.e., retrofitting), the result was often a poorly placed elevator or an awkward or unsightly ramp. However, if access was integrated in the original building design, it could become a seamless part of the structure, often adding to its beauty and enjoyed by many more people than those with disabilities. Applied to education, UDL says that teachers should design instruction from the beginning to meet a wide range of learner diversity rather than try to retrofit, or make adjustments, after they already have created their lessons (Pisha & Stahl, 2005; Rose & Meyer, 2002). If they do this, they usually find that most students can benefit from their efforts. Although UDL concepts were first applied to the use of technology to facilitate learning for students with disabilities (e.g., access to learning through means other than print), IDEA now incorporates UDL as it relates to materials, instruction, and assessment (McGuire, Scott, & Shaw, 2006).

**Differentiated Instruction**

One way to operationalize the concept of universal design for learning or instruction is through differentiation, the notion that changes can be made in many different aspects of the teaching/learning process that enable diverse student learning needs to be met (Tomlinson & McTighe, 2006). The concept of differentiation originated in the area of gifted education, but it also is employed by special education teachers in their separate classrooms as well as by general and special educators working in inclusive schools. For example, think about the learning environment and how it could be changed to address the needs of different students. Juan, an English language learner, needs to focus his attention as he works on his assignment, and so he uses a cardboard divider on top of his desk to block out visual distractions. Margaret
Differentiating Instruction for Diverse Learners

Differentiating instruction is a way to turn the thinking of universal design for learning (UDL) into classroom practice. Although many approaches to differentiating can be found in books and on websites, thinking of it in terms of ways to change (1) the content students learn, (2) the processes through which they learn it, and (3) the products they produce to demonstrate their learning can be helpful. After you review these examples, try to think of several of your own to add to each category, and then discuss how they might apply to students like Elizabeth, Misha, and Daniel, the students you met at the beginning of this chapter.

Differentiating Based on Content

- Assess students’ knowledge prior to instruction so that those who already understand key concepts can be given alternative tasks and those who lack even background knowledge can be readied for the core instruction.
- Students with significant intellectual disabilities may learn just three key ideas or concepts from among ten concepts that other students are learning.

Differentiating Based on Process

- All students are taught how to use a Venn diagram to describe how characters in a short story are similar and different. Students practice using stories of varying levels of difficulty in terms of reading level and character complexity.
- Some students complete the math lesson using manipulatives or calculators while others complete the lesson without these tools.

Differentiating Based on Product

- Students demonstrate their knowledge of the novel just read in any of several ways: Some make a poster that would advertise the novel if it were made into a major motion picture, some create an alternative ending to the story, and some complete Internet research about the period in history in which the novel occurred.
- Some students write essays to respond to items on their tests. Some students dictate their answers or make lists of bullet points so that they can express their ideas more efficiently.

Differentiation can occur in literally thousands of ways; your challenge as an educator, regardless of the students you teach, is to find those approaches that will have the most positive impact on your students’ learning outcomes.

Evidence-Based Practices

IDEA and the No Child Left Behind Act of 2001 (discussed later in this chapter) require that educators use evidence-based practices (Council for Exceptional Children, 2006). This means that they must make decisions about what to teach to their students and how effective that teaching/learning process has been based on data that they gather. They also must teach using programs, interventions, strategies, and activities that have been demonstrated through research to be effective. And so evidence-based practices form a third critical aspect of accountable and accessible instruction. Reading instruction provides a clear example of the use of practices based in research. Many perspectives have been offered on how children learn to read, but not all of them have a research base. For struggling readers, one strongly evidence-based approach is called direct instruction (DI). First developed in the 1960s, DI has been demonstrated by decades of research to be effective in helping children, adolescents, and adults learn to read through a fast-paced, highly structured series of lessons (Magliaro,
Lockee, & Burton, 2005). DI is considered an evidence-based practice, the first of many such practices you will read about as you progress through this textbook.

**Assistive Technology**

A final dimension of accountable and accessible instruction is the use of assistive technology, the devices and services that improve the functional capabilities of students with disabilities. IDEA requires that students have access to assistive technology as needed. That is, technology must be a significant consideration as a supplementary aid or service, and as needed, students’ technology needs must be assessed, appropriate devices provided, and the student taught how to use them. With each passing year, the technology available to facilitate learning grows exponentially. As you work in schools, you probably will see students using a wide array of such technology. In the Technology Notes, you can begin to learn about the range of assistive technology available to students.

**Positive Behavior Supports**

Some students with disabilities have behaviors that are so disruptive or dysfunctional that they interfere with the students’ abilities to be with and learn alongside their peers (Wagner, Kutash, Duchnowski, Epstein, & Sumi, 2005). For example, a student who has difficulty finding the right words to say that he needs assistance might express his frustration by

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**Exploring Assistive Technology for Students with Disabilities**

Many students with disabilities use technology to facilitate learning. Assistive technology is any piece of equipment or device that helps students to perform specific tasks and overall do things that they otherwise could not do. Technology may be low-tech (e.g., a grip to help a student hold a pencil), mid-tech (e.g., a tape recorder used during a class lecture), or high-tech (e.g., an electronic communication board that “talks” for the student when various buttons are pushed). The following are some of the categories of assistive technology devices that your students may use. As you read this list, keep in mind how powerful technology can be for facilitating student success and how you, as a professional educator, can integrate it into instruction.

**Category** | **Examples**
--- | ---
Computer access | - Voice recognition software that allows students to dictate responses on assignments or tests, which are then translated to type
- An expanded or enlarged computer keyboard with keys that can more easily be pushed one at a time

Mobility | - Wheelchairs that are very basic and operated manually by the student or an assistant or that are quite sophisticated and motorized

Seating | - Wiggle cushions, which are air-filled disks placed on students’ chairs and sometimes used by students with ADHD so that they can move in their seats without standing or disrupting others

Sensory aids | - Prone stander, a device that enables a student who cannot stand alone to be held in a vertical position—this helps with circulation and overall muscle health. Some prone standers are a bit like “standing” wheelchairs.

Adaptive switches | - Sound field systems, which are similar to public address systems but used in a single classroom—the teacher wears a wireless microphone, and speakers are placed around the room or even on students’ desks to ensure that students with hearing loss or attentional problems can hear what the teacher says.

Large button switches that a student presses or sensitive switches that operate with a light touch, which can help students turn on computers, play with toys or games, and access other classroom equipment

Setting Classroom Expectations

For all students, clear, positive, and constructive classroom rules contribute to an effective and efficient learning environment. For students with disabilities and other special needs, how rules are established and implemented can be crucial. Here are some suggestions for creating classroom rules:

- Phrase rules concisely and in the students’ language and post them in a prominent place for frequent review.
- State rules in positive terms (e.g., “Work at your desk” rather than “Don’t leave your seat”).
- Follow the rules of firmness, fairness, and consistency.
- Discuss negative consequences for breaking rules, rewards for appropriate behavior, and the reasons why classroom rules exist.
- Administer, as promptly as possible, previously agreed-upon rewards and negative consequences.

Pushing classmates. Too often in the past, such behaviors were addressed through some type of negative consequence, such as taking away computer time or sending the student to the office. Current practices are very different. Now, professionals use positive behavior supports. First, they establish schoolwide and classroom standards for behavior so that students understand expectations; examples of such standards are presented in the Positive Behavior Supports. Then, if a problem occurs, they look at student behaviors in the context of the situation in which they occurred, carefully defining what is happening in order to design ways to reduce the negative behavior, increase desired behavior, and help the student have a better academic and social quality of life (Oswald, Safran, & Johanson, 2005).

In the example of the student who pushes others, professionals would meet to analyze this serious problem, and once it is better understood, they might then try to prevent some of the student’s frustration by ensuring that the work the student is assigned is not too difficult. They might also teach the student a better way to express frustration—perhaps by teaching the student to say “Help me” and rewarding the student for appropriate or acceptable behavior. They would work closely with the family, as well, designing a behavior program with parents so that there could be consistency between the school and home approaches. You will find out more about positive behavior supports and other contemporary practices for responding to student behaviors in Chapter Seven when you learn about students with emotional disabilities.

Collaboration

Inclusive schools that address diverse student instructional and behavior needs rely on professionals and parents working closely with each other (Brownell, Adams, Sindelar, Waldron, & Vanhove, 2006). Not surprisingly, collaboration has become a crucial dimension to the planning, delivery, and evaluation of special education and related services that encompass all of the ideas introduced in this section.

Collaboration refers to the way in which professionals interact with each other and with parents or family members as they work together to educate students with disabilities.
It concerns the quality of their professional relationships—for example, whether they work as partners in their efforts or whether one or another assumes control while others acquiesce. Collaboration never exists as a goal in and of itself. It is the means for achieving other goals.

Examples of situations in today’s schools of when collaboration is essential are almost limitless (Friend & Cook, 2007). For example, professionals must work closely with parents and family members, and they may be asked to participate on teams that include teachers and other school personnel (e.g., a speech/language pathologist) as well as representatives from agencies outside the school (e.g., a social worker or representative from the juvenile justice system). In addition, general education and special education teachers or other professionals may work together in general education classrooms instructing all their students by co-teaching, a special form of collaboration discussed in detail in Chapter Four. Simply put, the days are gone when an individual could enter the field of education just to work with students; now a significant part of school professionals’ jobs, no matter the setting or type of position, pertains to interacting effectively with other adults.

What Are the Perspectives of Parents and Families Regarding Their Children with Disabilities?

Parents—including natural, adoptive, and foster parents and guardians and other individuals acting in the parent role—are the strongest advocates that children with disabilities have. For example, as far back as 1874, a parent went to court to argue that her child with an intellectual disability had a right to be educated in a public school. The courts at that time believed that a free education for all children was not meant to include those thought to be incapable of being educated and ruled against her. Since that time, parents and other advocates have been instrumental in working for the rights of students with disabilities through organizations such as the Council for Exceptional Children, the Arc (formerly called the National Association for Retarded Citizens), the United Cerebral Palsy Association (UCP), and hundreds of other disability-specific groups (e.g., the National Association for Down Syndrome). These parents have been instrumental in guaranteeing that their children receive a high-quality education. They have lobbied for strong legislation to protect the rights of their children, and they have taken their cause to court when they believed those rights were not being upheld.

Parents and Their Children with Disabilities

Entire books have been written, thousands of studies have been conducted, and whole courses have been taught on the relationships of parents and other family members with their children with disabilities. A fairly straightforward conclusion can be drawn from this significant work: Parents and family members see their children primarily as children for whom a disability is only one small part of who they are; they do not make a disability the overriding characteristic of their children (Fleischmann, 2004). Robert and Timothy and their parents illustrate this point. Robert is highly gifted in a traditional way; he excels in school, and he is a talented pianist. Timothy is gifted, too. He is gregarious and usually surrounded by a set of friends; he is also a star on his Little League baseball team. Robert and Timothy are twins, and their parents have carefully helped each boy to reach his potential and to be proud of his accomplishments. Little attention is paid on a day-to-day basis to the fact that Timothy has an intellectual disability. After a visitor who did not know the boys had listened to Robert play a complex piece of piano music, she asked Timothy what he was really good at. Timothy demonstrated his strong positive self-concept when he said, “Baseball. I play a million times better than Robert.”

Although much has been written about the stress of raising a child with a disability (e.g., Lustig, 2002), professionals increasingly are recognizing that parents and family members...
also experience positive effects. For example, Taunt and Hastings (2002) interviewed and surveyed forty-seven parents of children with developmental disabilities. They found that parents reported these positive outcomes of having a child with a disability:

- Positive characteristics of the child, such as a happy disposition
- A changed perspective on life, including not taking things for granted, valuing other people more, and appreciating life
- Increased tolerance of others, sensitivity to others, and patience
- Opportunities to learn about children, disability, self, and other areas
- Improved family dynamics, with the family spending more time together
- Opportunities to meet and share with others and to influence policy makers

To a professional educator, this understanding of positive outcomes is especially important because there is a tendency among school personnel to most often contact parents about problems (Muscott, 2002). If you reflect on the strengths of families of children with disabilities, you will find that you can build strong working relationships with them, relationships based on a multidimensional understanding of your students.

### Parent Participation in Special Education

Parent participation is essential in special education. Research strongly supports the fact that when parents of students with disabilities actively participate in their children’s schooling, achievement is higher and fewer behavior problems occur (Salend, 2006). However, it is well recognized that school–home partnerships have not always been easy to build.

#### Barriers to Parent Participation

Many factors contribute to parents’ occasional reluctance to participate actively in their children’s education. For example, for many parents, time is a critical issue. Often both parents work, and one or both may have a second job; they have other children who need attention and elderly parents to care for; and they have to manage the innumerable details of supporting their families. They simply may not be able to attend a meeting school professionals schedule at 3:45 P.M. next Thursday or at 7:30 A.M. on Friday.

For families from diverse backgrounds, many other barriers also exist. Some families face language barriers in interacting with school professionals; others may lack transportation. Some families, including those of migrant workers, move frequently, so developing a close working relationship with a teacher is unlikely (Reyes-Blanes, 2002). Some parents may be unfamiliar with the customs of U.S. schools or uncomfortable with them. They also may find teachers and administrators insensitive to their needs (Sleeter, 2001).

#### Strategies to Encourage Parent Participation

Teachers are well intentioned. They want to welcome parents to school and encourage their participation. Muscott (2002) recommends that you follow these four principles to create school–home partnerships:

1. Use family-centered practices. Emphasize family strengths, not weaknesses, and family choice about services. Think about how you can support the entire family in your interactions, not only one child with special needs.
2. Respect the unique characteristics of each family. Often the most straightforward way to find out what a family needs is to ask. It may be tempting to think that you know what a family is like because you learned about their culture in a course or workshop; that is a
common mistake. Remember that no single set of traits can be assigned to any family. Each is different.

3. Recognize that families have different understandings of their children’s special needs. Whatever your role in the school, your job is not to convince family members that their child has a certain disability or to help them be “realistic.” Rather, you are to provide exemplary services and offer assistance to the family, whatever their perception of their child.

4. Match your strategies and resources to family preferences. If you truly understand the first three principles, then this will seem logical. Giving a single parent with several children a book on interventions and advice for using them at home is a strategy that will likely fail. Asking that parent what her concerns and priorities are for her child and offering one specific idea for addressing them will likely be more effective.

Throughout this book, you will learn more about parents of children with disabilities and how you can effectively work with them. Much more than words can convey, parents are your partners in educating your students.

**What Trends and Issues Are Influencing Special Education?**

You already have learned that special education is a constantly evolving field. Not surprisingly, the rapid pace of change is accompanied by debate over critical concerns. As you read this book, you will learn about many of the most important issues facing the field of special education. Two issues that have particularly widespread implications are (1) the impact of federal education legislation on students with disabilities and (2) discipline.

**No Child Left Behind Act of 2001**

In January 2002, President George W. Bush signed into law the reauthorization of the Elementary and Secondary Education Act, a sweeping set of educational reforms called the **No Child Left Behind Act of 2001** (NCLB, P.L. 107-110). This law is intended to help improve the academic achievement of all students, including those with disabilities and other special needs. The law addresses several critical areas (Education Commission of the States, 2004):

1. All students each year in grades three through eight and once in grades ten through twelve are assessed each year in the areas of reading and math to determine their progress and achievement. Beginning in 2007–2008, students also must be assessed periodically in the area of science. The results of these assessments must be made available to parents, legislators, and the community and must be reported in a way that allows states to demonstrate overall achievement trends but also to identify gaps in learning that may exist with certain subgroups of students, including, for example, those with disabilities and those who live in poverty.

2. Students for whom English is not their first language must be assessed using tests written in English after they have received three consecutive years of instruction in U.S. schools. A few students are entitled to an additional two years of instruction before this requirement is implemented.

3. By the end of the 2013–2014 school year, schools are required to demonstrate that all their students are academically proficient as measured on a standard assessment or through alternate assessment (allowed primarily for students with significant intellectual disabilities). Each state has gradually increasing yearly targets for student achievement, called **adequate yearly progress (AYP)**, to ensure that this goal can be met.
4. Schools in high-poverty areas (Title I schools) that fail for two years in a row to make adequate yearly progress are subject to sanctions, including offering tutoring to students, filing a plan for improvement, allowing students to transfer to other schools, and accepting technical assistance from the state. If student achievement does not improve after four years, students may be entitled to transfer to other schools, and additional sanctions may occur.

5. All students must be taught by highly qualified teachers, and each state is required to set specific criteria by which teacher qualifications are documented. As a teacher candidate, you are directly affected by this provision of NCLB.

NCLB includes many other provisions. Some relate to ensuring that schools are safe and drug free. The law also addresses other important matters, including a more flexible use of federal funds for many education programs and services (but not those related to special education).

**NCLB and Students with Disabilities**

For students with disabilities and the professionals who work with them, the most significant provision of NCLB pertains to accountability—specifically, the requirement that all schools make adequate yearly progress (AYP) toward the goal of 100 percent student proficiency in reading and math by the year 2014 (Yell, Katsiyannis, & Shriner, 2006). Data related to AYP are reported by race, ethnicity, and disability, and the implication is that most students with disabilities are expected to reach the same academic achievement goals as other students; if they do not, the schools they attend may face remedial action. Unlike in the past and consistent with the accountability movement discussed earlier in this chapter, most students with disabilities are not exempt from taking the yearly achievement tests on which judgments about progress are made. Only a few students with significant disabilities may take an alternative, functional assessment; otherwise, the state may be judged out of compliance with the law. As you work in schools, you will find that even more than IDEA, NCLB is creating pressure for students’ educational goals and objectives to be based on the general education curriculum and for students to access instruction in general education classrooms.

NCLB raises many questions for professionals (Albritten, Mainzer, & Zigler, 2004; Nagle, Yunker, & Malmgran, 2006): How are academic standards being set and measured, and are the expectations that most students with disabilities be held to these standards reasonable? What are the most effective means for ensuring that students with disabilities can master the curriculum so that they make adequate yearly progress? What if many schools fail to make adequate yearly progress? What if school districts cannot find enough highly qualified special education teachers, especially for urban and other high-need areas? What is the impact of NCLB on dropout rates and the use of alternative diplomas for students who cannot reach the high standards? Clearly, questions related to this critical education law will be asked for several years to come, and decisions about the application of the law to the field of special education and students with disabilities will be made as policies are created and clarified or as litigation occurs.

**Discipline**

Discipline in schools has been in the spotlight of public attention for more than a decade. When asked what the biggest problems facing public schools are, Americans mention among their top concerns lack of discipline and the need for more control of students; fighting, violence, and gangs; and the use of drugs (Rose & Gallup, 2006). This perception is not unfounded, as illustrated by recent alarming information about such issues as the increasing amount of antisocial behavior displayed by young children, the rising number of children in juvenile detention facilities and prisons, and the increasing use of suspension and expulsion in schools (Wagner et al., 2005).
Discipline Issues for Students with Disabilities

For students with disabilities, discipline has been a hotly debated topic (Baker, 2005). Two key issues often arise. First, to what extent should students with disabilities be held accountable to the same standards of discipline as other students? IDEA clarified for the first time in 1997 several specific procedures to be followed when students with disabilities have discipline problems, and further clarification was added in 2004 (Yell, 2005). However, complexity persists. For example, a student in general education who fights with another student might be suspended from school for an extended period of time. A student with disabilities who fights, however, in many cases cannot be denied educational services and so would continue to receive instruction, even if the services were delivered to the student at home or in an alternative school or similar setting. Some school administrators and community members consider such treatment unfair and suggest that it promotes in students with disabilities and their families a sense of entitlement (Horn & Tynan, 2001).

Second, some professionals argue that disciplinary procedures have been used as tools of discrimination against students with disabilities, particularly those from minority groups and those who live in poverty (Monroe, 2005). Under the guise of enforcing discipline policies, some students who are from nondominant cultures and who have exhibited behaviors viewed by educators as challenging have been forced out of schools in violation of the zero-reject principle of IDEA. Ableser (2002) reports that zero-tolerance policies do not make schools safer, and she contends that schools should create alternatives to suspension and expulsion that teach all students, both typical learners and those with disabilities, appropriate behavior. How does this perspective influence your own thinking about discipline and students with disabilities?

SUMMARY

Special education is the specially designed instruction that meets the needs of students with disabilities as they attend school; it also includes related services and supplementary aids and services. Today’s special education is the culmination of efforts by researchers, professionals, parents, and legislators that began prior to the nineteenth century, grew significantly in the United States during the early part of the twentieth century, were questioned and changed as a civil rights issue, and today are guided by federal law (Individuals with Disabilities Education Act) and interpreted by litigation. IDEA encompasses six key principles that ensure students with disabilities receive free appropriate public education (FAPE). Related legislation includes Section 504 and the Americans with Disabilities Act. IDEA specifies thirteen disabilities that may qualify children, birth through twenty-one years of age, to receive special education, and approximately 6.8 million children and young adults access it. Among the practices currently characterizing special education are these: inclusive practices, accountable and accessible instruction, positive behavior supports, and collaboration. The parents and families of students with disabilities have been their strongest advocates, and their efforts have greatly influenced the field. A number of significant issues also are shaping special education, including the impact of the No Child Left Behind Act of 2001, initiatives to ensure that instruction is evidence based, and debate about equitable discipline procedures for students with disabilities.

BACK TO THE CASES

Elizabeth

In this book, the research on inclusive practices in schools is discussed. Elizabeth’s story at the beginning of this chapter describes the successful inclusion of a first-grader with her peers. How does the research support the inclusion of Elizabeth with typically achieving peers as her least restrictive environment? (See CEC Standard 1 and INTASC Principles 1.04 and 1.05.) If you disagree that this is the LRE, how does the research support your thinking?

Misha

Inclusion is defined in this book as “a belief system shared by every member of a school as a learning community . . . about the responsibility of educating all students so that they reach their potential.” How is this belief system exemplified in Misha’s story? (See CEC Standard 10 and INTASC Principles 10.01 and 10.03.) Give specific examples of how the school community has provided services that will help her reach her potential.
Daniel

The snapshot of Daniel reveals a young man who is struggling with his own thinking about who he is as a person and how his disability affects him and his hopes for a career. He has received services and academic support for many years but dislikes this special treatment. How might the application of the principles of universal design for learning (see the Specialized Instruction box on page 24) benefit Daniel in his academic work and preparation for high-stakes achievement tests? (See CEC Standard 1 and INTASC Principle 1.02.)

1. Visit the websites of several local school districts and your state’s department of education. How are the topics of special education, related services, and supplementary aids and services addressed on those websites? What examples are given that might help your understanding of these key concepts for educating students with disabilities? (Learning Objective 1)

2. IDEA incorporates six principles to ensure the rights of students with disabilities. How do these provisions reflect the history of special education and the inequities that occurred? What is an example of each principle in practice? (Learning Objective 2)

3. In this chapter, you learned that federal civil rights laws define disabilities very broadly but that federal special education law (IDEA) specifies only thirteen categories of disability that may entitle a student to special education. Why do you think the latter is so narrow and the former is so broad? Search the Internet for information about both laws to help you frame your answer. (Learning Objective 2)

4. Scan newspapers, news magazines, and lists of best-selling books. What stories do you find related to individuals with disabilities? How are people in those stories portrayed? How might such stories affect how you and others interact with children and adults with disabilities? (Learning Objective 3)

5. What are the opportunities and challenges of educating students with disabilities with their peers in a general education setting? How might the opportunities be maximized while the challenges are minimized? (Learning Objective 4)

6. As a professional educator, what are your responsibilities related to working with the parents and family members of children with disabilities? What ideas do you have for forging strong positive working relationships with them? (Learning Objective 5)

7. Make and complete a chart that looks like this:

<table>
<thead>
<tr>
<th>Aspect of Special Education</th>
<th>The Way It Was</th>
<th>The Way It Is Now</th>
<th>The Way It Will Be in the Future</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students served</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service location</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service goals</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roles for special educators</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roles for general educators</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parent involvement</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Compare your chart with the charts of your classmates. How are they alike? How do views differ about the future of special education? Why do you think this is so? (Learning Objectives 1, 6)

8. Think about NCLB and inclusive practices. How does the latter support accomplishing the goals of the former? What challenges have to be overcome? (Learning Objective 6)

9. Poll your classmates who are preparing to be general education teachers (or if you are a general educator, poll special...
Go to Allyn & Bacon’s MyLabSchool (www.mylabschool.com) and enter Assignment ID numbers SIM12, SIM17, and SIM23 into the Assignment Finder. These are just a few of several MLS simulations related to differentiated instruction.

**Question:** This chapter notes that the concept of differentiated instruction was originally applied in programs for gifted students, but that its application has broadened to other categories of special needs. How might differentiated instruction strategies benefit students with other disabilities? You may also complete the activities at the end of the simulations and e-mail your work to your instructor.

Review, Discuss, Apply